

MASTHEAD (PTY) LTD
Registration Number: 2000/025700/07

PAIA MANUAL

**Prepared in terms of section 51 of the
Promotion of Access to Information Act 2 of
2000.**

DATE OF COMPILATION: 10 January 2022

1. LIST OF ACRONYMS AND ABBREVIATIONS

1.1	“CEO”	Chief Executive Officer
1.2	“DIO”	Deputy Information Officer;
1.3	“IO”	Information Officer;
1.4	“Minister”	Minister of Justice and Correctional Services;
1.5	“PAIA”	Promotion of Access to Information Act No. 2 of 2000 (as Amended);
1.6	“POPIA”	Protection of Personal Information Act No.4 of 2013;
1.7	“Regulator”	Information Regulator; and
1.8	“Republic”	Republic of South Africa

2. INTRODUCTION TO MASTHEAD

Masthead (Pty) Ltd (“Masthead”) was launched prior to the implementation of the Financial Advisory and Intermediary Services (FAIS) Act in 2004. The main aim was to support independent financial advisors (IFAs) and help them to retain their independence. This offering was later expanded to corporate FSPs. Today we develop and deliver unique compliance, risk management, practice management and business intelligence services.

3. PURPOSE OF PAIA MANUAL

3.1 This manual has been compiled in terms of the Promotion of Access to Information Act, No. 2 of 2000 (“the Act”). The Act gives effect to the constitutional right of access to information contained in section 32 of the Constitution of the Republic of South Africa .

3.2 In terms of the Act, private bodies are required to compile a manual as a guide to requesters of information. This manual provides the procedure to be followed by requesters when requesting information from Masthead for the purpose of exercising or protecting rights. This manual further sets out the type of records held by Masthead and the availability of such records.

3.3 This PAIA Manual is useful for the public to-

- 3.3.1 check the categories of records held by Masthead which are available without a person having to submit a formal PAIA request;
- 3.3.2 have a sufficient understanding of how to make a request for access to a record of Masthead by providing a description of the subjects on which Masthead holds records and the categories of records held on each subject;
- 3.3.3 know the description of the records of Masthead which are available in accordance with any other legislation;
- 3.3.4 access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;
- 3.3.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 3.3.6 know if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- 3.3.7 know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 3.3.8 know the recipients or categories of recipients to whom the personal information may be supplied;
- 3.3.9 know if Masthead has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- 3.3.10 know whether Masthead has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

4. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF MASTHEAD

4.1. Chief Information Officer

Name: Mr. IA Middleton
Tel: 021 686 3588
Email: compliance@masthead.co.za
Fax number: 021 686 3589

4.2. Deputy Information Officer: N/A

4.3. Access to information general contacts

Email: compliance@masthead.co.za

4.4. National or Head Office

Postal Address: 1st Floor, Park Terraces, Golf Park, Mowbray, 7700
Physical Address: 1st Floor, Park Terraces, Golf Park, Mowbray, 7700
Telephone: 021 686 3588
Email: compliance@masthead.co.za
Website: www.masthead.co.za

5. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

5.1. The Information 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.

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

5.3. The aforesaid Guide contains the description of-

5.3.1. the objects of PAIA and POPIA;

5.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-

- 5.3.2.1. the Information Officer of every public body, and
- 5.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
- 5.3.3. the manner and form of a request for-
 - 5.3.3.1. access to a record of a public body contemplated in section 11³; and
 - 5.3.3.2. access to a record of a private body contemplated in section 50⁴;
- 5.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;
- 5.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
- 5.3.6. 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-
 - 5.3.6.1. an internal appeal;
 - 5.3.6.2. a complaint to the Regulator; and

¹ Section 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.*

² Section 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 number of 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.*

³ Section 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.*

⁴ Section 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.*

- 5.3.6.3. 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;
 - 5.3.7. 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;
 - 5.3.8. the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
 - 5.3.9. the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and
 - 5.3.10. the regulations made in terms of section 92¹¹.
- 5.4. 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.

