

1. BACKGROUND TO THE PROMOTION OF ACCESS TO INFORMATION ACT

The Promotion of Access to Information Act 2 of 2000 ('the Act') was enacted on 3 February 2000, giving effect to the Constitutional right of access to any information held by the State, and any information held by another person that is required for the exercise or protection of any right. Where a request is made in terms of the Act, the public body to which the request is made is obliged to release the information, except where the Act expressly provides that the information may or must not be released.

Where a request is made in terms of the Act to a private body, that private body must disclose the information if the requester is able to show that the record is required for the exercise or protection of any rights, and provided that no grounds of refusal contained in the Act are applicable. The Act sets out the requisite procedural issues attached to information requests. In terms of Section 51 of the Act, Grobank Limited ('Grobank' / 'Bank') is required to compile a Manual, which provides information as prescribed in the Act.

2. PURPOSE OF THE MANUAL

This manual is intended to foster a culture of transparency and accountability within the Financial Services Industry by giving effect to the right to information held by a private body that is required for the exercise or protection of any right, and actively promoting a society in which the people of South Africa have access to information to enable them to exercise and protect their rights.

Section 69 of the Act, recognizes that justifiable limitations of the right to access may be permitted. Such justifiable limitations include but are not limited to:

- Reasonable protection of privacy;
- Commercial confidentiality
- Effective, efficient and good governance

The manual provides a generic format, which will enable requesters to obtain the records, which they are entitled to under the Act in a quick and accessible manner.

PART 1

4. CONTACT DETAILS OF GROBANK LIMITED

Name of Private Body: Grobank Limited
Physical Address: Block 3, Inanda Greens Business Park, 54 Wierda Road West, Wierda Valley, Sandton, 2196, South Africa
Postal Address: PO Box 784921, Sandton, 2146
Head of Body: Mr. Barend Johannes van Rooy
Information Officer: Mr. John Vlismas
Electronic Mail: paia@grobank.co.za
Telephone Number: +2711 634 4300
Fax: +2711 836 2220

PART 2

A formal guide, as stipulated in Section 10, on how to use the Act is available and can be obtained from the South African Human Rights commission at the following address:

5. CONTACT DETAILS: SA HUMAN RIGHTS COMMISSION.

THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION: PAIA Unit
The Research and Documentation Department
Private Bag 2700
HOUGHTON
2041
Telephone Number: (011) 484 8300
Fax Number: (011) 484 0582
Website: www.sahrc.org.za
Email: paia@sahrc.org.za

6. INFORMATION REGULATOR

The assigned powers of the Commission will, in future be transferred to the newly approved Information Regulator.

The Regulator will report directly to Parliament and will oversee and regulate all matters regarding POPI and PAIA.

Further updates for the Information Regulator will be made available once that office has been formally appointed by the President.

7. RECORDS HELD BY THE BANK

The Bank maintains records on the following categories and subject matters. However, please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be granted.

Records available in terms of legislation (Section 51(1) (d))

- Basic Conditions of Employment No. 75 of 1997
- Companies Act No. 71 of 2008
- Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993
- National Credit Act No. 34 of 2005, as amended
- Copyright Act No. 98 of 1978
- Consumer Protection Act No. 68 of 2008
- Currency and Exchanges Act No. 9 of 1933
- Employment Equity Act No. 55 of 1998
- Financial Advisory and Intermediary Services Act No. 37 of 2002
- Financial Intelligence Centre Act No. 38 of 2001
- Financial Services Board Act No. 97 of 1990
- Income Tax Act No. 95 of 1967
- Insolvency Act No. 24 of 1936
- Labour Relations Act No. 66 of 1995
- Occupational Health & Safety Act No. 85 of 1993
- SA Reserve Bank Act No. 90 of 1989
- Skills Development Levies Act No. 9 of 1999
- Skills Development Act No. 97 of 1998
- Stamp Duties Act No. 77 of 1968
- Unemployment Contributions Act No. 4 of 2002
- Unemployment Insurance Act No. 63 of 2001
- Value Added Tax Act No. 89 of 1991

PART 3

8. ACCESS TO THE RECORDS HELD BY GROBANK

This clause serves as a reference to the records that Grobank holds.

It should be noted however, that the accessibility of the documents listed below, may be subject to the specified grounds of refusal.

The information is classified and grouped according to records relating to Personnel, Client and Other Party related records.

9. PERSONNEL RECORDS

- 2.1. Personal records provided by personnel;
- 2.2. Records provided by a third party relating to personnel;
- 2.3. Conditions of employment and other personnel-related contractual and quasi-legal records;
- 2.4. Internal evaluation records and other internal records;
- 2.5. Correspondence relating to personnel;
- 2.6. Training schedules and material.

