

# Promotion of Access to Information Manual (PAIA)

of

## Vunani Fund Managers

[Registration Number: 1999/015894/07]

(the “Company”)

THIS MANUAL WAS PREPARED IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2/2000 AND WAS LAST UPDATED IN JUNE 2021.

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## Introduction

The promotion of Access to Information Act, 2000 (the "Act") gives third parties the right to approach private bodies and the government to request information held by them, which is required in the exercise and/or protection of any rights. On request, the private body or government is obliged to release such information unless the Act expressly states that the records containing such information may or must not be released. This manual informs requestors of procedural and other requirements which a request must meet as prescribed by the Act.

## Nature of Business

Vunani Fund Managers (Pty) Ltd conducts business as an Investment Manager and is an authorised Financial Services Provider in terms of the Financial Advisory and Intermediary Services Act, 37 of 2002

## Contact Details (Section 51(1)(a))

<b>Name of body</b>	:	Vunani Fund Managers (Pty) Ltd
<b>Chief Executive Officer</b>	:	Snowy Masakale
<b>Information Officer</b>	:	Kirsten Elvin-Jensen (Chief Operating Officer)
	:	E-mail – <a href="mailto:kirstenej@vunanifm.co.za">kirstenej@vunanifm.co.za</a>
	:	Tel - +27 (0)21 670 4993
<b>Deputy Information Officer</b>	:	Vuyiseka Kulati (Compliance Officer)
	:	<a href="mailto:compliance@vunanifm.co.za">compliance@vunanifm.co.za</a>
	:	Tel - +27 (0)21 670 4980

The Information Officer and Deputy Information Officer can also be contacted at:

<b>Physical Address</b>	:	1 <sup>st</sup> Floor, Cavendish Links 1 Cavendish Street Claremont 7708
<b>Postal Address</b>	:	PO Box 44586 Claremont 7735
<b>Telephone Number</b>	:	+27 21 670 4900
<b>Facsimile Number</b>	:	+27 21 683 5788
<b>Email address</b>	:	<a href="mailto:info@vunanifm.co.za">info@vunanifm.co.za</a>
<b>Website</b>	:	<a href="http://www.vunanifm.co.za">www.vunanifm.co.za</a>

### Guide of the South African Human Rights Commission

A guide to the Act (as contemplated under section 10 of the Act) is available from the South African Human Rights Commission. The guide contains such information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act. Any enquiries regarding this guide and its contents should be directed to:

The South African Human Rights Commission ("SAHRC"):  
PAIA Unit (the Research and Documentation Department)

Telephone : +27 11 877 3600

Website : [www.sahrc.org.za](http://www.sahrc.org.za)

E-mail : [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za) / [info@sahrc.org.za](mailto:info@sahrc.org.za)

Deputy Information Officer : Mr Tshepang Sebulele

Telephone Number : +27 11 877 3645

E-mail : [tsebulela@sahrc.org.za](mailto:tsebulela@sahrc.org.za)

### Information Regulator

The Protection of Personal Information Act, 2013 (POPIA Act) aims to promote the protection of personal information processed by public and private bodies by, among others, introducing certain conditions for the lawful processing of personal information so as to establish minimum requirements for the processing of such information.

The Information Regulator is, among others, empowered to monitor and enforce compliance by public and private bodies with the provisions of the POPIA Act as well as the Promotion of Access to Information Act **with effect from 1 July 2021**.

Website : <https://www.justice.gov.za/inforeg/contact.html>

Physical Address : JD House  
: 27 Stiemens Street, Braamfontein  
; Johannesburg, 2001

General enquiries Email : [inforeg@justice.gov.za](mailto:inforeg@justice.gov.za)

Complaints Email : [complaints.IR@justice.gov.za](mailto:complaints.IR@justice.gov.za)

### Access to Records held by Vunani Fund Managers

Records held by Vunani Fund Managers (Pty) Ltd ("the Company") may be accessed on request only once the requirements for access have been met. A requester is any person making a request for access to a record of the Company and in this regard, the Act distinguishes between two types of requesters:

**Personal Requester**

A personal requester is a requester who is seeking access to a record containing personal information about the requester. Subject to the provisions of the Act and applicable law, the Company will provide the requested information, or give access to any record with regard to the requester's personal information.