⁵ Section 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.

⁷ Section 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.

¹⁰ Section 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.

¹¹ Section 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.”

5.5. The Guide can also be obtained from the website of the Regulator (<https://www.justice.gov.za/infoereg/>). Any queries related to the guide must be directed to the Information Regulator's office.

5.6. A copy of the Guide is also available from Masthead in the following two official languages, for public inspection during normal office hours.

5.6.1. English and Afrikaans.

6. CATEGORIES OF RECORDS OF MASTHEAD WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

The following are categories of records held by Masthead which are available without a person having to request access by completing Form C, meaning the types of the records that maybe available on the website and a person may download or request telephonically or by sending an email.

Category of records	Types of the Record	Available on Website
Public Affairs/Website	• Public Product Information	X
	• Public Corporate Records	X
	• Media Releases	X
	• Publications	X
	• Newsletters	X

7. INDICATION OF OTHER LEGISLATION IN TERMS OF WHICH THE RECORDS OF MASTHEAD ARE AVAILABLE

Records maintained by Masthead in terms of other legislation includes but are not limited to:

- 7.1. Basic Conditions of Employment Act 75 of 1997;
- 7.2. Broad-Based Black Economic Empowerment Act 53 of 2003;
- 7.3. Compensation for Occupational Injuries and Diseases Act 130 of 1993;
- 7.4. Electronic Communications and Transactions Act 25 of 2002;
- 7.5. Employment Equity Act 55 of 1998;
- 7.6. Financial Intelligence Centre Act 38 of 2001;
- 7.7. Financial Advisory and Intermediary Services Act 37 Of 2002;
- 7.8. Income Tax Act 58 of 1962;
- 7.9. Labour Relations Act 66 of 1995;

- 7.10. Occupational Health and Safety Act 85 of 1993;
- 7.11. Pension Funds Act 24 of 1956;
- 7.12. Promotion of Access to Information Act 2 of 2000;
- 7.13. Protection of Personal Information Act 4 of 2013;
- 7.14. Unemployment Insurance Contributions Act 4 of 2002;
- 7.15. Unemployment Insurance Act 30 of 1996; and
- 7.16. Value Added Tax Act 89 of 1991.

8. DESCRIPTION OF THE SUBJECTS ABOUT WHICH MASTHEAD HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY MASTHEAD

This section sets out the subjects (i.e. Finance or HR) in respect of which Masthead holds records and the categories of records held on each subject, including records which are created and available in accordance with any of the South African legislation. These records are not freely available but can be requested in terms of form C. The inclusion of any subject of records should not be taken as an indication that the records in those categories will be made available under PAIA, as certain grounds for refusal may be applied.

Records	Subject
Company Secretarial	<ul style="list-style-type: none"> • Company documents including the Memorandum of Incorporation • Registers and minute books • Statutory returns • Powers of attorney • Share certificates
Company Authorisation and Licence	<ul style="list-style-type: none"> • FSCA Licence • CIPC Registration • Employer Registration • VAT Registration • Taxpayer Registration
Financial	<ul style="list-style-type: none"> • Financial Statements
	<ul style="list-style-type: none"> • Financial and Tax Records (Company & Employees) • Asset Register • Management Accounts • Bank statements

Records	Subject
	<ul style="list-style-type: none"> • Debtors/Creditors statements and invoices
Legal Services	<ul style="list-style-type: none"> • Agreements with customers, suppliers, service providers and other parties.
Movable and immovable property	<ul style="list-style-type: none"> • Title deeds • Lease agreements • Credit sale agreements • Ordinary sale agreements
Marketing	<ul style="list-style-type: none"> • Market Information • Public Customer Information <ul style="list-style-type: none"> ○ Product Brochures ○ Owner Manuals ○ Product Sales Records
	<ul style="list-style-type: none"> • Field Records • Marketing Strategies • Copies of advertisements and advertising register
	<ul style="list-style-type: none"> • Customer Database
	<ul style="list-style-type: none"> • Company performance Records
Intellectual Property	<ul style="list-style-type: none"> • Trademarks, patents, designs, Templates, Seminar content, Online course material, Compliance Monitoring Plans, Articles, Opinions, know-how, and licensing agreements for same
Strategic Documents, Plans, Proposals	<ul style="list-style-type: none"> • Annual Reports, Strategic Plan, Annual Performance Plan.
Administration and Information Technology	<ul style="list-style-type: none"> • Intranet • Correspondence with internal and external parties • Masthead systems documentation and manuals (Riskmaster, MIS, Connect, CRM)
Operations	<ul style="list-style-type: none"> • Policies and Procedures • Industry authorisation and compliance records

