



RETIREMENT WELLNESS SA
WEALTH MANAGEMENT

PAIA MANUAL

Prepared in accordance with Section 51 of the Promotion of Access to Information Act, 2 of 2000
aligned with the Protection of Personal Information Act, 4 of 2013 (POPIA)

Retirement Wellness SA (Pty) Ltd
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Authorized FSP 31609

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1. CONTACT DETAILS

This section provides the organisations postal and street address, phone and fax number and, if available, the e-mail address of the head of the organisation

Head of the Organisation/ Information Officer

Name: DHEVAN NAICKER
Tel: 087 354 9015
Email: dhevan@retiresa.co.za

Deputy Information Officer

Name: SHIVA NAICKER

Office of RETIREMENT WELLNESS SA (PTY) LTD

Postal Address: Suite F110A, iZulu Office Park, Rey's Place, Ballito, 4399
Physical Address: Suite F110A, iZulu Office Park, Rey's Place, Ballito, 4399
Telephone: 087 354 9015

Email: retirewell@retiresa.co.za

Website: <https://www.retiresa.co.za/>

Access to information general contacts

Email : retirewell@retiresa.co.za

Business Type

The organisation conducts its core business within the Financial and Business Services sector, offering professional solutions tailored to meet the financial needs of its clients.

2. INTRODUCTION TO PAIA AND POPIA

The Promotion of Access to Information Act, 2000 ("**PAIA**") came into operation on 9 March 2001. PAIA seeks, among other things, to give effect to the Constitutional right of access to any information held by the State or by any other person where such information is required for the exercise or protection of any right and gives natural and juristic persons the right of access to

records held by either a private or public body, subject to certain limitations, to enable them to exercise or protect their rights. Where a request is made in terms of PAIA 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 PAIA are applicable. PAIA sets out the requisite procedural issues attached to information requests.

1. Section 51 of PAIA obliges private bodies to compile a manual to enable a person to obtain access to information held by such a private body and stipulates the minimum requirements that the manual has to comply with.

This manual is compiled in terms of Section 51 of the Promotion of Access to Information Act, 2 of 2000 (PAIA) and incorporates relevant provisions of the Protection of Personal Information Act, 4 of 2013 (POPIA). It describes the procedures to follow when requesting access to records and outlines how personal information is processed and protected.

POPIA promotes the protection of personal information processed by public and private bodies, including certain conditions to establish minimum requirements for the processing of personal information. POPIA amends certain provisions of PAIA, balancing the need for access to information against the need to ensure the protection of personal information by providing for the establishment of an Information Regulator to exercise certain powers and perform certain duties and functions in terms of POPIA and PAIA, providing for the issuing of codes of conduct and providing for the rights of persons regarding unsolicited electronic communications and automated decision making in order to regulate the flow of personal information and to provide for matters concerned therewith.

This PAIA manual also includes information on the submission of objections to the processing of personal information and requests to delete or destroy personal information or records thereof in terms of POPIA.

3. GUIDE ON HOW TO USE PAIA

This section provides a description of the guide referred to in Section 10 of PAIA and how you may obtain access to it.

The guide is available from the Information Regulator.

It describes how to exercise rights in terms of PAIA and POPIA.

Information Regulator (South Africa)

Email: PAIAComplaints@inforegulator.org.za / POPIAComplaints@inforegulator.org.za

Website: <https://inforegulator.org.za/>

Tel: 010 023 5200

4. RECORDS AUTOMATICALLY AVAILABLE

The following categories of records are automatically available without a formal request:

Company publications

Information on the company website

5. RECORDS AVAILABLE ON REQUEST

This section provides a list of records held by the organisation along with an indication of whether the record is freely available or only accessible by way of a formal request in terms of the provisions of PAIA. The section also provides a description of the category of data subject(s) to whom the respective records relate along with an indication of the purpose for which the record is being kept. Records that are indicated as “Freely Available” can be accessed by contacting the Information Officer (see Contact details), without having to follow any formal procedures. Records that are indicated as a “PAIA Request”, requires the requester to lodge a formal request to the information Officer.

