

## **CLASSIC PRIVATE WEALTH (PTY) LTD ("CLASSIC" OR "COMPANY")**

### **ACCESS TO INFORMATION POLICY** *PREPARED IN ACCORDANCE WITH SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT.*

**VERSION 3: SEPTEMBER 2024**

## **INTRODUCTION**

The Promotion of Access to Information Act, No.2 of 2000 ("the Act") is an Act that was passed to give effect to the constitutional right held by South African citizens, of access to any information held by the State or by another person, which is required for the exercise or protection of any right. Where a request is made in terms of the Act, the body to which the request is made is obliged to give access to the requested information, except where the Act expressly provides that the information may or must not be released. Therefore, the right of access to information and this Manual is only applicable to South African citizens, as defined in the Constitution of the Republic of South Africa Act 108 of 1996.

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 the 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.

## **PURPOSE**

This manual is compiled in accordance with Section 51 of the Act. It is intended to give a description of the records held by and on behalf of Classic Private Wealth (Pty) Ltd, to stipulate grounds for refusal of access to any such records; to outline the procedure to be followed and the fees payable when requesting access to any of these records in the exercise of the right of access to information; with a view of enabling requestors to obtain records which they are entitled to in a quick, easy and accessible manner.

## **AVAILABILITY**

A copy of this manual is available to the public for inspection on the Classic Private Wealth website at [www.classicwealth.co.za](http://www.classicwealth.co.za) or on request from the designated contact person referred to in this manual.

## **CONTACT DETAILS**

<b>Information Officer:</b>	Magda van der Merwe
<b>Deputy Information Officers:</b>	Heather Muhl
<b>Physical Address:</b>	Regus Nelson Mandela Square 2nd Floor, West Tower Maude Street, Sandton 2196
<b>Telephone Number:</b>	<a href="mailto:info@classicwealth.co.za">info@classicwealth.co.za</a>
<b>Email Address:</b>	<a href="http://www.classicwealth.co.za">www.classicwealth.co.za</a>
<b>Website:</b>	

## **THE HUMAN RIGHTS COMMISSION GUIDE**

The South African Human Rights Commission is required in terms of the Act to compile a guide in every official language, containing information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act, in a manner that is easily comprehensible to any such person. As at the date of publishing this manual, the guide had not yet been compiled.

Any enquiries regarding the guide should be directed to:

Postal Address: The South African Human Rights Commission,  
PAIA Unit  
The Research and Documentation Department  
Private Bag 2700  
Houghton  
2041  
Telephone Number: (011) 877 3600  
Fax Number: (011) 403 0668  
E-mail Address: [Paia@sahrc.org.za](mailto:Paia@sahrc.org.za)  
Website: [www.sahrc.org.za](http://www.sahrc.org.za)

## **TYPES OF RECORDS**

### **RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION**

All records kept and made available in terms of legislation applicable to any of the entities listed in this Manual and the Financial Services Industry in general, as it applies to the specific environment in which the entity operates, are available in accordance with said legislation.

### **RECORDS AVAILABLE WITHOUT REQUESTING ACCESS IN TERMS OF THE ACT**

Classic Private Wealth (Pty) Limited may, on a voluntary and periodic basis, submit to the Minister a description of categories of records, which are automatically available without a person having to request access in terms of the Act. The Minister must publish any description so submitted by notice in the Gazette. The identified entities have not submitted any such description for publication in the Gazette. Certain records are however freely available on the Internet at [www.classicwealth.co.za](http://www.classicwealth.co.za).

### **RECORDS AVAILABLE ON REQUEST**

We set out below the subjects and categories of records that are, subject to access being denied as set out in the Act, available for the purposes of the Act:

Records are held on the following subjects:

- Administrative records;
- Personnel/Human Resource records;
- Client-related records;
- Financial records;

- Records in the possession of or pertaining to other parties.

## ADMINISTRATIVE RECORDS

The following are considered to include but not be limited to records, which pertain to Classic Private Wealth (Pty) Ltd own affairs:

- The Financial Services Provider's license;
- The Financial Services Provider's compliance manual;
- The Financial Services Provider's policies;
- The Financial Services Provider's internal rules and procedures;
- Any personal records provided to the Financial Services Provider by its personnel; or
- Any records which a third party has provided to the Financial Services Provider about any of its personnel.

## PERSONNEL/HUMAN RESOURCE RECORDS

Personnel refers to any person who works for or provides services to or on behalf of Classic Private Wealth (Pty) Ltd and receives or is entitled to receive any remuneration and any other person who assists in carrying out or conducting the business of Classic Private Wealth (Pty) Ltd. This includes, without limitation, directors, executives, non-executives, all permanent, temporary and part-time staff as well as contract workers.

Personnel records include the following:

- Any personal records provided to Classic Private Wealth (Pty) Ltd by their personnel;
- Any records a third party has provided to Classic Private Wealth (Pty) Ltd about any of their personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records;
- Internal evaluation records; or
- Other internal records and correspondence.

## CLIENT-RELATED RECORDS

A client includes any natural or juristic entity, who receives services from Classic Private Wealth (Pty) Ltd. Client related information, includes but is not limited to the following:

Any records a client has provided to a third party acting for or on behalf of Classic Private Wealth (Pty) Ltd;

- Any records a third party has provided to Classic Private Wealth (Pty) Ltd;
- Records generated by or within Classic Private Wealth (Pty) Ltd pertaining to the client, including:
  - Transactional records;
  - Advice records;
  - Operational records;
  - Databases;
  - Information Technology;

- Marketing records;
- Internal correspondence;
- Product records;
- Statutory records;
- Internal Policies and Procedures;
- Treasury-Related records; or
- Securities and Equities.

## **FINANCIAL RECORDS**

The following are considered to include but not be limited to records, which pertain to Classic Private Wealth (Pty) Ltd own affairs:

- Financial statements;
- Audit records; or
- Assets inventory.

## **RECORDS IN THE POSSESSION OF OR PERTAINING TO OTHER PARTIES**

Classic Private Wealth (Pty) Ltd may possess records pertaining to other parties, including without limitation: contractors, suppliers, subsidiary/holding/sister companies, joint venture companies, service providers.

Alternatively, such other parties may possess records, which can be said to belong to Classic Private Wealth (Pty) Ltd.

The following records fall under this category:

- Personnel, Client or Financial Services Provider records which are held by another party as opposed to being held by Classic Private Wealth (Pty) Ltd; and
- Records held by Classic Private Wealth (Pty) Ltd pertaining to other parties, including without limitation: Financial records, Correspondence, Contractual records, Records provided by the other party, and
- Records third parties have provided about the contractors/suppliers:
  - Service Level Agreement;
  - Financial records; or
  - Correspondence

## **GROUND FOR REFUSAL OF ACCESS TO RECORDS**

- Mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person;
- Mandatory protection of the commercial information of a third party, if the record contains:
  - Trade secrets of that third party;
  - Financial, Commercial, Scientific or Technical information which disclosure could likely cause harm to the financial or commercial interests of that third party; and

- Information disclosed in confidence by a third party to Classic Private Wealth (Pty) Ltd, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition.
- Mandatory protection of confidential information of third parties if it is protected in terms of any agreement or legislation;
- Mandatory protection of the safety of individuals and the protection of property;
- Mandatory protection of records which would be regarded as privileged in legal proceedings;
- The Commercial activities of Classic Private Wealth (Pty) Ltd, which may include:
  - Trade secrets of Classic Private Wealth (Pty) Ltd;
  - Financial, Commercial, Scientific or Technical information which disclosure could likely cause harm to the financial or commercial interests of Classic Private Wealth (Pty) Ltd;
  - Information which, if disclosed, could put Classic Private Wealth (Pty) Ltd at a disadvantage in negotiations or commercial competition; or
  - A computer program which is owned by Classic Private Wealth (Pty) Ltd and which is protected by copyright.
- The research information of Classic Private Wealth (Pty) Ltd or a third party, if its disclosure would disclose the identity of the institution, the researcher or the subject matter of the research and would place the research at a serious disadvantage; or
- Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

