



POPIA & PAIA SECTION 51 MANUAL
THE RAND MUTUAL ASSURANCE GROUP (RMA)

Prepared in accordance with section 51 of the Promotion of Access to Information Act, No.2 of 2000 (Private Body) and updated in the light of the Protection of Personal Information Act 4 of 2013 ("POPIA") in respect of the following companies comprising the RMA Group:

Company Name	Registration Number
The Rand Mutual Assurance Company Limited	1899/000876/06
Rand Mutual Holdings Limited	2009/021206/07
RMA Life Assurance Company Limited	1990/06308/06
Rand Mutual Admin Services (Pty) Limited	2012/190552/07
Rand Mutual Solutions (Pty) Limited	2015/088734/07
Rand Mutual Property Holdings (Pty) Limited	2015/036647/07
Rand Mutual Technology Solutions (Pty) Limited	2015/033082/07
Rand Mutual IT Solutions (Pty) Limited	2015/088733/07

Last updated: JUNE 2021

1. INTRODUCTION

On 9 March 2001, the Promotion of Access to Information Act No. 2 of 2000 ("the PAIA Act") became operative, giving effect to the section 32 (2) Constitutional Right of access to information.

The PAIA act gives third parties the right to approach private bodies and the government to request information held by them, which is required in the exercise and/ or protection of any rights. On request the private body or government is obliged to release such information, unless the PAIA act expressly states that the records containing such information may not or must be released.

The POPI Act was enacted in November 2013, to promote the protection of personal information processed by public and private bodies. POPIA amended certain provisions of PAIA, which offsets the need for access to information against the importance to ensure the protection of personal information.

It is important to note that PAIA and POPIA recognises certain limitations to the right of access to information, including limitations designed to reasonably protect the right to privacy, commercial confidentiality, and efficient and good governance, and in a manner which counteracts that right with any other rights such as those contained in the Bill of Rights in the Constitution.

This Document serves as RMA's information manual and provides reference to the records held by RMA as well as the process to request access to such records.

2. SCOPE OF THE MANUAL

The scope of this manual includes the RMA Group and all its subsidiaries.

3. AVAILABILITY OF THE MANUAL

A copy of this manual is available to the public for inspection on the RMA website – www.randmutual.co.za or on request from the designated contact person referred to in the manual.

4. CONTACT DETAILS

The responsibility for administration of and compliance with the PAIA Act and the POPIA has been delegated by the CEO of RMA to the Information officer and Deputy Information Officers, the information officer also has delegated deputy information officers. Requests pursuant to the provisions of the Act should be directed as follows:

Information Officer: Humphrey Mkwebu

Postal Address: PO Box 61413, Marshalltown, 2107

Physical address: RMA Buidling,10 St Andrews Road, Parktown, 2193

Phone number: (010) 214 3000

e-mail: Popiaquery@randmutual.co.za

website: www.randmutual.co.za

Deputy Information Officers:

NAME	TITLE
Monica Manyike	Compliance Manager: RMA Group
Ben Lourens	Compliance Officer: RMA Group
Koleka Mvinjelwa	Compliance Manager: RMA COID Division
(Vacancy)	Risk & Compliance Manager: RMA Life

5. INFORMATION REGULATOR'S GUIDE

The Information Regulator has published an official Guide which contains information to assist any person wishing to exercise their right of access to information in terms of PAIA and POPIA. This Guide was made available by the Information Regulator (established in terms of POPIA). Copies of the latest Guide are available from Information Regulator in the form and manner prescribed by the Act.