Records	Subject
	<ul style="list-style-type: none"> • Industry exemption records • Disaster recovery and implementation plans
Human Resources	<ul style="list-style-type: none"> • Policies and procedures • Employee information • Employment contracts • Training Records • Workplace and union agreements records • Benefit arrangements rules and records
Compliance Delivery	<ul style="list-style-type: none"> • CRM records • Compliance Reports • Correspondence with regulators and customers • Implementation records
Website	<ul style="list-style-type: none"> • Company profile • Areas of Service and Expertise • News and Publications • Coverage • Client Portal

9. PROCESSING OF PERSONAL INFORMATION

9.1 Purpose of Processing Personal Information

Masthead will only process personal information in line with the Masthead Privacy Policy, which is available on the Masthead website.

9.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto

This section specifies the categories of data subjects in respect of whom Masthead processes personal information and the nature or categories of the personal information being processed. The inclusion of any subject of records should not be taken as an indication that the records in those categories will be made available under PAIA, as certain grounds for refusal may be applied.

Categories of Data Subjects	Personal Information that may be processed
Customers / Clients	Name of customer/client, Firm code of client as per CRM, Name and surname of Compliance Officer linked to that client/FSP. Name, Last name, Identity number, Address, Qualifications, Gender, Race, Contact information. Business address, Banking details of business, Registration number of business.
Service Providers	Name, registration number, VAT number, address, s and bank details
Employees	Name, Last name, Identity number, Address, Banking details, Qualifications, Gender, and Race, Contact information
Third party contractors	Name, Last name, Identity number, Login usernames Address, Qualifications, Gender, Race, Contact information. Business address, Banking details of business, Registration number of business
IT Infrastructure	Name, Last name, Identity number, Login usernames Address, Qualifications, Gender, Race, Contact information employees.
Marketing	Name, Last Name, Business name
Front Office	Name, Last name, Personal E-mail address, Home facsimile number, Home postal address, Home telephone number.
Corporate customers	Name, Last name, Business e-mail address, Professional license numbers, Other confidential and proprietary information subject, Identity number, Address, Qualifications, Gender, Race, Contact information. Business address, Banking details of business, Registration number of business.
Finance	Name, Last name, Identity number, ID type, Gender, Personal mobile number, Name of Account holder, Account type, Name of Bank, Account number, Branch code.

9.3 The recipients or categories of recipients to whom the personal information may be supplied

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Identity number and names, for criminal checks	South African Police Services
Qualifications, for qualification verifications	South African Qualifications Authority Regulatory Bodies
Credit and payment history, for credit information	Credit Bureaus
Name, address, registration numbers or identity numbers, employment status and bank details	Third party contractors
Name, address, registration numbers or Identity numbers, Employment status, Bank details, Business information, Trading information, Statutory reports, Business reports.	Regulatory bodies

9.4 Planned transborder flows of personal information

Masthead uses the Microsoft’s Azure storage platform, which is hosted in the European Union. Masthead has enabled the necessary security functionality to its systems which safeguards its information against malicious access and use. These measures are over and above the standard data protection policies that is implemented across the Microsoft platform.

