



PROMOTION OF ACCESS TO INFORMATION ACT, 2 OF 2000 (THE ACT)

Section 51 Manual of 1 ST INSURANCE BROKERS (PTY) LTD

(Registration number: 2005/035437/07)

1. Contact particulars
2. Introduction
3. Guide in terms of Section 10 of The Act
4. Facilitation of a request for access to information
5. Information available in terms of other applicable legislation
6. Information automatically available
7. Information available in terms of The Act - on request
8. General
9. Requesting procedures
10. Prescribed fees
11. Protection of personal information processed
12. Availability of the manual

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SECTION 51 MANUAL OF 1 ST INSURANCE BROKERS (PTY) LTD

(REGISTRATION NUMBER: 2005/035437/07)

1. CONTACT PARTICULARS

Head of business:	David de Klerk	Information officer:	Hans Jurgens Marx
Postal Address:	PO Box 234	Physical Address:	102 1st Floor, Regent Place, The Zone
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			Rosebank
	2132		2196
Telephone Number:	(011) 250 6800	Fax Number:	(011) 250 6802
E-mail Address:	<a href="mailto:popia@1stinsurancebrokers.co.za">popia@1stinsurancebrokers.co.za</a>		
Website:	<a href="http://www.1stinsurancebrokers.co.za">www.1stinsurancebrokers.co.za</a>		

2. INTRODUCTION

Insurance broking activities

3. GUIDE IN TERMS OF SECTION 10 OF THE ACT

3.1 The Act grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.

3.2 Requests in terms of The Act shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in Sections 53 and 54 of The Act.

3.3 Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which contains information for the purposes of exercising Constitutional Rights.

#### 4. FACILITATION OF A REQUEST FOR ACCESS TO INFORMATION

Information which is not readily available as indicated in this manual, may be requested in accordance with the procedure prescribed in terms of The Act. Copies of the prescribed forms to be completed for submitting a request, are available from 1 ST INSURANCE BROKERS (PTY) LTD on [www.1stinsurancebrokers.co.za](http://www.1stinsurancebrokers.co.za).

#### 5. INFORMATION AVAILABLE IN TERMS OF OTHER APPLICABLE LEGISLATION

- Basic Conditions of Employment Act 75 of 1997
- Broad-based Black Economic Empowerment Act 53 of 2003
- Companies Act 71 of 2008
- Consumer Protection Act 68 of 2008
- Compensation for Occupational Injuries and Health Diseases Act 130 of 1993
- Electronic Communications and Transactions Act, 25 of 2002
- Employment Equity Act 55 of 1998
- Financial Advisory and Intermediary Services Act 37 of 2002
- Financial Intelligence Centre Act 38 of 2001
- Income Tax Act 58 of 1962
- Insurance Act 18 of 2017
- Labour Relations Act 66 of 1995
- Occupational Health and Safety Act 85 of 1993
- Prevention of Organised Crime Act 121 of 1998
- Prevention and Combatting of Corrupt Activities Act 12 of 2004
- Promotion of Access to Information Act 2 of 2000
- Protection of Personal Information Act 4 of 2013
- South African Revenue Services Act 34 of 1997
- Short Term Insurance Act 53 of 1998
- Skills Development Levies Act 9 of 1999
- Skills Development Act 97 of 1998
- Tax Administration Act 28 of 2011
- Unemployment Contributions Act 4 of 2002
- Unemployment Insurance Act 63 of 2001
- Value Added Tax Act 89 of 1991

#### 6. INFORMATION AUTOMATICALLY AVAILABLE

- Details as disclosed on [www.1stinsurancebrokers.co.za](http://www.1stinsurancebrokers.co.za)

#### 7. INFORMATION AVAILABLE IN TERMS OF THE ACT - ON REQUEST

##### *Statutory Business Records*

- Certificate of Change of Name
- Certificate of Incorporation

- Certificate to Commence Business
- Dividend Register
- Directors Attendance Register
- Index of Shareholders
- Memorandum of Incorporation
- Minutes of Shareholders Meetings
- Minutes of Directors Meetings
- Other Minute Books
- Register of Directors and Officers
- Resolutions
- Shareholders Agreements
- Minute Books
- Resolutions Passed at Meetings