Physical Address: The Information Regulator (South Africa)
JD House,
27 Stiemens Street,
Braamfontein,
Johannesburg,
2001

Postal Address: P.O. Box 31533
Braamfontein,
Johannesburg,
2017

Telephone Number: +27 (0) 10 023 5207

Fax Number: (011) 403-0668

Complaints email: complaints.IR@justice.gov.za

General enquiries email: infoeq@justice.gov.za

6. AUTOMATIC DISCLOSURE (PAIA section 51 (1)(c))

We set out below categories of records that are available publicly without you having to request access in terms of the PAIA Act:

- Memorandum of Incorporation (available from the CIPC);
- Register of directors (available from CIPC);
- Information about the services rendered by the Company (available on the Company's website);
- Company Profile (available on the Company's website);
- The Company's financial statements and integrated report (available on the Company's website)
- Details of a Trust (available at the Master of the High Court)

7. RECORDS HELD IN ACCORDANCE WITH OTHER LEGISLATION (PAIA section 51 (1)(d))

Records of RMA and its Group Companies are held in accordance with the following legislation. Note that below list is not an exhaustive list of statutes.

○ Basic Conditions of employment Act, No. 75 of 1997	○ Occupational Health and Safety Act, No. 85 of 1993
○ Broad Based Black Economic Empowerment Act, No. 53 of 2003	○ Promotion of Access to Information Act, No. 2 of 2000
○ Short Term Insurance Act No.19277 of 1998	○ Long Term Insurance Act 52 of 1998
○ Companies Act, No. 71 of 2008	○ Skills Development Act, No. 97 of 1997
○ Compensation for Occupational Injuries and Diseases Act, No. 130 of 1993	○ Skills and Development Levy Act, No. 9 of 1999
○ Electronic Communications and Transactions Act, No 2 of 2000	○ Income Tax Act, No. 58 of 1962

○ Employment Equity Act, No. 55 of 1998	○ Unemployment Insurance Act, No 63 of 2001
○ Financial Intelligence Centre Act, No. 38 of 2001	○ Value-added Tax Act, No. 89 of 1991
○ Labour Relations Act, No. 66 of 1995	○ Insurance Act No 18 of 2017
○ Financial Advisory and Intermediary Services Act No 37 of 2002	○ Protection of Personal information Act No 4 of 2013

8. RECORDS SUBJECT AND CATEGORIES (PAIA section 51 (1)(e))

CLIENT SERVICES AND RECORDS

The services and products offered by RMA Group of Companies to its clients can be viewed on the RMA website www.randmutual.co.za.

RMA holds the following records in respect of its clients:

- Policy documents
- Contact person details
- Physical address
- Postal address
- Annual return of earnings
- Beneficiary personal information including identity documentation, family member details, earnings, physical address
- Beneficiary medical records
- Medical invoices
- Claim forms
- Proof of life certificates
- Credit information
- Customer and service provider profiling
- Any other records that a third party has provided to RMA either directly or indirectly and records generated by or within RMA pertaining to its customers

CORPORATE GOVERNANCE AND SECRETARIAL SERVICES RECORDS

- Company statutory records
- Annual returns
- Share certificates
- Share register
- Correspondence with the Financial Services Board
- Board and Committee minutes
- Exco meeting minutes
- Annual reports
- Governance policies
- Company structure organograms

FINANCE AND ADMINISTRATION RECORDS

- Accounting records
- Annual Financial Statements
- Financing Agreements
- Banking Records

- Correspondence
- Invoices and Statements
- Product Records
- Management Reports
- Tax Records and Returns
- Client Return of Earnings

HUMAN RESOURCES RECORDS

- Employment agreements
- Employee policies and procedures
- Disciplinary and performance management records
- Employee personal information
- Employment Equity Plans
- Employment Equity Reports
- Personal Developments Plans
- Workplace Skills Plans
- Training records
- Employee Survey outcomes

INFORMATION MANAGEMENT AND TECHNOLOGY RECORDS

- Service Level Agreements
- Maintenance and Development Agreements
- Software Licence Agreement
- Copyright registration

MARKETING AND COMMUNICATION RECORDS

- Stakeholder Engagement Policy
- Media Policy
- Corporate Identity Manual

OTHER RECORDS

- Information regarding its policy holders, service providers and sundry providers;
- Information relating to RMA's own commercial activities including commercial agreements; and
- Research information belonging to RMA whether carried out itself or commissioned from a third party

9. CATEGORIES OF DATA SUBJECTS

The RMA Group holds information and records on the following category of data subjects:

- Employees / personnel of the RMA Group
- Clients of RMA Group
- Third Parties with whom RMA Group conducts business with
- Contractors of RMA Group
- Service providers of RMA Group (such as Medical Service Providers)

Note that this list of categories of data subjects is non-exhaustive.