**Other Requester**

This requester (other than a personal requester) is entitled to request access to information pertaining to third parties. However, the Company is not obliged to grant access prior to the requester fulfilling the requirements for access in terms of the Act. The prescribed fee for reproduction of the information requested may be charged by the Company.

**Request Procedure**

A requester must comply with **all** the procedural requirements contained in the Act relating to a request for access to a record.

A requester must complete the prescribed form enclosed herewith in Appendix 1 and submit same as well as payment of a request fee and a deposit, if applicable to the information officer, see contact details above. .

The prescribed form (Annexure A) must be filled in with enough detail to at least enable the information officer to identify:

- The record or records requested.
- The identity of the requester.
- What form of access is required; and
- The postal address or e-mail address of the requester.

A requester must state that he or she requires the information in order to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. The requester must also provide an explanation of why the requested record is required for the exercise or protection of that right.

The Company will process a request within 30 days, unless the requestor has stated special reasons which would satisfy the information officer that circumstances dictate that a shorter time period is appropriate.

The requester shall be informed in writing whether access has been granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, he or she must state the manner and the particulars so required.

If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the information officer.

If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally to the information officer.

**Decision**

The Company will, within 30 days of receipt of a request, decide whether to grant or decline a request and give notice with reasons (if required) to that effect.

The 30-day period within which the Company has to decide whether to grant or refuse a request, may be extended for a further period of not more than 30 days if the request is for a large quantity of information, or the request requires a search for information held at another office of the Company (other than the head office) and the information cannot reasonably be obtained within the original 30 day period. The information officer will notify the requester in writing should an extension be necessary.

**Prescribed Fees (section 51(1)(F))**

A requester who seeks access to a record containing personal information about the requestor is not required to pay a request fee.

Every other requester, who is not a personal requestor, whose request for access to a record has been granted must pay the required request fee, for reproduction, search, and preparation, and for any time reasonably required in excess of the prescribed hours (six) to search for and prepare records for disclosure as prescribed from time to time.

- A copy of the fee schedule is available on the website of the SAHRC at [www.sahrc.org.za](http://www.sahrc.org.za).

When a request is received by the information officer of the Company, the information officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee (if any), before further processing of the request.

If in the opinion of the information officer a search for the record is necessary and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the six hours prescribed in the regulations for this purpose, the information officer shall notify the requester to pay as a deposit, a portion (no more than one third) of the access fee which would be payable if the request is granted.

The information officer shall withhold a record until the requester has paid the fee or fees as indicated.

If a deposit has been paid in respect of a request for access, which is refused, then the information officer shall repay the deposit to the requester.

**Categories of Records held section 51 (1)(E) of the Act:**

This section of the manual sets out the subject and categories of records held by the Company. The inclusion of any subject or category of records should not be taken as an indication that records falling within those subjects and/or categories will be made available under the Act. More specifically, certain grounds of refusal as stipulated in the Act may be applicable to a request for such records.

**Records that are available without having to submit a request in terms of PAIA:**

**Product Information**

- Fund Fact Sheets
- Monthly and Quarterly commentary

## Records that must be requested in terms of PAIA:

### Company Secretarial

- Documents of incorporation.
- Memorandum and Articles of Association.
- Minutes of Board of Directors meetings.
- Records relating to the appointment of directors/ auditor / secretary public officer and other officers.
- Share Register.
- Other Statutory records and registers.

### Finance

- Financial reports, Annual Financial statements and other accounting records.
- Tax Records, including Tax clearance certificates.
- Banking details and statements
- Electronic banking records.
- Asset Register.
- Invoices.
- Insurance records
- Audit reports and documentation
- Workplace Skills Plan

### Tax Records

- PAYE, SDL (skills development levies), UIF Records, including computations, returns and payment details.
- Documents issued to employees for income tax purposes.
- Records of payments made to SARS on behalf of employees.
- Income Tax and Provisional Tax
- All other statutory compliances:
- VAT records, including computation, returns and payment or refund details.
- Regional Services Levies
- Workmen's Compensation

### Personnel documents and records:

- Employment contracts / Letter of appointment.
- Employment Equity Plan.
- Medical Aid records
- Retirement fund records
- MIE, verification records
- Biometric, fingerprint records
- CCTV footage
- Copies of staff qualifications, curriculum vitae, identity documents.
- Disciplinary codes, policies, procedures and records.
- HR policies and procedures.
- Leave records
- Salary records.
- SETA records
- Training records.
- Training Manuals.
- Internal policy and procedure records.

