

## MANUAL

Prepared in accordance with Section 51 of the Promotion of Access to Information Act, 2000  
for The Unlimited Group (Pty) Limited

**This Manual applies to The Unlimited Group (Pty) Limited (“The Unlimited”).**

### 1. Applicability and availability of this Manual

- 1.1. The Promotion of 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 or private bodies that is required for the exercise or protection of any rights. The Act sets out the procedural requirements attached to requests for information, the requirements which requests must meet as well as the grounds for refusing requests. This Manual informs requesters of procedural and other requirements which a request must meet.
- 1.2. The Act also recognises that the right to access information must be balanced with other rights and should be subject to limitations including, but not limited to, limitations aimed at the reasonable protection of privacy and commercial confidentiality.
- 1.3. This Manual is available for inspection, free of charge, at The Unlimited’s offices (see details below).

### 2. The Unlimited Contact Details & Information Officer

Mrs. S.M. Pistorius

**Postal Address**

Private bag X7028, Hillcrest, 3650

**Physical Address**

1 Lucas Drive, Hillcrest, 3610

**Telephone Number**

031 716 9600

**Fax Number**

031 716 9791

**Website**

[www.theunlimited.co.za](http://www.theunlimited.co.za)

**E-mail Address of Information Officer**

[RiskCompliance2@theunlimited.co.za](mailto:RiskCompliance2@theunlimited.co.za)

### 3. South African Human Rights Commission Guide

The South African Human Rights Commission (“SAHRC”) is required, in terms of the Act, to compile a guide containing information that may reasonably be required by a person who wishes to exercise any right contemplated in the Act. The guide can be obtained from the SAHRC. Enquiries should be directed to:  
The South African Human Rights Commission

**Telephone Number:**

011 877 3600 (switchboard)

**General information:**

[info@sahrc.org.za](mailto:info@sahrc.org.za)

**Complaints:**

[complaints@sahrc.org.za](mailto:complaints@sahrc.org.za)

**Website:**

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

### 4. Section 52 (2) Notice

Not applicable.

## 5. The Unlimited Records

Access to the documents listed below may be subject to the grounds of refusal set out in this Manual:

### 5.1. Personnel Records

“**Personnel**” refers to any person who works for or provides services to or on behalf of The Unlimited and who receives or is entitled to receive remuneration, and any other person who assists in carrying out or conducting The Unlimited’s business and includes, without limitation, directors (executive and non-executive), all permanent, temporary and part-time staff as well as contract workers. Personnel records include:

- 5.1.1. personal records (provided by personnel themselves);
- 5.1.2. records provided by a third party relating to personnel;
- 5.1.3. conditions of employment and other personnel-related contractual and quasi-legal records;
- 5.1.4. internal evaluation records and other internal records;
- 5.1.5. correspondence relating to personnel; and
- 5.1.6. training schedules and material.

### 5.2. Customer Records

A “**customer**” refers to any natural or juristic entity that receives services from The Unlimited. Customer records include:

- 5.2.1. records pertaining to products sold and/or serviced by The Unlimited including, without limitation, Banking, Insurance and Rewards products;
- 5.2.2. records provided by a customer to a third party acting for or on behalf of The Unlimited;
- 5.2.3. records provided by a third party;
- 5.2.4. records generated by or within The Unlimited relating to its customers, including transactional data.

### 5.3. Private Body Records

These are records which include, but are not limited to, records which pertain to The Unlimited’s own affairs including:

- 5.3.1. financial records;
- 5.3.2. operational records;
- 5.3.3. databases;
- 5.3.4. information technology systems and documents;
- 5.3.5. marketing records;
- 5.3.6. internal correspondence;
- 5.3.7. product records;
- 5.3.8. statutory records;
- 5.3.9. internal policies and procedures.

### 5.4. Other Party Records

- 5.4.1. Personnel, customer or private body records which are held by another party on The Unlimited’s behalf, as opposed to the records held by The Unlimited itself.
- 5.4.2. Records held by The Unlimited pertaining to other parties, including without limitation, financial records, correspondence, contractual records, and records about The Unlimited’s contractors / suppliers / service providers.

## 6. Grounds for refusal of access to records

The Unlimited may refuse a request for information on, inter alia, the following basis:

- 6.1. The mandatory protection of the privacy of a third party who is a natural person, in order to avoid the unreasonable disclosure of personal information concerning that natural person (including a deceased individual).
- 6.2. The mandatory protection of the commercial information of a third party, if the record contains:
  - 6.2.1. trade secrets of that third party;

- 6.2.2. financial, commercial, scientific or technical information, other than trade secrets, of a third party, the disclosure of which would be likely to cause harm to the commercial or financial interests of that third party; or
- 6.2.3. information supplied in confidence by a third party, the disclosure of which could reasonably be expected:
  - a. to put that third party at a disadvantage in contractual or other negotiations; or
  - b. to prejudice that third party in commercial competition.
- 6.3. The mandatory protection of confidential information of third parties if disclosure would constitute an action for breach of a duty of confidence owed to that third party in terms of an agreement.
- 6.4. The mandatory protection of the safety of individuals and the protection of property.
- 6.5. The mandatory protection of records which would be privileged from production in legal proceedings.
- 6.6. The protection of The Unlimited's commercial activities including, without limitation, records that contain:
  - 6.6.1. The Unlimited's trade secrets;
  - 6.6.2. financial, commercial, customer, scientific or technical information, the disclosure of which would be likely to cause harm to The Unlimited's commercial or financial interests;
  - 6.6.3. information, the disclosure of which could reasonably be expected:
    - a. to put The Unlimited at a disadvantage in contractual or other negotiations; or
    - b. to prejudice The Unlimited in commercial competition.
  - 6.6.4. computer programs owned by The Unlimited.
- 6.7. The mandatory protection of research information of The Unlimited or a third party, if disclosure would expose the identity of The Unlimited or the third party, the researcher or the subject matter of the research to serious disadvantage.
- 6.8. Requests for information that are, in The Unlimited's reasonable opinion, manifestly frivolous or vexatious or which involve an unreasonable diversion of resources.

