

Promotion of Access to Information Act (PAIA) Manual

Effective Date: 1 September 2018

Wealth Planners (Pty) Ltd is an FSCA-licensed independent financial planning practice registered as a financial services provider (FSP) number 37933 and has been mindfully partnering with clients since 2009.

The Promotion to Access to Information Act, No 2 of 2000 (“the Act”) gives effect to the constitutional right of access to any information in records held by public (government) or private (non-government) bodies that is required for the exercise of protection of any rights. Where a request is made in terms of the Act, Wealth Planners is obliged to release the information, except where the Act expressly provides that the information may or must not be released.

The manual has been prepared following Section 51 of the Act. The manual informs the requester of procedural and other requirements that a request must meet as prescribed by the Act. It is important to note that the Act recognises certain limitations to the right of access to information, including but not limited to, limitations aimed at reasonable protection of privacy, commercial confidentiality, and effective, efficient, and good governance, and in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

Section 51 (1)(a) - Company information & contact details

Name of the Private Body: Wealth Planners (Pty) Ltd.

Company Registration Number: 2008/028185/07.

Information Officer: Keith James McDonald.

Office Address: Unit 14 Draper Square, 14 Draper Street, Claremont, Cape Town, 7708.

Postal Address: PostNet Suite 238, Private Bag X1005, Claremont, Cape Town, 7735.

Telephone Number: +27 21 671 8985.

Fax Number: +27 86 588 9544.

Email Address: info@wealthplanners.co.za

Wealth Planners (Pty) Ltd is a licensed Financial Service Provider.

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www.wealthplanners.life

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VAT No. 4120258001
Reg. No. 2008/028185/07

Website: www.wealthplanners.life

Section 51 (1)(b) - Guide on how to use the Act

The South African Human Rights Commission has - in terms of the Act - compiled a guide (“Guide on how to use the Promotion of Access to Information Act 2 of 2000”), in every official language, in an easily comprehensible form and manner, as may be required by a person who wishes to exercise any right contemplated in the Act. Please direct enquiries to:

Postal Address: The South African Human Rights Commission, PAIA Unit, The Research and Documentation Department, Private Bag X2700, Houghton, Johannesburg, 2041.

Telephone Number: +27 11 4848300.

Fax Number: +27 11 484 7146.

Email Address: PAIA@sahrc.org.za.

Website: www.sahrc.org.za

Voluntary disclosure & automatic availability of certain records

The accessibility of the documents below may be subject to the grounds of refusal set out in this manual:

- Personnel Records.
- Client Related Records.
- Private Body Records (financial and company secretarial).

Section 51 (1)(d) - Availability of records under any other legislation

The requester may also request information that is available in terms of other legislation.

Legislation Applicable

- Administration of Estates Act, No. 66 of 1965 - No
- Arbitration Act No. 42 of 1965 - No
- Basic Conditions of Employment No. 75 of 1997 - Yes
- Companies Act No. 61 of 1973 - Yes
- Compensation for Occupational Injuries & Health Diseases Act No. 130 of 1993 - Yes
- Consumer Affairs (Unfair Business Practices) Act No. 71 of 1988 - No

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- Copyright Act No. 98 of 1978 - No
- Credit Agreements Act No. 75 of 1980 - No
- Currency & Exchanges Act No. 9 of 1933 - No
- Debtor Collectors Act No. 114 of 1998 - No
- Employment Equity Act No. 55 of 1998 - No
- Finance Act No. 35 of 2000 - No
- Financial Services Board Act No. 97 of 1990 - Yes
- Financial Relations Act No. 65 of 1976 - No
- Harmful Business Practices Act No. 23 of 1999 - No
- Income Tax Act No. 95 of 1967 - Yes
- Insolvency Act No. 24 of 1936 - No
- Insurance Act No 27 of 1943 - Yes
- Intellectual Property Laws Amendments Act No. 38 of 1997 - No
- Labour Relations Act No. 66 of 1995 - Yes
- Long Term Insurance Act No. 52 of 1998 - No
- Medical Schemes Act No. 131 of 1998 - Yes
- Occupational Health & Safety Act No. 85 of 1993 - Yes
- Pension Funds Act No. 24 of 1956 - Yes
- Post Office Act No. 44 of 1958 - No
- Protection of Businesses Act No. 99 of 1978 - No
- Regional Services Councils Act No. 109 of 1985 - No
- SA Reserve Bank Act No. 90 of 1989 - No
- Short-Term Insurance Act No. 53 of 1998 - No
- Skills Development Levies Act No. 9 of 1999 - Yes
- Skills Development Act No. 97 of 1998 - No
- Stamp Duties Act No. 77 of 1968 - No
- Stock Exchange Control Act No. 1 of 1985 - No
- Tax on Retirement Funds Act No. 38 of 1996 - Yes
- Trade Marks Act No. 194 of 1993 - No
- Unemployment Contributions Act No. 4 of 2002 - No
- Unemployment Insurance Act No. 63 of 2001 - Yes
- Usury Act No 73 of 1968 - No
- Value Added Tax Act No. 89 of 1991 - Yes

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Section 51 (1)(c) and 1(e) - Access to records held by Wealth Planners

Wealth Planners may refuse a request for information in respect of the information detailed below:

Commercial and Legal

- Contracts and Agreements.
- Company Confidential – Historical significance.
- Meeting Minutes.
- Shareholders.
- Property Leases and Agreements.
- Trademark.
- Insurance.
- Resolutions – Directors.

Financial

- Financial Statements
- Financial Analysis and Reports
- Budgets
- Taxes and Levies

Human Resources

- Employees Personnel Information
- Employees History (skills and experience)
- Educational Background
- Training and Development
- Health
- Salaries and Wages
- Contracts and Agreements
- Employment Equity

Marketing

- Advertising

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- Contracts with Suppliers
- Product Ranges and Pricing

Health and Safety

- Policies
- Accidents and Incidents Reports

Procedure for requiring records

The requester must use the prescribed request form (PAIA Form C) to make the request. The requester must properly detail their request on the form so that it:

- properly identifies the record and requester;
- indicates the form of access required.
- indicates if any other manner is to be used to inform the requester stating the particulars of such manner;
- identifies the right that is to be exercised or protected and provide an explanation of why the requested record is required for the exercise or protection of that right.
- where the request is made on behalf of a third-party, the requester must submit proof of the capacity in which the requester is making the request to the satisfaction of the Information Officer.

The form must be submitted to the Information Officer at the email address, office or postal address, or fax number listed above.

Wealth Planners will process the request within thirty (30) calendar days.

The requester will be informed in writing whether or not access has been granted. The requester must pay the prescribed fee if applicable, before any further processing takes place.

Section 51 (3) - Availability of the manual and prescribed request form

The PAIA manual is available for inspection at the offices of Wealth Planners and for download from the Wealth Planners website. The prescribed request form is available from the offices of Wealth Planners and for download from the South African Human Rights Commission website.

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Fees for accessing records

See the fee schedule listed in the South African Human Rights Commission's "Guide on how to use the Promotion of Access to Information Act 2 of 2000".

Legal recourse against private bodies

When the requester is not satisfied by a decision made by the Information Officer of a private body, for example for refusing access, for imposing access fees, or for extending the time period in which the response is due, the requester may apply to court for relief within one hundred and eighty (180) days of receiving the decision for more information that has caused the grievance. The decision of the private body will be reviewed by a court and a decision will be made by the courts as to whether or not to provide access to the requested records. Access to information cases can be heard before the Magistrate's Courts as a court of first instance, as provided for under section 79 of the Act, and also the High Courts.

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