#### Product Information

- Fund Fact Sheets
- Monthly and Quarterly commentary

#### Other Party Records

- Records held by the Company pertaining to other parties (i.e. clients), including but not limited to correspondence, contractual and transactional records and FICA documentation.

#### Legal and Compliance

- All applicable contracts, service level agreements and mandates.
- FICA documentation.
- Records in terms of FAIS and FICA legislation.
- Records in terms of other applicable legislation.

#### **Mandatory / Main grounds for refusal include but are not limited to:**

- Information for the protection of the privacy of individuals.
- Information for the protection of commercial information and confidential information of third parties.
- Commercial and research information of the company (i.e. trade secrets, technical information which disclosure could likely cause harm to the financial or commercial interests of the company or a third party)
- Information disclosed in confidence by a third party to Vunani Fund Managers
- Mandatory protection of confidential information of third parties if it is protected in terms of any agreement.
- Mandatory protection of records, which would be regarded as privileged in legal proceedings.
- Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

#### **Remedies available if the Company refuses a Request for Information.**

##### **Internal Remedies**

The Company does not have internal appeal procedures. As such, the decision made by the information officer pertaining to a request is final, and requestors will have to exercise such external remedies at their disposal if a request is refused, and the requestor is not satisfied with the response provided by the information officer.

##### **External Remedies**

A requestor that is dissatisfied with the information officer's refusal to disclose information, may within 30 days of notification of the decision, apply to a court for relief. Likewise, a third party dissatisfied with the information officer's decision to grant a request for information, may within 30 days of notification of the decision, apply to a court for relief. For purposes of the Act, courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status.

Post 1 July 2021, complaints will be dealt with by the Information regulator, see contact details above. The Information Regulator has issued draft regulation for comments, which include lodging of complaints to information regulator, this will be expanded upon once gazetted.

**List of Applicable Legislation (section 51 (1) (C) )**

- Basic Conditions of Employment Act 57 of 1997
- Broad-based Black Economic Empowerment Act 53 of 2003 and Financial Sector Charter
- Collective Investment Schemes Control Act 45 of 2002
- Companies Act 71 of 2008
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Copyright Act 98 of 1978
- Disaster Management Act of 2002
- Electronic Communications Act 36 of 2005
- Electronic Communications and Transactions Act 25 of 2002
- Employment Equity Act 55 of 1998
- Financial Advisory and Intermediary Services Act 37 of 2002
- Financial Institutions (Protection of Funds) Act 28 of 2001
- Financial Intelligence Centre Act 38 of 2001
- Financial Sector Regulation Act 9 of 2017
- Financial Services Ombud Schemes Act 37 of 20014
- Financial Markets Act 19 of 2012
- Foreign Account Tax Compliance Act
- Income Tax Act 58 of 1962 & Tax Administration Laws Amendment Bill
- Labour Relations Act 66 of 1995
- Occupational Health and Safety Act 85 of 1993
- Regulation of Interception of Communications and Provision of Communication-Related
- Prevention of Organised Crime Act 121 of 1998
- Prevention and Combating of Corrupt Activities Act 12 of 2004
- Promotion of Access to Information Act 2 of 2000
- Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
- Protected Disclosures Act 26 of 2000
- Protection of Constitutional Democracy against Terrorist and Related Activities Act 33 of 2004
- Protection of Personal Information Act
- Skills Development Act 97 of 1998
- Skills Development Levies Act 9 of 1999
- Securities Transfer Tax Act 25 of 2007
- Trade Marks Act 194 of 1993
- Tobacco Products Control Act 83 of 1993
- Unemployment Insurance Act 63 of 2001
- Unemployment Insurance Contributions Act 4 of 2002
- Value Added Tax Act 89 of 1991

Reference to the above-mentioned legislation shall include subsequent amendments to such legislation and all relevant sections within such legislation of which the company holds records.