Records available is subject to PAIA provisions:

6. RECORDS REQUIRED IN TERMS OF LEGISLATION

Records held in terms of the following legislation (non-exhaustive list):

- Companies Act, 71 of 2008
- Income Tax Act, 58 of 1962
- Basic Conditions of Employment Act, 75 of 1997
- Financial Intelligence Centre Act, 38 of 2001
- Protection of Personal Information Act, 4 of 2013

7. PROCESSING OF PERSONAL INFORMATION (POPIA)

7.1 Purpose for Processing Personal Information

We process personal information for:

- Providing financial services
- Client verification (FICA)
- Employment and recruitment
- Regulatory compliance
- Internal administration and record keeping

7.2 Categories of Data Subjects and Personal Information Processed

Data Subject	Types of Personal Information
Clients	Names, ID numbers, financial data, contact details
Employees	Employment history, qualifications, remuneration
Suppliers	Contact details, B-BBEE certificates, tax numbers

7.3 Recipients of Personal Information

- Authorised employees and contractors
- Regulatory authorities (e.g., FSCA, SARS)
- Third-party service providers (bound by confidentiality)

7.4 Security Measures

We have implemented appropriate technical and organisational safeguards including:

- Password-protected systems
- Access control policies
- Employee confidentiality agreements

8. PROCEDURE TO REQUEST ACCESS

This section sets out the procedure required to obtain access to a record.

The Information Regulator provides various PAIA forms on its website, including a form for requesting access to records, a guide request form, and a complaint form. These forms can be accessed through the "PAIA Forms" section on the [Information Regulator website](#).

Requests must be made in writing on the prescribed Forms available on the Information Regulators website.

The form must be submitted to the Information Officer at the contact details provided above.

8.1 Fees

This section sets out the fees that are payable to the organisation prior to processing a request to obtain access to a record held by the organisation.

A request fee may apply, and access will only be granted once fees (if applicable) are paid in full.

9. AVAILABILITY OF THE MANUAL

A copy of the Manual is available-

- On the company's website <https://www.retiresa.co.za/>
- On request from RETIREMENT WELLNESS SA (PTY) LTD at the company's registered offices for public inspection during normal business hours.

10. REVISION HISTORY

DHEVAN NAICKER (Information Officer) of RETIREMENT WELLNESS SA (PTY) LTD will update this manual.

11. ANNEXURE – DEFINITIONS

Data Subject

The person to whom personal information relates.

Deputy Information Officer

The person to whom any power or duty conferred or imposed on an Information Officer by POPI has been delegated.

Head

In relation to a private body means:

- in the case of a natural person, that natural person or any person duly authorised by that natural person; ▪ in the case of a partnership, any partner of the partnership or any person duly authorised by the partnership;
- in the case of a juristic person:
 - the chief executive officer or equivalent officer of the juristic person or any person duly authorised by that officer; or
 - the person who is acting as such or any person duly authorised by such acting person

Information Officer

The head of a private body.

Information Regulator

The Regulator was established in terms of Section 39 of POPI.

PAIA

The Promotion of Access to Information Act 2 of 2000.

Person

A natural person or a juristic person.

Personal Information

- Information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to: information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;
- Information relating to the education or the medical, financial, criminal or employment history of the person;
- Any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person, the biometric information of the person;
- The personal opinions, views or preferences of the person; correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence.
- The views or opinions of another individual about the person; and the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.

Personal Requester

A requester seeking access to a record containing personal information about the requester.

POPI

The Promotion of Personal Information Act 4 of 2013.

Private body

- a natural person who carries or has carried on any trade, business or profession, but only in such capacity
- a partnership which carries or has carried on any trade, business or profession; or
- any former or existing juristic person, but excludes a public body

Processing

Any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including the collection, receipt, recording,

organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use, dissemination by means of transmission, distribution or making available in any other form, or merging, linking, as well as restriction, degradation, erasure or destruction of information.