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

10. CLIENT RELATED RECORDS

- 2.7. Records provided by a client to a third party acting for or on behalf of Grobank;
- 2.8. Records provided by a third party;
- 2.9. Records generated by or within Grobank relating to its clients, including transactional records.

A *Client* refers to any natural or juristic entity that receives services from Grobank.

10. OTHER PARTY RECORDS

Records held by Grobank 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.

Grobank may possess records pertaining to other parties, including without limitation contractors, suppliers, subsidiary / holding companies, agencies, joint venture companies and service providers. Alternatively, such other parties may possess records that can be said to belong to Grobank.

11. RECORDS OF GROBANK

This clause serves as a reference to the records that Grobank holds.

It is recorded that the accessibility of the documents listed herein below, may be subject to the grounds of refusal set out hereinafter.

- Financial records
- Operational records
- Databases
- Information Technology
- Marketing records
- Internal correspondence
- Product Records
- Statutory records
- Internal Policies and Procedures
- Treasury related records
- Securities records
- Statutory limitations imposed by the Protection of Personal Information Act, 4 of 2013

These records include, but are not limited to, the records which pertain to Grobank's own affairs and are confidential by nature.

12. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

The main grounds for Grobank to refuse a request for information relates to the:

- 12.1. 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;
- 12.2. Mandatory protection of the commercial information of a third party, if the record contains:
 - 12.2.1. Trade secrets of that third party;
 - 12.2.2. Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;
 - 12.2.3. Information disclosed in confidence by a third party to Grobank, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
- 12.3. Mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- 12.4. Mandatory protection of the safety of individuals and the protection of property;
- 12.5. Mandatory protection of records which would be regarded as privileged in legal proceedings;

- 12.6. The commercial activities of Grobank, which may include:
 - 12.6.1. Trade secrets of Grobank
 - 12.6.2. Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interest of Grobank;
 - 12.6.3. Information which, if disclosed could put Grobank at a disadvantage in negotiations or commercial competition;
 - 12.6.4. A computer program which is owned by Grobank and which is protected by copyright.
- 12.7. The research information of Grobank or a third party, if its disclosure would disclose the identity of Grobank, the researcher or the subject matter of the research and would place the research at a disadvantage

Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

13. REMEDIES AVAILABLE WHEN GROBANK REFUSES A REQUEST FOR INFORMATION

13.1. INTERNAL REMEDIES

Grobank does not have internal appeal procedures. As such, the decision made by the Information Officer is final, and requestors will have to exercise such external remedies at their disposal if the request for information is refused, and the requestor is not satisfied with the answer supplied by the Information Officer.

13.2. EXTERNAL REMEDIES

A requestor that is dissatisfied with an Information Officer's refusal to disclose information may apply to a Court for relief within 30 days of notification of the decision.

Likewise, a third party dissatisfied with an information officer's decision to grant a request for information, may within 30 days of the decision, apply to a Court for relief.

14. REQUEST PROCEDURE

14.1. Form of request

- 14.1.1. The requester must comply with all the procedural requirements contained in the Act relating to the request for access to a record
- 14.1.2. The requester must complete the prescribed form enclosed herewith **Appendix 1** and submit it together with a payment of a request fee, if applicable to the Information Officer at the physical, postal address, fax number or electronic mail address as stated in point 4 above.
- 14.1.3. In the event of the request being made at branch level, the procedure stated herein shall

apply with the exception that the request form will, together with all other necessary requirements be submitted to the Information Officer of Grobank who will deal with the respective request.

- 14.1.4. The requester must provide sufficient detail on the request form to enable the Information Officer to identify the record and the requester.
- 14.1.5. The requester should indicate which form of access is required and should also indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed.
- 14.1.6. The requester must state that he/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. In addition, the requester must clearly specify why the record is necessary to exercise or protect such a right.
- 14.1.7. If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable 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 verbally.
- 14.1.8. Grobank will process the request within 30 days, unless the requestor has stated special reasons which would satisfy the Information Officer that circumstances dictate that the above time periods not be complied with.
- 14.1.9. The requester shall be informed whether access has been granted or denied. If in addition, the requester requires the reasons for the decision in any other manner, he/she must state the manner and the particulars so required.

15. FEES

- 15.1. The Act provides for two types of fees, namely:
 - 15.1.1. A request fee, which will be a standard fee; and
 - 15.1.2. An access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.
 - 15.1.3. When the request is received by the Information Officer, such 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.
- 15.2. If the search for the record has been made and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the information officer shall notify the requester to pay as a deposit the prescribed portion of the access fee which would be payable if the request is granted.
- 15.3. The Information Officer shall withhold a record until the requester has paid the fees as indicated in **Appendix 2**

- 15.4. A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for an prepare the record for disclosure including making arrangements to make it available in the request form.
- 15.5. If a deposit has been paid in respect of a request for access, which is refused, then the Information Officer concerned must repay the deposit to the requester.