## 7. Request procedure

- 7.1. A requester requiring access to information held by The Unlimited must make the request in the prescribed form and submit the request, together with the prescribed fee and deposit, if applicable, to The Unlimited's Information Officer at the postal or physical address above.
- 7.2. The prescribed form must be completed with enough particularity to enable The Unlimited to identify:
  - 7.2.1. the record(s) requested;
  - 7.2.2. the identity of the requester;
  - 7.2.3. the form of access required, if the request is granted;
  - 7.2.4. the postal address or fax number of the requester.
- 7.3. The requester must:
  - 7.3.1. state that the record is required in order to exercise or protect a right; and
  - 7.3.2. provide details of the nature of the right to be exercised or protected.
- 7.4. Subject to The Unlimited's rights relating to extensions in terms of the Act, it will process the request within 30 (thirty) days of receipt unless the requester has submitted special reasons, to The Unlimited's reasonable satisfaction, in support of a request that the above time periods be dispensed with.
- 7.5. The Unlimited will give the requestor written notice of its decision, including reasons if the request is declined.
- 7.6. The said 30 day period may be extended for a further period of not more than 30 (thirty) days if the request is for a large number of records, or the request requires a search for information which cannot reasonably be obtained within the original 30 day period. The Information Officer will notify the requester in writing should an extension be sought.
- 7.7. If a request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of The Unlimited.

- 7.8. If an individual is unable to submit the request in the prescribed form because of illiteracy or disability, such a person may make the request orally.
- 7.9. The requester must pay the prescribed fee, and deposit where applicable, before the request will be considered.

## **8. Access to records**

- 8.1. A requestor will only be given access to a record(s) held by The Unlimited if:
  - 8.1.1. the record is required for the exercise or protection of a right;
  - 8.1.2. the requestor has complied with all procedural requirements relating to a request for access to a particular record including making the request in the prescribed format; and
  - 8.1.3. access to that record is not refused in terms of any ground for refusal.

## **9. Remedies available when The Unlimited refuses a request for information**

### 9.1. Internal Remedies

The Unlimited does not have internal appeal procedures.

### 9.2. External Remedies

A requester or a third party, who is dissatisfied with the decision of The Unlimited in relation to a request for access to a record (including with regard to fees) may, within 30 (thirty) days apply to the High Court, or any other Court having jurisdiction, for relief.

## **10. Fees**

- 10.1. The Act provides for two types of fees, namely:
  - 10.1.1. a request fee, being a standard fee; and
  - 10.1.2. an access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.
- 10.2. When a request is received by The Unlimited it will, by written notice, require the requester, other than a personal requester, to pay the prescribed request fee (if any), before further processing the request.
- 10.3. If the search for the record has been made and the preparation of the record for disclosure would require more than the hours prescribed for this purpose, the Information Officer will notify the requester to pay, as a deposit, the prescribed portion of the access fee which would be payable if the request is granted.
- 10.4. The Unlimited will withhold a record until the requester has paid the prescribed fees (and deposit where appropriate).
- 10.5. 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 and prepare the record for disclosure, including making arrangements to make it available in the requested form.
- 10.6. If a deposit has been paid in respect of a request for access, which is refused, then The Unlimited will repay the deposit to the requester.

## FORM C

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY  
(Section 53(1) of the Promotion of Access to Information Act, 2000  
(Act No. 2 of 2000)

[Regulation 10]

### A. Particulars of private body

The Head:

### 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/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 names and surname:

Identity number:

Postal address:

Fax number:

Telephone number:

E-mail address:

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

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

- 1 Description of 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
Mark the appropriate box with an X.	
NOTES:	
(a) Compliance with your request in the specified form may depend 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 for the record, if any, will be determined partly by the form in which access is requested.	

<b>1. If the record is in written or printed form:</b>					
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record		
<b>2. If record consists of visual images</b> this includes photographs, slides, video recordings, computer-generated images, sketches, etc)					
<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images"		
<input type="checkbox"/>		<input type="checkbox"/>	transcription of the images*		
<b>3. If record consists of recorded words or information which can be reproduced in sound:</b>					
<input type="checkbox"/>	listen to the soundtrack audio cassette	<input type="checkbox"/>	transcription of soundtrack*written or printed document		
<b>4. If record is held on computer or in an electronic or machine-readable form:</b>					
<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record"		
<input type="checkbox"/>		<input type="checkbox"/>	copy in computer readable form* (stiffy or compact disc)		
If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.			<table border="1"> <tr> <td>YES</td> <td>NO</td> </tr> </table>	YES	NO
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