Public body

- any department of state or administration in the national or provincial sphere of government or any municipality in the local sphere of government; or
- in any other functionary or institution when:
 - exercising a power or performing a duty in terms of the Constitution or a provincial constitution; or
 - exercising a public power or performing a public function in terms of any legislation

Requester

In relation to a private body, means any person, including, but not limited to a public body or an official thereof, making a request for access to a record of the organisation or a person acting on behalf of such person.

Request for access

A request for access to a record of the organisation in terms of Section 50 of PAIA.

Record

Any recorded information regardless of the form or medium, in the possession or under the control of the organisation irrespective of whether or not it was created by the organisation.

Third Party

In relation to a request for access to a record held by the organisation, means any person other than the requester.

12. ANNEXURE – LIST OF ACRONYMS AND ABBREVIATIONS

- | | | |
|----|-------------|--|
| 1. | "DIO" | Deputy Information Officer; |
| 2. | "IO" | Information Officer; |
| 3. | "Minister" | Minister of Justice and Correctional Services; |
| 4. | "PAIA" | Promotion of Access to Information Act No. 2 of 2000 (as Amended); |
| 5. | "POPIA" | Protection of Personal Information Act No.4 of 2013; |
| 6. | "Regulator" | Information Regulator; and |
| 7. | "Republic" | Republic of South Africa |
| 8. | "SAHRC" | South African Human Rights Commission |

13. ANNEXURE B - SECTION 10 PAIA GUIDE

The Regulator has, in terms of section 10(1) of PAIA, as amended, updated, and made available the revised Guide on how to use PAIA ("Guide"), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.

The Guide is available in each of the official languages and in braille.

The Regulator has, in terms of section 10(1) of PAIA, as amended, updated, and made available the revised Guide on how to use PAIA ("Guide"), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.

- The Guide is available in each of the official languages and in braille.
- The aforesaid Guide contains the description of-
 - i. the objects of PAIA and POPIA;
 - ii. the postal and street address, phone, and fax number and, if available, electronic mail address of-
 1. the Information Officer of every public body, and
 2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
 - iii. the manner and form of a request for-
 - a. access to a record of a public body contemplated in section 11³; and
 - b. access to a record of a private body contemplated in section 50⁴;
 - iv. the assistance available from the IO of a public body in terms of PAIA and POPIA;
 - v. the assistance available from the Regulator in terms of PAIA and POPIA;

¹Section 17(1) of PAIA- For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.

²Section 56(a) of POPIA- Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a few persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.

³Section 11(1) of PAIA- A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.

⁴Section 50(1) of PAIA- A requester must be given access to any record of a private body if-

- a. that record is required for the exercise or protection of any rights;
 - b. that person complies with the procedural requirements in PAIA relating to a request for access to that record; and
 - c. access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.
- vi. all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-
 - 1. an internal appeal;
 - 2. a complaint to the Regulator; and
 - 3. an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;
 - vii. the provisions of sections 14⁵ and 51⁶ requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
 - viii. the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
 - ix. the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and
 - x. The regulations made in terms of section 92¹¹.

Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.

The Guide can also be obtained-

- a. upon request to the Information Officer;
- b. from the website of the Regulator <https://info regulator.org.za/>

PAIA grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. Where a public body lodges a request, the public body must be acting in the public interest.

Requests in terms of PAIA shall be made in accordance with the prescribed procedures at the rates provided.

⁵Section 14(1) of PAIA- The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.

⁶.Section 51(1) of PAIA- The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.

⁷Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access.

⁸. Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access.

⁹ Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹⁰Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹¹Section 92(1) of PAIA provides that – “The Minister may, by notice in the Gazette, make regulations regarding-

- (a) any matter which is required or permitted by this Act to be prescribed;
- (b) any matter relating to the fees contemplated in sections 22 and 54;
- (c) any notice required by this Act;
- (d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and
- (e) any administrative or procedural matter necessary to give effect to the provisions of this Act.”