### ***Accounting Records***

- Annual financial statements and working papers
- General ledger
- Subsidiary ledgers (receivables, payables, etc.)
- Bank statements, cheque books, cheques
- Customer and supplier statements and invoices
- Cash books and petty cash books
- Fixed asset register
- Tax returns and assessments
- VAT returns
- Lease or instalment sale agreements
- Budgets and business plans
- Insurance records
- Auditor's reports
- Management reviews
- Credit agreements

### ***Distribution and Transportation***

- Permits and licenses

### ***Environment, Health and Safety***

- Permits, licenses, approvals and registrations for operations of sites and business

### ***Information Technology***

- Agreements
- Audits
- Client database
- Disaster recovery
- Hardware
- Internet
- Intranet

- Licenses
- LAN Installations
- Software packages

### ***Insurance***

- Claim records
- Details of coverage, limits and insurers
- Insurance policies

### ***Legal, Agreements and Contracts***

- Agreements with customers
- Agreements with shareholders, officers or directors
- Distributor, dealer or agency agreements
- Material licenses, permits and authorisations
- Contracts, including lease agreements and finance agreements

### ***Personnel Records***

- Disciplinary records
- Employee evaluation and performance records
- Employee information records
- Employment contracts
- Employment equity plan
- Group life
- Health and safety records
- IRP 5 and IT 3 certificates
- Leave applications
- Maternity leave policy
- Payroll
- Personnel File
- Policies and procedures
- Recruitment and appointments
- Salary and wage registers
- Salary slips and wage cards
- Study assistance schemes
- Time records
- Training and development
- UIF, PAYE and SDL returns
- Workmen's Compensation Documents

### ***Sales and Marketing***

- Brochures, newsletters and marketing material
- Customers
- Sales
- Service and product information

## 8. GENERAL

Not applicable

## 9. REQUESTING PROCEDURES

A person who wants access to the records of 1 ST INSURANCE BROKERS (PTY) LTD must complete the necessary request forms which are available at the offices of 1 ST INSURANCE BROKERS (PTY) LTD or which can be accessed on [www.justice.gov.za/inforeg](http://www.justice.gov.za/inforeg). The completed request forms must be sent to the address or fax number provided in this manual and must be marked for the attention of the Information Officer if submitted to the offices of 1 ST INSURANCE BROKERS (PTY) LTD.

Please provide sufficient details to enable the company to identify:

- a. the record(s) requested
- b. the requester (and if an agent is lodging the request, proof of capacity)
- c. the form of access required
- d. the postal address or fax number of the requester in the Republic
- e. if the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof
- f. the right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

## 10. PRESCRIBED FEES

- A requestor may be required to pay a prescribed fee before a request will be processed;
- If the preparation of the record requested requires more than the prescribed hours (six), a deposit may be payable;
- A requestor may lodge an application with a court against the tender/payment of the requested fee and/or deposit, should a fee be applicable;
- Records may be withheld until the fees have been paid, should a fee be applicable; and
- The South African Human Rights Commission has handed over all PAIA related matters to the Information Regulator of South Africa with effect from 1 July 2021. More details are expected to be made available on <https://www.justice.gov.za/inforeg/>. Any enquiries can be submitted via [inforeg@justice.gov.za](mailto:inforeg@justice.gov.za).

## 11. PROTECTION OF PERSONAL INFORMATION PROCESSED

1 ST INSURANCE BROKERS (PTY) LTD is committed to protecting the privacy of the personal information of our data subjects. The information you share with us as a data subject allows us to provide you with the best experience with regards to our products and services, or as a stakeholder.

1 ST INSURANCE BROKERS (PTY) LTD has dedicated policies and procedures in place to protect all personal information collected and processed by us. Please read below for more information on how we collect, process, use and disclose personal information.