10. ACCESS REQUESTS PROCEDURE

COMPLETION AND SUBMISSION OF ACCESS REQUEST FORM

Any requester of information must adhere to the following procedure:

- The Access Request Form available on the Information Regulator website (www.justice.gov.za/infoereg) or directly from the RMA Group website (www.randmutual.co.za under Downloads) must be completed.
- A certified copy of the requester's identify document must accompany the Access Request Form.

When completing the Access Request form, take note of the following:

- The Access Request Form must be comprehensively completed
- Complete the form in block letters.
- If a question does not apply state N/A as a response
- If there is nothing to disclose in response to a question, state 'nil'
- If there is insufficient space on the standard Form, additional information may be included on an additional blank piece of paper.

Process to access a record under PAIA and POPIA:

In terms of POPIA section 53(1) and PAIA section 50 you may access a record if:

- You require the record to exercise or to protect a right.
- You comply with a requirement with the procedural requirement under PAIA
- Access is not refused under chapter 4, part 3 of PAIA

The Access Request Form must be completed with enough particularity to enable the Information Officer to identify:

- The specific record(s) being requested
- The identity number of the requester
- The form of access required in the event that the request is granted
- The contact details (such as email address, postal address and/or fax number of the requester)
- The requester must also indicate that they require the information in lieu of exercising or protecting a right, and clearly explain the nature of the right in question.

In the event of a request made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the Information Officer, such as a Power of Attorney document.

The Information Officer will inform the requester in writing whether the request for access to information has been granted or denied. If the requester requires the reasons for RMA Group's decision in any other manner, they must state the manner and the particulars so required.

The completed Access Request Form together with certified ID copy must be hand delivered or submitted either via conventional mail, e-mail or fax and must be addressed to the Information Officer as indicated above.

PAYMENT OF FEES

If the request for access is successful, RMA Group may require the payment of an access fee to cover the costs associated with the search, reproduction and/or preparation of the records which shall be calculated in accordance with the list of applicable fees.

The payment of a fee is not applicable where a person requests access to records that contain their personal information for the sole purpose of accessing their personal information.

Payment details can be obtained from the contact person to whom proof of payment must also be provided prior to access being granted to the requested record.

The following fees are (or may be) payable:

- Request fee
- Access fee
- Reproduction fee
- Request fee

The prescribed fees are listed in Annexure A to this Manual.

NOTIFICATION OF DECISION

Within 30 days of receipt of the request, the RMA Group Information Officer shall decide whether to grant or decline the request and, if required, provide reasons for its decision.

The 30 day period may be extended by a further period of not more than 30 days if the request is for a large volume of information, or the request requires a search for information held at another office of RMA Group and it cannot reasonably be expected of RMA Group to source the information within a period of 30 days.

11. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

The RMA Group may refuse a request for information on the following grounds:

- Mandatory protection of the privacy of a third party who is a natural person which would involve the unreasonable disclosure of personal information of that natural person.
- 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 their property.
- Mandatory protection of records which could be regarded as privileged in legal proceedings.
- The Commercial Activities of RMA Group which may include:
 - Trade secrets of RMA Group.
 - Financial, commercial, scientific or technical information the disclosure of which could likely cause harm to the financial or commercial interests of RMA Group.
- Mandatory protection of the commercial information of a third party if the record contains:

- Trade secrets of that party.
- Financial, commercial, scientific or technical information, the disclosure of which could likely cause harm to the financial or commercial interests of that party.
- Information disclosed in confidence by a third party to RMA if the disclosure could put that third party to a disadvantage in negotiations or commercial competition.