## **REQUEST PROCEDURE**

A requester requiring access to information held by Classic Private Wealth (Pty) Ltd must complete the prescribed form, enclosed herewith as “Annexure A”, submit it to the Information Officer at the physical address, or electronic mail address recorded in Part II and pay a request fee and a deposit, if applicable.

The prescribed form must be completed with enough particularity to at least enable the Information Officer to identify:

- The record or records requested;
- The identity number of the requester;
- The form of access required, if the request is granted;
- The contact details of the requester;
- The right to exercise and/or to protect, and specify the reasons why the information required will enable the person to protect and/or exercise the right;
- The information the requester wishes to be informed of, the decision of the request in a particular manner, the stated manner and particulars to be so informed; and

- The request for information made on behalf of another person, submitted proof that the person submitting the request, has obtained the necessary authorisation to do so.

Classic Private Wealth (Pty) Ltd will process the request within 30 days, unless the requester has stated special reasons which would satisfy the Information Officer that circumstances dictate that the above time periods not be complied with.

The requester will 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 must state the manner and the particulars so required.

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

The requester must pay the prescribed fee, before any further processing can take place.

## **FEES**

Where Classic Private Wealth (Pty) Ltd has voluntarily provided the Minister with a list of categories of records that will automatically be made available to any person requesting access thereto, the only charge that may be levied for obtaining such records, will be a fee for reproduction of the record in question.

### **THE APPLICABLE FEES FOR REPRODUCTION AS REFERRED TO ABOVE ARE: (VAT inclusive)**

For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form.	<b>R 0,75</b>
For a copy in a computer-readable form on:	
• Compact disc.	<b>R 70,00</b>
• A transcription of visual images, for an A4-size page or part thereof.	<b>R 40,00</b>
• For a copy of visual images.	<b>R 60,00</b>
• A transcription of an audio record, for an A4-size page or part thereof.	<b>R 20,00</b>
• For a copy of an audio record.	<b>R 30,00</b>

### **Request Fee:**

Where a requester submits a request for access to information held by Classic Private Wealth (Pty) Ltd on a person other than the requester himself/herself, a request fee in the amount of R 57,00 is payable up-front before Classic Private Wealth (Pty) Ltd will further process the request received.

### **Access Fee:**

An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of the Act or an exclusion is determined by the Minister in terms of Section 54 (8).

## THE APPLICABLE FEES FOR REPRODUCTION AS REFERRED TO ABOVE ARE: (VAT inclusive)

For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form.	<b>R 0,75</b>
For a copy in a computer-readable form on:	
• Compact disc.	<b>R 70,00</b>
• A transcription of visual images, for an A4-size page or part thereof.	<b>R 40,00</b>
• For a copy of visual images.	<b>R 60,00</b>
• A transcription of an audio record, for an A4-size page or part thereof.	<b>R 20,00</b>
• For a copy of an audio record.	<b>R 30,00</b>
• To search for a record that must be disclosed (per hour or part of an hour reasonable required for such search)	<b>R 30,00</b>

Where a copy of a record needs to be posted, the actual postal fee is payable.

### Deposits:

Where Classic Private Wealth (Pty) Ltd receives a request for access to information held on a person other than the requester himself/ herself and the Information Officer upon receipt of the request is of the opinion that the preparation of the required record of disclosure will take **more than 6 (six) hours**, a deposit is payable by the requester.

The amount of the deposit is equal to **1 /3 (one third)** of the amount of the applicable access fee.

**Please Note:** In terms of Regulation 8, Value Added Tax (VAT) must be added to all fees prescribed in terms of the Regulations. Therefore, the fees reflected above are VAT inclusive.