### *11.1 The purpose of processing of personal information*

We process personal information for various reasons, including but not limited to the following:

- To manage information, products and/or services requested by data subjects
- To help us identify data subjects when they contact us
- Manage clients
- To maintain clients records
- Recruitment purposes
- Employment purposes
- Training purposes
- Travel purposes
- General administration
- Financial and tax purposes
- Legal or contractual purposes
- Health and safety purposes
- To monitor access, secure and manage our premises and facilities
- To transact with our suppliers
- To improve the quality of our products and services
- To help us detect and prevent fraud and money laundering under FICA
- To help us recover debts
- Marketing purposes
- Engaging with the public

### *11.2 Data subject categories and personal information processed*

#### Business partners

- E-mail address
- Location information
- Online identifier
- Telephone number
- Name of individual if it appears with other personal information



## Customers

- Age
- Criminal history, alleged commission of offence and proceedings in respect of these offences
- E-mail address
- Employment history
- Financial history
- ID number
- Language and birth of the person
- Location information
- Marital status
- Name of individual if it appears with other personal information
- National, ethnic or social origin
- Online identifier
- Sex
- Telephone number

## Employees

- Age
- Biometric information
- Blood type
- Criminal history, alleged commission of offence and proceedings in respect of these offences
- Disability
- Education history
- E-mail address
- Employment history
- Financial history
- ID number
- Language and birth of the person
- Location information
- Marital status
- Medical history, health and sex life
- Name of individual if it appears with other personal information
- National, ethnic or social origin
- Online identifier
- Physical or mental health
- Pregnancy
- Race
- Sex
- Telephone number
- The views or opinions of another individual about the person
- Well-being



### ***11.3 Recipients with whom personal information are shared***

In processing your personal information, we may share it within our group of companies or with other third parties. These include but are not limited to:

- Statutory authorities
- Tax authorities
- Medical schemes
- Employee pension and provident funds
- Industry bodies
- Contractors, vendors, or suppliers
- Payment processors
- Email management and distribution tools
- Data storage providers
- Server hosts
- Group companies
- Agents
- Service providers

### ***11.4 Security measures implemented to protect personal information***

We have identified our security risks over the personal information we process in line with the Protection of Personal Information Act, and we have implemented various security measures to ensure reasonable protection against the risk of loss, misuse, unauthorised access and disclosure, alteration and destruction of the personal information.

We also take steps to ensure that operators that process personal information on behalf of company name apply adequate safeguards as outlined above.

### ***11.5 Trans-border flows of personal information***

We may transfer to, and store personal information we collect about you, in countries other than South Africa, if the relevant business transactions or situation requires trans-border processing. These countries may not have the same data protection laws as South Africa, and in this instance, we will only transfer the information if we have consent from you, or it is necessary for the performance or conclusion of a contract between us.

### ***11.6 Personal information received from third parties***

When we receive personal information from a third party on behalf of a data subject, we require confirmation that they have written consent from the data subject that they are aware of the contents of this PAIA manual and the Privacy Policy, and do not have any objection to our processing their information in accordance with this policy.

Where information on third parties is provided by a data subject, or a third party provides information on a data subject, that information may be taken into account with other personal information.

### ***11.7 Data Breaches***


Where there are reasonable grounds to believe that the personal information of a data subject has been accessed or acquired by any unauthorised person, 1 ST INSURANCE BROKERS (PTY) LTD shall notify:

- a) the Regulator; and
- b) the data subject, unless the identity of such data subject cannot be established.

The notification will be made as soon as reasonably possible after the discovery of the compromise, taking into account the legitimate needs of law enforcement or any measures reasonably necessary to determine the scope of the compromise and to restore the integrity of the responsible party's information system.

## **12. AVAILABILITY OF THE MANUAL**

Copies of the manual are available for inspection, free of charge, at the offices of 1 ST INSURANCE BROKERS (PTY) LTD, and at [www.1stinsurancebrokers.co.za](http://www.1stinsurancebrokers.co.za).

Signed by:   
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HEAD OF BUSINESS

  
\_\_\_\_\_  
INFORMATION OFFICER

Signed on: DAVID THEODORE DE KLERK  
24 AUGUST 2021

HANS JURGENS MARX  
24 AUGUST 2021