12. REMEDIES AVAILABLE WHEN RMA GROUP REFUSES A REQUEST FOR INFORMATION

All complaints, by a requester or a third party, can be made to the Information Regulator or a court of law, in the manner prescribed below:

COMPLAINT DIRECTLY TO THE INFORMATION REGULATOR

The requester (or third party) may submit a complaint in writing to the Information Regulator, within 180 days of the RMA Group’s decision, indicating why the decision was not in compliance with the provisions of PAIA. The Information Regulator will investigate the complaint and make a decision investigate the request; to take no further action or to refer the complaint to the Enforcement Committee established in terms of POPIA. The Information Regulator may serve an enforcement notice confirming, amending or setting aside the disputed decision, which must be accompanied by reasons.

APPLICATION TO COURT

An application to court maybe brought in the ordinary course against RMA Group’s decision. For purposes of PAIA, any reference to an application to court includes an application to a Magistrates' Court.

Signed at Johannesburg on RMA

hmkwebu

Executive: Corporate Services

<p>RMA GROUP POLICY (Policies, Procedures, Rules etc.)</p>
<p><i>To be completed by initiator of policy/policy owner:</i></p>

1. POLICY TITLE:		POPIA & PAIA Section 51 Manual – Access to Information				
2. FIELD OF APPLICATION: (All persons to whom policy applies)		All employees				
3. COMPLIANCE OFFICER(S): (Persons responsible for ensuring policy implementation)		Exco				
4. STAKEHOLDER CONSULTATION (State the stakeholder group/s consulted during policy formulation/revision)		Company Wide				
5. DESIGNATION OF POLICY OWNER: (Person responsible for maintaining policy)		Executive: corporate Services				
6. NAME OF POLICY OWNER:		Humphrey Mkwebu				
POLICY HISTORY <i>(To be completed by policy owner)</i>						
Date approved at EXCO	Date approved at Subcommittee (if applicable)	Date approved by Board (if applicable)	Date Reviewed	Date of next review	Version	
			22/03/2018	22/03/2020	V 2.0	
			15/06/2021	01/05/2023	V 3.0	

ANNEXURE A

REPRODUCTION FEES

Where RMA Group has voluntarily provided the Minister with a list of categories of records that will automatically be made available to any person requesting access thereto, the only charge that may be levied for obtaining such records, will be a fee for reproduction of the record in question. All amounts indicated below are inclusive of VAT.

Description	Rand
For every photocopy of an A4-size page or part there of	1.00
For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form	1.00

For a copy in a computer-readable form on:

Description	Rand
Compact disc	50.00
A transcription of visual images for an A4-size page or part thereof	30.00
For a copy of visual images	10.00
A transcription of an audio record, for an A4-size page or part thereof	30.00
For a copy of an audio record	80.00

REQUEST FEES

Where a requester submits a request for access to information held by RMA Group on a person other than the requester himself/herself, the request fee is payable up-front before the institution will further process the request received. R 50,00

ACCESS FEES

An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of the Act or an exclusion is determined by the Minister in terms of section 54(8).

Description	Rand
For every photocopy of an A4-size page or part thereof	1.00
For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form	1.00

For a copy in a computer-readable form on:

Description	Rand
Compact disc	50.00
A transcription of visual images for an A4-size page or part thereof	30.00
For a copy of visual images	10.00
A transcription of an audio record, for an A4-size page or part thereof	30.00
For a copy of an audio record	80.00
To search for a record that must be disclosed (per hour or part of an hour reasonably required for such search)	30.00

ACCESS FEES

Where a copy of a record needs to be posted the actual postal fee is payable.

DEPOSITS

Where RMA Group receives a request for access to information held on a person other than the requester himself/herself and the Information Officer upon receipt of the request is of the opinion that the preparation of the required record of disclosure will take more than 3 hours to compile, a deposit may be payable to the requester at the Information Officer's discretion. The amount of the deposit is equal to 50% of the amount of the applicable access fee.