### DECISION

Classic Private Wealth (Pty) Ltd will, **within 30 days** of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.

The **30 day period** with which Classic Private Wealth (Pty) Ltd has to decide whether to grant or refuse the request, may be extended for a further period of **not more than 30 days** if the request is for a large number of information, or the request requires a search for information held at another office of Classic Private Wealth (Pty) Ltd 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 sought.

## **REMEDIES**

### **INTERNAL REMEDIES**

Classic Private Wealth (Pty) Ltd does not have internal appeal procedures. Therefore, the decision made by the Information Officer is final. Requesters who are dissatisfied with a decision of the Information Officer will have to exercise external remedies at their disposal.

### **EXTERNAL REMEDIES**

A requester or a third party, who is dissatisfied with an Information Officer's refusal to disclose information or the disclosed information may within 30 days of notification of the decision, apply to the Constitutional Court, the High Court or another court of similar status for relief.

## **REVIEW OF THE PAIA Manual**

The PAIA Manual will be regularly reviewed, internally or by an outside party such as an auditor or compliance officer, and where necessary, updated to ensure that the arrangements remain adequate to identify, assess, evaluate and successfully control of access to information; the policy will be overseen by the Compliance Committee who carry responsibility for the implementation, reviewing and updating process.

# FORM 2

## REQUEST FOR ACCESS TO RECORD

[Regulation 7]

**NOTE:**

1. *Proof of identity must be attached by the requester.*
2. *If requests made on behalf of another person, proof of such authorisation, must be attached to this form.*

**TO:** The Information Officer


(Address)

E-mail address: 

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Fax number: 

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Mark with an "X"

☐

Request is made in my own name

☐

Request is made on behalf of another person.

PERSONAL INFORMATION				
Full Names				
Identity Number				
Capacity in which request is made (when made on behalf of another person)				
Postal Address				
Street Address				
E-mail Address				
Contact Numbers	Tel. (B):		Facsimile: <table border="1"><tr><td></td></tr></table>	
Cellular:				
Full names of person on whose behalf request is made (if applicable):				
Identity Number				
Postal Address				

Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
<p align="center"><b>PARTICULARS OF RECORD REQUESTED</b></p> <p><i>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. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i></p>			
Description of record or relevant part of the record:			
Reference number, if available			
Any further particulars of record			
<p align="center"><b>TYPE OF RECORD</b></p> <p align="center"><i>(Mark the applicable box with an "X")</i></p>			
Record is in written or printed form			
Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>			
Record consists of recorded words or information which can be reproduced in sound			
Record is held on a computer or in an electronic, or machine-readable form			

<b>FORM OF ACCESS</b> <i>(Mark the applicable box with an "X")</i>	
Printed copy of record <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i>	
Written or printed transcription of virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	
Transcription of soundtrack <i>(written or printed document)</i>	
Copy of record on flash drive <i>(including virtual images and soundtracks)</i>	
Copy of record on compact disc drive <i>(including virtual images and soundtracks)</i>	
Copy of record saved on cloud storage server	

<b>MANNER OF ACCESS</b> <i>(Mark the applicable box with an "X")</i>	
Personal inspection of record at registered address of public/private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i>	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language <i>(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)</i>	

<b>PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED</b> <i>If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.</i>	
Indicate which right is to be exercised or protected	

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

FEES	
a)	<i>A request fee must be paid before the request will be considered.</i>
b)	<i>You will be notified of the amount of the access fee to be paid.</i>
c)	<i>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.</i>
d)	<i>If you qualify for exemption of the payment of any fee, please state the reason for exemption</i>
Reason	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Facsimile	Electronic communication (Please specify)

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
**Signature of Requester / person on whose behalf request is made**

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**FOR OFFICIAL USE**

Reference number:	
Request received by: (State Rank, Name And Surname of Information Officer)	
Date received:	
Access fees:	
Deposit (if any):	

\_\_\_\_\_  
**Signature of Information Officer**