## Availability of the Manual

The manual is available for inspection, on reasonable prior notice, at the office of the company free of charge. A copy is available on Vunani Fund Managers' website: [www.vunanifm.co.za](http://www.vunanifm.co.za).

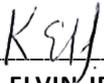
## Approval

Signed on behalf of the Company.



\_\_\_\_\_  
**SNOWY MASAKALE**  
**CHIEF EXECUTIVE OFFICER**

Date: 30.06.2021



\_\_\_\_\_  
**KIRSTEN ELVIN-JENSEN**  
**PAIA HEAD AND INFORMATION OFFICER**

Date: 30.06.2021

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**APPENDIX 1: PRESCRIBED FORM TO BE COMPLETED BY REQUESTER**

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**PRESCRIBED FORM TO BE COMPLETED BY A REQUESTER****REQUEST FOR ACCESS TO RECORDS OF PRIVATE BODY**

(Section 53(1) of the Promotion of Access to Information Act, No 2 of 2000)

(Regulation 10)

**A. Particulars of private body**

The Information Officer:  
6<sup>th</sup> Floor, Letterstedt House  
Newlands-on-Main  
Newlands  
7700

E-mail: [info@vunanifm.co.za](mailto:info@vunanifm.co.za) / [compliance@vunanifm.co.za](mailto:compliance@vunanifm.co.za)

**B. Particulars of Person requesting access to the record**

- (a) The particulars of the person who requests access to the record must be given below.  
(b) The address and e-mail /or fax number in the Republic to which the information is to be sent must be given.  
(c) Proof of the capacity in which the request is made, if applicable, must be attached.

Full Name and Surname:

Identity Number:

Postal Address:

Telephone Number:

Cell phone Number:

E-mail address:

Capacity in which request is made, when made on behalf of another person:

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**C. Particulars of person on whose behalf request is made:**

This section must be completed *ONLY* if a request *for information* is made on behalf of *another* person.

Full names and Surname:

Identity Number:

**D. Particulars of Record:**

- a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.
- b) If the provided space is inadequate, please continue on a separate page and attach it to this form.
- c) The requester must sign all the additional pages

1. Description of the Record or relevant part of the record:

.....  
.....

2. Reference number, if available:

3. Any further particulars of record:

.....  
.....

**E Fees**

- a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.
- b) You will be *notified of* the amount required to be paid as the request fee.
- c) The fee payable for access to a record depends *on* the form *in which* access is required and the reasonable time *required* to search for and prepare a record.
- d) If you qualify for exemption *of* the payment *of* any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

---

**F. Form of access to record**

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability:	Form in which record is required
Form in which record is required:	
<p>Mark the appropriate box with an X.</p> <p>NOTES:</p> <p>(a) Compliance with your request in the specified form may depend on the form in which the record is available.</p> <p>(b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.</p> <p>(c) The fee payable for access for the record, if any, will be determined partly by the form in which access is requested.</p>	

<b>1. If the record is in written or printed form:</b>			
	copy of record		inspection of record
<b>2. If record consists of visual images</b> this includes photographs, slides, video recordings, computer-generated images, sketches, etc			
	view the images		transcription of the images
<b>3. If record consists of recorded words or information which can be reproduced in sound:</b>			
	listen to the soundtrack audio cassette		transcription of soundtrack written or printed document
<b>4. If record is held on computer or in an electronic or machine-readable form:</b>			
	printed copy of record	printed copy of information derived from the record"	copy in computer readable form
<p><b>Manner of Access</b> If you request a copy or transcript of a recording (above), do you wish the copy to be</p>			

Postal service to postal address / street address	YES	NO
Courier service to street address	YES	NO
E-mail information in written or printed format	YES	NO

**G. Particulars of right to be exercised or protected**

If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Indicate which right is to be exercised or protected:

.....

2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

.....

**H. Notice of decision regarding request for access**

You will be notified in writing whether your request has been approved / denied. If you wish to be informed in another manner, please specify the manner, and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

\_\_\_\_\_

Signed at..... This..... day of .....20...

SIGNATURE OF REQUESTER / PERSON ON  
WHOSE BEHALF REQUEST IS MADE