

**Trustee Board Investments Proprietary Limited**  
**(“the Company”)**  
**Registration Number: 1993/005253/07**  
**Manual prepared in terms of the**  
**PROMOTION OF ACCESS TO INFORMATION ACT, 2 of 2000**  
**( “the Act”)**

## **1. INTRODUCTION**

- The Act gives effect to the constitutional right of access to information held by the State and information held by another person that is required for the exercise or the protection of any right.
- Section 51 of the Act provides that the head of a private body must compile a manual to contain information regarding the subjects and categories of records held by a private body. The Company falls within the definition of a “private body”.
- The Company is an authorised financial services provider in terms of the Financial Advisory and Intermediary Service Act, 37 of 2002 and regulated by the Financial Sector Conduct Authority.

## **2. CONTACT DETAILS**

**Name of Business** : Trustee Board Investments (Pty) Ltd  
**Information Officer** : Ian Donovan  
**Position** : Chief Legal Counsel  
**Postal Address** : PO Box 21168, Parow, Western Cape, 7499  
**Physical Address** : 3rd Floor, FedGroup Place, Willie van Schoor Avenue, Bellville, Western Cape, 7530  
**Phone Number** : 021 948 0323  
**Email Address** : [info@tbi.co.za](mailto:info@tbi.co.za)  
**Website** : [www.tbi.co.za](http://www.tbi.co.za)

## **3. ACCESS TO RECORDS**

Any request for information in terms of the Act, must be made in the prescribed form and manner.

The South African Human Rights Commission (SAHRC) has compiled and published a guide in terms of section 10 of the Act, containing valuable information for the purposes of exercising any right in terms of the Act.

The contact details of the SAHRC are as follows:

Postal Address: : Private Bag 2700, Houghton, 2041

Telephone Number : 011 877 3600

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

#### **4. RECORDS AVAILABLE WITHOUT FILING A REQUEST IN TERMS OF THE ACT**

No records will be made available that are not freely available in the public domain.

#### **5. RECORDS FOR WHICH AN APPLICATION MUST BE BROUGHT IN TERMS OF THE ACT**

The following is a list of records that are held at the Company's office and must be requested in terms of the Act:

##### **Administration**

- Attendance registers
- Correspondence
- Founding Documents
- Minutes of Management Meetings
- Shareholder Register
- Statutory Returns

##### **Human Resources**

- Employee Records
- General Correspondence
- Personnel Guidelines, Policies and Procedures
- Remuneration Records and Policies
- Skills Requirements
- Statutory Records

##### **Operations**

- Brochures on Company Information
- Contracts
- Correspondence
- Marketing and Future Strategies

##### **Finances**

- Annual Financial Statements
- Asset Register
- Banking Records
- Budgets
- Contracts
- Financial Transactions
- Correspondence

- Insurance Information
- Management Accounts
- Tax Records (Company and employee)

### **Information Technology**

- IT Policies and Procedures
- Network Diagrams
- User Manuals

### **Statutory Records:**

At present these include records (if any) held in terms of the following legislation:

- Basic Conditions of Employment, 75 of 1997
- Companies Act, 71 of 2008
- Financial Advisory and Intermediary Services Act, 37 of 2002
- Financial Intelligence Centre Act, 38 of 2001
- Income Tax Act, 95 of 1967
- Labour Relations Act, 66 of 1995
- Promotion of Access to Information Act, 2 of 2000
- Protection of Personal Information Act, 4 of 2013
- Unemployment Contributions Act, 4 of 2002
- Unemployment Insurance Act, 63 of 2001
- Value Added Tax Act, 89 of 1991

## **6. INFORMATION REQUEST PROCEDURE**

- The requester must use the prescribed form to make the request for access to a record.
- A request form "Form C" is available from our offices or downloadable from [www.tbi.co.za](http://www.tbi.co.za)
- The written request must be made to the Information Officer referred to Section 2 above.
- The requester must provide sufficient detail on the request form to enable the Information Officer to identify the record and the requester.
- The requester should also indicate which form of access is required. The requester should also indicate if any other manner should be used to inform the requester.
- The requester must identify the right that is sought to be exercised or to be protected and must provide an explanation of why the requested record is required for the exercise or protection of that right.
- 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 satisfaction of Information Officer aforesaid.
- The prescribed request fee must be paid and attached to the request.
- The Company will respond to the request within 30 days of receiving the request
- The Company will indicate whether the request for access was granted or denied and furnish reasons therefor.

- Please note that the successful completion and submission of a request for access form does not automatically allow the requestor access to the requested record.

## **7. ACCESS WILL BE GRANTED TO A RECORD ONLY IF THE FOLLOWING CRITERIA ARE FULFILLED:**

- The record is required for the exercise or protection of any right.
- The requestor complies with the procedural requirements set out in the Act relating to a request.
- Access to the record is not refused in terms of any ground for refusal as contemplated in Chapter 4 of Part 3 of the Act.

Access to records may be refused under certain circumstances, which include:

- The protection of personal information from unreasonable disclosure concerning any natural person.
- The protection of commercial information held concerning any third party (for example trade secrets).
- The protection of financial, commercial, scientific, or technical information that may harm the commercial or financial interests of any third party.
- Disclosures that would result in a breach of a duty of confidence owed to a third party.
- Disclosures that would jeopardize the safety or life of an individual.
- Disclosures that would prejudice or impair the security of property or means of transport.
- Disclosures that would prejudice or impair the protection of a person in accordance with a witness protection scheme.
- Disclosures that would prejudice or impair the protection of the safety of the public.
- Disclosures that are privileged from production in legal proceedings unless the privilege has been waived.
- Disclosures of details of any computer programme.
- Disclosures that will put Trustee Board Investments (Pty) Ltd at a disadvantage in contractual or other negotiations or prejudice it in commercial competition.
- Disclosures of any record containing any trade secrets, financial, commercial, scientific, or technical information that would harm the commercial or financial interests of Trustee Board Investments (Pty) Ltd.
- Disclosures of any record containing information about research and development being carried out or about to be carried out by Trustee Board Investments (Pty) Ltd.

**If access to a record or any other relevant information is denied, our response will include:**

- Written reasons for the refusal; and
- Notice that you may lodge an application with the court against the refusal and the procedure including details of the period for lodging such application.

## **8. FEES**

The applicable fees prescribed in terms of the Regulations promulgated under the Act, include two types of fees:

**Request Fee**

A non-refundable request fee of R 50.00 (excluding VAT) is payable on submission of any request for access to any record.

This does not apply if the request is for personal records of the requestor. No fee is payable in such circumstances.

**Access Fee**

An access fee is payable prior to being permitted access to the records in the required form.

The applicable fees are prescribed in terms of Part III of Annexure A as identified in Government Notice Number 187, Regulation 11.

**9. MANUAL AVAILABILITY**

This Manual is available at the offices of the SAHRC and available for download from [www.tbi.co.za](http://www.tbi.co.za).

Copies may also be obtained from the Information Officer of the Company. In respect of hard copies, any transmission costs or postage will be for the account of the requester.