16. DECISION

- 16.1. The Bank 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.
- 16.2. The 30 day period with which Grobank has to decide whether to grant or refuse the request, may be extended for a further period of not more than thirty days if the request is for a large number of information, or the request requires a search for information held at another office or division of Grobank and the information cannot reasonably be obtained within the original 30 day period. The Bank will notify the requester in writing should an extension be sought.

17. AVAILABILITY OF THE MANUAL

This manual is available for inspection at the Head Office of Grobank and can also be accessed from Grobank website:

- www.grobank.co.za

PRESCRIBED FORM TO BE COMPLETED BY A REQUESTER

FORM B

REQUEST FOR ACCESS TO RECORDS OF PRIVATE BODY

A. Particulars of Grobank Limited.

The Information Officer
Grobank Limited
Building 3, Inanda Greens Business Park,
54 Wierda Road West,
Wierda Valley, Sandton
2196

P. O. Box 784921
Sandton
2146
Telephone: 011-634 4355
Fax: 011-836 2220
E-mail: paia@grobank.co.za

B. Particulars of person requesting access to the record

- a) *The particulars of the person who requests access to the records must be recorded below*
b) *Furnish an address and/or fax number in the Republic to which information must be sent.*
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 : _____
Fax Number : _____
E-mail address : _____

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

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

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

Full Name 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 folio and attach it to this form. **The requester must sign all the additional folios.**

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

2. Reference Number, if available: _____

3. Any further particulars of the 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 of the request fee.
- c) The **fee payable for access** to a record depends on the form in which the 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 therefore.

Reason for exemption of payment of the fee:

F. Form of Access to the Record

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

| Disability | Form in which record is required |
|------------|----------------------------------|
| | |

Mark the appropriate box with an “X”

Notes:

- a) Your indication as to the required form of access depends on the form in which the record is available.
- 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.
- c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

| | | | | | |
|--|--------------------------|--|---|-----|--------------------------------|
| 1. If the record is in written or printed form: | | | | | |
| | Copy of record | | Inspection of record | | |
| 2. If the record consists of visual images: | | | | | |
| | View the images | | Copy of the images * | | Transcription of the image |
| 3. If the record consists of recorded words or information which can be reproduced in sound: | | | | | |
| | Listen to the soundtrack | | Transcription of soundtrack | | |
| 4. If the record is held on computer or in an electronic or machine-readable form | | | | | |
| | Printed copy of record | | Printed copy of information derived from the record * | | Copy in computer readable form |
| If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? A postal fee is payable | | | | 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.**



Indicate which right is to be exercised or protected:

Explain why the requested record is required for the exercising 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 thereof 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

APPENDIX 2

REPRODUCTION FEES

Where Grobank 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.

Prescribed reproduction fees, as referred to above are:

| Description | Fee |
|--|--------|
| For every photocopy of an A4-size page or part thereof | R1.10 |
| For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form | R0.75 |
| For a copy in a computer-readable form on: | |
| Stiff disk | R7.50 |
| Compact Disk (CD) | R70.00 |
| Flash disk (USB) | R70.00 |
| A transcription of visual images, for an A4-size page or part thereof | R40.00 |
| For a copy of visual images | R60.00 |
| A transcription of an audio record, for an A4-size page or part thereof | R20.00 |
| For a copy of an audio record | R30.00 |
| To search for a record that must be disclosed | R30.00 |
| Where a copy of a record needs to be posted the actual postal fee is payable | |

Request fees:

Where a requester submits a request for access to information held by a Bank on a person other than the requester himself/herself, a request fee in the amount of R50,00 is payable up-front before Grobank will further process the request received.

Access fees:

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 access fees which will be payable are:

| Description | Fee |
|--|--------|
| For every photocopy of an A4-size page or part thereof | R 1.10 |
| For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form | R 0.75 |
| For a copy in a computer readable form on compact disk | R70.00 |
| A transcription of visual images, for an A4-size page or part thereof | R40.00 |
| For copy of visual images | R60.00 |
| A transcription of an audio record, for an A4-size page or part thereof | R20.00 |
| For a copy of an audio record | R30.00 |
| To search for a record that must be disclosed | R30.00 |
| Where a copy of a record needs to be posted the actual postal fee is payable | |

Deposits:

Where Grobank 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.

Note: In terms of Regulation 8, Value Added Tax (VAT) must be added to all fees prescribed in terms of the Regulations.