14. ANNEXURE C - STATUTORY RECORDS FOR A PRIVATE COMPANY (PTY) LTD

In terms of **Section 51 of the Promotion of Access to Information Act (PAIA)**, every private body (including a **(Pty) Ltd** company) must list the types of **statutory records** it holds. These are typically records that a company is required by law to keep.

Below is a list of commonly applicable statutory records:

1. Company Records

- Memorandum of Incorporation (MOI)
- Company registration certificate (CoR14.3)
- Share register and share certificates
- Directors' register (CoR39)
- Minutes of board and shareholders' meetings
- Resolutions passed by the board or shareholders
- CIPC filings and confirmations

2. Financial Records

- Annual financial statements
- General ledgers and trial balances
- Accounting records and supporting documentation
- Auditor's reports (if applicable)
- Tax records (VAT, PAYE, Income Tax, etc.)
- SARS correspondence and returns
- Invoices issued and received

3. Employment Records

- Employee contracts
- Payroll and remuneration records

- IRP5s and PAYE returns
- Leave records
- UIF and COIDA registration and returns
- Disciplinary and grievance records
- Employment equity reports (if applicable)

4. Statutory Compliance Records

- FICA compliance documentation
- B-BBEE certificates
- POPIA compliance policies
- PAIA Manual
- RCMP (Risk Management and Compliance Programme
- Health and safety policies (if required)
- SARS registration documents (VAT, PAYE, Income Tax, etc.)

5. Legal Documents

- Signed contracts and service level agreements
- Licensing or permit documents
- Legal opinions and compliance reports
- Insurance policies
-

6. Property and Asset Records

- Lease agreements
- Vehicle registration documents
- Asset registers

7. IT and Data Protection

- Information security and data retention policies
- POPIA consent forms and data subject requests
- Website privacy policy and cookies notice (if applicable)

15. ANNEXURE D - AVAILABILITY OF RECORDS

Category of Records	Applicable Legislation
Memorandum of incorporation	Companies Act 71 of 2008
PAIA Manual	Promotion of Access to Information Act 2 of 2000
Privacy Policy	Protection of Personal Information Act, no 4 of 2013 ("POPIA") which became operational on 01 July 2020 and section 58-2, effective on 01 July 2021.
Licence	Financial Advisory and Intermediary Services Act No 37 of 2002

The organisation maintains statutory records and information in terms of the following legislation:

- Basic Conditions of Employment Act
- Collective Investment Schemes Control Act
- Employment Equity Act
- Financial Advisory and Intermediary Services Act
- Financial Intelligence Centre Act
- Income Tax Act
- Long term Insurance Act
- Labour Relations Act
- Pension Funds Act
- Prevention of Organised Crime Act
- Tax on Retirement Funds Act
- Unemployment Insurance Act
- Value-Added Tax Act
- Skills Development Act

16. ANNEXURE E - REVIEW REGISTER

This manual is reviewed annually or as required by law.

The Document has been compiled with the guidance from the Information Regulator template as well as the Information Regulator PAIA manual in reference on the website.

The document has been approved by the Information officer and the Deputy Information officer.

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: _____

(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 <i>(when made on behalf of another person)</i>				
Postal Address				
Street Address				
E-mail Address				
Contact Numbers	Tel. (B):		Facsimile:	
	Cellular:			
Full names of person on whose behalf request is made <i>(if applicable)</i> :				
Identity Number				
Postal Address				

Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
PARTICULARS OF RECORD REQUESTED <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>			
Description of record or relevant part of the record:			
Reference number, if available			
Any further particulars of record			
TYPE OF RECORD <i>(Mark the applicable box with an "X")</i>			
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			

FORM OF ACCESS <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	

MANNER OF ACCESS <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>	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED <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) A request fee must be paid before the request will be considered. b) You will be notified of the amount of the access fee to be paid. 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	

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

Name of Requester:

FOR OFFICIAL USE

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

Signature of Information Officer