For more on the Microsoft Data Protection policy use the following link: [Protection of customer data in Azure | Microsoft Docs](#)

9.5 General description of Information Security Measures implemented by Masthead to ensure the confidentiality, integrity and availability of the information

Masthead has its information systems built to the ISO27001 (International Organisation for Standardisation) standards. The acceptable use of all Masthead devices and information systems are governed by the standard and its related policies.

The ISO27001 Standard and related policies allows for the safeguarding of Information, including personal information. It ensures that basic security platforms, solutions, software, principles and architecture are in-place to protect an entity's information systems against data leakage and the misuse of information.

10. AVAILABILITY OF THE MANUAL

10.1 A copy of the Manual is available as follows:

10.1.1 On www.masthead.co.za;

10.1.2 From the Cape Town Head Office of Masthead during normal business hours on request by any person on payment of a prescribed fee; and

10.1.3 From the Information Officer.

11. PRESCRIBED FEES AND FORMS

11.1 If you request access to records containing personal information about yourself you will not be required to pay the request fee. Any other request under PAIA must be made by use of the required forms and upon payment of prescribed fees.

11.2 The following fees are, or could be, payable-

11.2.1 Initial Request fee, when submitting the initial request.

11.2.2 If the request is granted, an access fee must be paid for the reproduction of records and for time in excess of one hour to search and prepare the records for disclosure. Where the time to prepare the records for disclosure is likely to exceed six hours, a deposit of one third of the anticipated access fee may be required as a deposit.

11.2.3 Payment details can be obtained from the Information Officer.

Refer to **Annexure 1** for the Masthead PAIA process and **Annexure 2** for Prescribed fees.

12. UPDATING OF THE MANUAL

The head of Masthead will on a regular basis update this manual and will be published according to the requirements of PAIA and POPIA.

Issued by

Mr. IA Middleton

Managing Director.

ANNEXURE 1 - MASTHEAD PAIA PROCESS

1. The requester must use the prescribed form (Form C) to make a request for access to a record.
2. The request must be made to the Information Officer at compliance@masthead.co.za.
3. The requester must provide sufficient details of the records being requested as well as the right that he/she is seeking to protect, and explain why the record is required to protect that right.

1. Masthead will review the application and all documents, Masthead will notify the requester of the applicable fees.
2. Upon receipt of payment and applicable forms, Masthead will make a decision on the request and notify the requester in the required form, within 30 days of a decision to grant or deny a request.
 3. If the request is granted, Masthead will calculate a further access and reproduction fee, which is payable prior to providing the information requested.

1. Once the requester accepts all costs, Masthead will proceed with the preparation and arranging information .
2. Masthead will notify the requester of estimated timelines and expected delivery date.
3. The requester will receive the information in the format requested in the application form.

ANNEXURE 2 - FEES IN RESPECT OF PRIVATE BODIES / REQUEST FOR INFORMATION

<i>Item</i>	<i>Description</i>	<i>Amount</i>
	<i>Initial Request fee</i>	
1.	The initial request fee payable by every requester	R140
	<i>Access and Reproduction fee</i>	
2.	Photocopy/printed black & white copy of A4- size page	R2.00 per page or part thereof
3.	Printed copy of A4- Size page	R2.00 per page or part thereof
4.	For a copy in a computer – readable form on: (iii) Flash drive (to be provided by requestor) (iv) Compact disc <ul style="list-style-type: none"> • If provided by requestor • If provided to the requestor 	R40.00 R40.00 R60.00
5.	For a transaction of visual images per A4-size page	Service to be outsourced. Will depend on quotation from service provider
6.	Copy of visual images	
7.	Transcription of an audio record, per A4-Size page	R24.00
8.	Copy of an audio record on: (v) Flash drive (to be provided by requestor) (vi) Compact disc <ul style="list-style-type: none"> • If provided by requestor • If provided to the requestor 	R40.00 R40.00 R60.00
9.	To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation To not exceed	R145.00 R435.00
10.	Deposit: If search exceeds 6 hours	One third of amount per request calculated in terms of items 2 to 8
11.	Postage, e-mail or any other electronic transfer	Actual expense, if any