

SECTION 51 MANUAL

Prepared in accordance with section 51 of the Promotion of Access to Information Act, No 2 of 2000

This document serves as the information manual as required by Section 51(1) of the Promotion of Access to Information Act, No 2 of 2000 ("the Act") for a private body. It provides information on the records held and the process that is to be followed to request access to such records.

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Appendix 1 – Access Request Form

**PAIA MANUAL FOR VIVA COVER (PTY) LTD (“Viva Cover”)
FSP number 42787**

1. Scope:

The scope of this information manual relates to Viva Cover (Pty) Ltd and all wholly or partially owned subsidiaries and associated juristic persons, hereafter referred to as “Viva Cover”.

2. Availability of the manual:

The public are able to obtain a copy of this manual on request from the designated contact person.

3. Designated contact person:

Information required by section 51(1) (a) of the Act

Contact person: Andre Jordaan

Postal address: Postnet Suite 33, Private Bag X75, Bryanston, 2021

Physical address: Quadrant 4, Centenary Building, 30 Meridian Drive, New Town Centre, Umhlanga, Durban

Telephone number: 031 582 8300

4. Section 10 guide to the Act

Information required by section 51(1) (b) of the Act

A guide has been compiled, in terms of section 10 of the Act, by the South African Human Rights Commission. It contains information to assist a person wishing to exercise a right, in terms of the Promotion of Access to Information Act, No. 2 of 2002. This guide is available for inspection, inter alia as follows –

Contact body: The South African Human Rights Commission

Postal address: Private Bag X2700, Houghton 2041

Physical address: 33 Hoofd Street, Braampark Forum 3, Braamfontein, Johannesburg

Telephone number: +27(11) 877 3600

Facsimile number: +27(11) 403 0668

Email address: PAIA@sahrc.org.za

The regulations regarding the Act published under Government Notice No. R187 of 15 February 2002 set forth how the South African Human Rights Commission should make the guide available.

5. Records automatically available

Information required by section 51(1) (c) of the Act

A section 52(2) notice regarding categories of records, which are available without a person having to request access in terms of the Act, has to date not been published.

6. Records available in accordance with other legislation

Information required by section 51(1) (d) of the Act

Records are held in accordance with the following legislation –

- Electronic Communications and Transactions Act, 2002
- Conversion of SASRIA Act, 1998
- Income Tax Act, 1962
- Insider Trading Act, 1998
- National Credit Act, 2005
- Short Term Insurance Act, 1998
- Stamp Duties Act, 1968 (repealed)
- Statistics Act, 1999
- Value-Added Tax Act, 1991
- Tobacco Products Control Act, 1993
- Basic Conditions of Employment Act, 1997
- Compensation for Occupational Injuries and Diseases Act
- Employment Equity Act, 1998
- Labour Relations Act, 1995
- Manpower Training Act, 1981 (repealed)
- Occupational Health and Safety Act, 1993
- Skills Development Act, 1998
- Skills Development Levies Act, 1999
- Unemployment Insurance Act, 2001
- Unemployment Insurance Contributions Act, 2002
- Regional Services Councils Act, 1985
- Broad Based Black Economic Empowerment Act, 2003
- Companies Act, 1973
- Companies Act, 2008
- Competition Act, 1998
- Consumer Protection Act, 2008
- Consumer Affairs Reports
- Copyright Act, 1978
- Trade Marks Act, 1993
- Long Term Insurance Act, 1998
- Medical Schemes Act, 1998
- Financial Intelligence Centre Act, 2001
- Financial Advisory and Intermediary Services Act, 2002

7. Subjects and categories of record

Information required by section 51(1) (e) of the Act

The following subjects and categories of records are held –

Corporate Governance

- Audit Committee minutes and records
- Codes of conduct
- Corporate Social Investment records
- Directors' minutes and records

- Legal compliance
- Policies and procedures
- Remuneration Committee minutes and records
- Risk management reports
- Shareholder agreements

Finance

- Accounting records
- Annual financial statements
- Banking records
- Business contracts
- Credit bureau records
- General correspondence
- Internal control reports
- Invoices, credit notes, statements etc.
- Management accounts
- Property leases
- Proposal and tendered documents
- SA Reserve Bank returns and correspondence
- Statistic SA returns and correspondence
- Statutory records
- Tax returns and SARS correspondence

Human Resources

- Bargaining council records and correspondence
- BEE statistics, certificates and audit reports
- Employment Equity reports
- Leave records
- Letters of employment Medical aid records
- PAYE records and returns
- Payroll records
- Personnel files and records
- Policies and procedures
- Retirement benefit records
- SDL records and returns
- SETA records and correspondence
- Staff attendance records
- Traineeship contracts Training material
- Training statistics
- UIF records and returns
- Workman's Compensation records

Information Technology

- Contracts and agreements
- Policies and procedures
- Register of software and hardware
- Warranties

Marketing and Business Growth

- Brand management records
- Contracts and agreements
- Marketing brochures and advertising records
- Marketing strategies
- New business development

- Proposal and tender documents

Operations

- Patent and trademark records
- Service Level Agreements

8. Request for access to records

Information required by section 51(1) (e) of the Act

It is important to note that the successful completion and submission of an access request form does not automatically allow the requester access to the requested record. An application for access to a record is subject to certain limitations if the requested record falls within a certain category as specified within Part 3 Chapter 4 of the Act.

If it is reasonably suspected that the requester has obtained access to records through the submission of materially false or misleading information, legal proceedings may be instituted against such requester.

Completion of Access Request Form

- The Access Request Form must be completed;
- Proof of identity is required to authenticate the identity of the requester. Therefore in addition to the access form, requesters will be required to supply a copy of their identification document;
- Type or print in BLOCK LETTERS an answer to every question;
- If a question does not apply, state "N/A" in response to that question;
- If there is nothing to disclose in reply to a particular question state "nil" in response to that question;
- If there is insufficient space on a printed form, additional information may be provided on an additional attached folio; and
- When the use of an additional folio is required, precede each answer with the applicable that title. The Access Request Form is included in this manual as an appendix starting on page 9.

Submission of Access Request Form and request fee payable

The completed Access Request form together with a copy of the requester's identity document must be submitted either via conventional mail, e-mail or fax and must be addressed to the designated contact person as indicated above.

An initial, request fee of R57,50 (incl. VAT) is payable on submission.

This fee is not applicable to Personal Requesters referred to in section 54(1) of the Act being any person seeking access to records that contain their personal information.

Notification

Viva Cover will within 30 days of receipt of the request to access records decide whether to grant or decline the request and give notice with reasons (if required) to that effect

The 30 day period within which Viva Cover 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 volume of information, or the request requires a search for information held at premises other than those of Viva Cover and the information cannot reasonably be obtained within the original 30 day period. Viva Cover will notify the requester in writing should an extension be sought.

9. Grounds for refusal of access to records

Chapter 4 of the Act

The main grounds for refusal of a request for access to records are –

- Mandatory protection of privacy of a third party who is a natural person if its disclosure would involve the unreasonable disclosure of personal information;
- Mandatory protection of the commercial information of a third party if its disclosure contains trade secrets, financial, commercial, scientific or technical information which disclosures could likely cause harm to the financial or commercial interest of that third party or information disclosed in confidence by a third party if the disclosure thereof could reasonably put that third party at a disadvantage in contractual negotiations or in commercial competition;
- Mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- Mandatory protection of the safety of individuals and the protection of property;
- Mandatory protection of records which could be regarded as privileged in legal proceedings;
- The commercial information of Viva Cover which may include trade secrets, financial, commercial, scientific or technical information which disclosures could likely cause harm to the financial or commercial interest of Viva Cover, or information, the disclosure thereof could reasonable put Viva Cover at a disadvantage in contractual negotiations or in commercial competition; and
- Mandatory protection of research information of a third party of Viva Cover.



10. Approval of information manual

This information manual has been prepared in accordance with Section 51(1) of the Promotion of Access to Information Act, No. 2 of 2000 and is hereby approved.

Signed at:..... this.....day of 20

.....
Name and Designation

.....
Signature



Appendix A – Access Request Form

PRESCRIBED FORM TO BE COMPLETED BY A REQUESTER FORM B Section 53(1) of the Promotion of Access to Information Act, No 2 of 2000 Regulation 10

A. Particulars of private body

Private body name: Viva Cover (Pty) Ltd

Contact person: Andre Jordaan

Postal address: Postnet Suite 33, Private Bag X75, Bryanston, 2021

Physical address: Quadrant 4, Centenary Building, 30 Meridian Drive, New Town Centre, Umhlanga, Durban

Phone number: 031 582 8300

Fax number:

Email address: Support@vivacover.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:
