



We see it differently

POLICY: PAIA MANUAL

POLICY VERSION:	1.0
POLICY STATUS:	APPROVED
EFFECTIVE DATE:	1 July 2021

1. **BACKGROUND AND PRINCIPLES**

Natural and juristic persons have the right to access information Records held by a public or private body in terms of the Promotion of Access to Information Act (“PAIA”), subject to certain limitations. PAIA seeks to advance the values of transparency and accountability in relation to those Records.

The Protection of Personal Information Act (“POPI”) also provides natural and juristic persons (“Data Subjects”) with the right to request access to Personal Information. POPI aims to safeguard Personal Information, by regulating the manner in which it may be processed by public and private bodies.

In terms of the provisions of PAIA, private bodies are required to compile a manual as a guide to Requesters of information. This manual further serves to indicate the categories of Records held by the Company and the availability of such Records from the Company.

2. **POLICY RULES**

2.1 **Eligibility/Applicability**

This policy is applicable to all employees, including Company employees of any subsidiary within the Fulcrum group of Companies. This policy is also applicable to any external natural or juristic entity that requests access to information held by the Company where such person or entity has a right to access such information and where a Data Subject requests access to, correction of or deletion of Personal Information held by the Company.

2.2 **Time period/duration**

This policy is applicable from date of approval until amended or replaced.

2.3 **Objectives of the manual**

The objectives of this manual are:

- To set out the requirements on how to request information in terms of PAIA and POPI
- To set out the manner and form in which an access to information request may be submitted
- To provide a list of information, Records and data held and processed by the Company.

2.4 **Availability of the manual**

This Manual may be inspected at the Company’s Office, Monday to Friday, between 08h00 to 16h00. The manual is also available on the Company’s website www.fulcrum.co.za, alternatively, persons requiring a copy of the Manual or a part thereof may contact the Information Officer. This Manual will be updated when required, as per the requirements of Section 51 (2) of PAIA.

2.5 **Section 10 guide**

2.5.1 SAHRC is responsible for and has developed a guide (the Section 10 guide) in each of the country’s eleven languages, with information on how to use PAIA. This guide is available on the SAHRC website.

2.5.2 Any information or queries related to the guide should be directed to:

The South African Human Rights Commission

The Research and Document Department

PAIA Unit

Private Bag 2700

Houghton 2041

Telephone: +27 11 877 3600

Fax: +27 11 403 0625

Website: www.sahrc.org.za

Email: PAIA@sahrc.org.za

2.6 Details required in terms of section 51(1)(a) of PAIA

Entity	Fulcrum Collect	Fulcrum Group
Registration Number	2014/133378/07	2002/016025/07
Head of the Company	Barry Scott	Steve Schnell
Information Officer	Hanna Gurgul	Hanna Gurgul
Information Officer Email Address	Compliance@fulcrum.co.za	Compliance@fulcrum.co.za
Street Address	1st Floor Lacey Oak House Ballyoaks Office Park 35 Ballyclare Drive Bryanston 2191	1st Floor Lacey Oak House Ballyoaks Office Park 35 Ballyclare Drive Bryanston 2191
Postal Address	P.O.Box 849 Riverclub 2149	P.O.Box 849 Riverclub 2149
Telephone	0860018018	0860018018
Website	www.fulcrum.co.za	www.fulcrum.co.za
Company Email Address	info@fulcrum.co.za	info@fulcrum.co.za

3. DEFINITIONS

- 3.1 **Company:** Any company within the Fulcrum group of companies that has approved this policy in line with the internal Company approval processes
- 3.2 **Consent:** means any voluntary, specific and informed expression of will in terms of which permission is given for the Processing of Personal Information
- 3.3 **Data Subject:** means the person to whom Personal Information relates
- 3.4 **Information Officer:** Means the person appointed by the Company in the role of Information Officer as envisaged by POPI and PAIA
- 3.5 **Information Regulator:** Means the established juristic person as defined in Section 39 of POPI
- 3.6 **Operator:** means a person who processes Personal Information for a Responsible Party in terms of a contract or mandate, without coming under the direct authority of that party

- 3.7 **PAIA:** means the Promotion of Access to Information Act 2 of 2000
- 3.8 **Personal Information:** Personal information is any information that can be used to reveal a natural or juristic person's identity and has the same meaning as defined in the Promotion of Access to Information Act 4 of 2013, as amended from time to time
- 3.9 **POPI:** means the Promotion of Personal Information Act 4 of 2013
- 3.10 **Processing:** means 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
- 3.11 **Record:** means any recorded material
- regardless of the form or medium
 - in the possession or under the control of the Company
 - irrespective of whether or not it was created by the Company
- 3.12 **Responsible Party:** means a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means for Processing Personal Information
- 3.13 **Requester:** in relation to the Company, means any person making a Request for Access to a Record of the Company or a person acting on behalf of such person (and does not include a Data Subject who requests Records of his or her own Personal Information)
- 3.14 **Request for access:** means a request for access to a Record of the Company in terms of section 50 of PAIA
- 3.15 **SAHRC:** means the South African Human Rights Commission established in terms of section 181(1)(b) of the Constitution of the Republic of South Africa.

4. STATUTORY RECORDS

The Company maintains statutory Records and information in terms of the following legislation:

- Basic Conditions of Employment Act, 75 of 1997
- Broad Based Black Economic Empowerment Act, 53 of 2003
- Companies Act, 71 of 2008
- Compensation for Occupational Injuries and Diseases Act, 130 of 1993
- Competition Act, 89 of 1998
- Constitution of South Africa Act, 108 of 1996
- Copyright Act, 98 of 1978
- Electronic Communications and Transactions Act, 25 of 2002
- Employment Equity Act, 55 of 1998
- Financial Advisory and Intermediary Services Act, 37 of 2002
- Financial Institutions Protection of Funds Act, 28 of 2001
- Financial Intelligence Centre Act, 38 of 2001
- Financial Sector Regulation Act, 9 of 2017
- Financial Services Ombud Schemes Act, 37 of 2004
- Income Tax Act, 58 of 1962
- Insurance Act, 18 of 2017
- Labour Relations Act, 66 of 1995

- Long-term Insurance Act, 52 of 1998
- Medical Schemes Act, 131 of 1998
- National Payments System Act, 78 of 1998
- Occupational Health and Safety Act, 85 of 1993
- Patents Act, 57 of 1987
- Pension Funds Act, 24 of 1956
- Prevention and Combating of Corrupt Activities Act, 12 of 2004
- Prevention of Organised Crime Act, 21 of 1998
- Promotion of Access to Information Act, 2 of 2000
- Protection of Democracy and Terrorist and Related Activities Act, 83 of 2004
- Promotion of Equality and Prevention of Unfair Discrimination Act, 4 of 2000
- Protection of Personal Information Act, 4 of 2013
- Short Term Insurance Act, 53 of 1998
- Skills Development Act, 97 of 1997
- Skills Development Levies Act, 9 of 1999
- South African Reserve Bank Act, 90 of 1989
- Trade Marks Act, 194 of 1993
- Unemployment Insurance Act, 63 of 2001
- Unemployment Insurance Contributions Act, 4 of 2002
- Value Added Tax Act, 89 of 1991

5. OTHER INFORMATION THAT MAY BE PRESCRIBED

The Minister has the power to publish a notice prescribing any other information that private bodies have to disclose in terms of Section 51(1) (f) of PAIA.

6. RECORDS HELD

A list of Records held by the Company is attached at **Annexure A**.

6.1 **Information readily available on our website**

- B-BBEE certificates
- Financial Advisory and Intermediary Services Disclosure Notice
- Debit Order Mandate
- Privacy Policy
- Cookie Policy
- Terms of Use Policy.

6.2 **Records that may be requested**

- Records of applicable legislation
- Personal Information
- Records of a public nature.

6.3 **Record retention periods**

- Records are kept for as long as it is required to achieve the legitimate purpose for which the information was obtained, unless required for such longer period as required under legislation, or where the Records are required to be retained for historical purposes, or if the Records are required for lawful purposes related to the functions or activities of the Company. Records may in certain circumstances be kept indefinitely, in order for the Company to comply with legislative obligations.
- Records retained for longer than required to achieve the legitimate purpose for which the information was collected will be archived with restricted access and with appropriate safeguards in order to secure the Records and ensure that information is not processed without the relevant approvals or Consent.

- Record retention periods and processes are outlined in the Company's Record Retention Policy.

6.4 **Updating of Records**

- A Data Subject is responsible to advise the Company of any changes in Personal Information and shall advise the Company of such changes or updates to Records as they occur.
- Clients of the Company are required to update any Records held by the Company in relation to their Personal Information on at least an annual basis or at such point in time when the Records may change.
- Clients are responsible for the accuracy and integrity of data and Records that is submitted to the Company either through Company portals made available to the Client, or through emails or other methods of data transfer.

7. **REQUEST FOR INFORMATION**

Requests for access to information can only be channelled to the Information Officer in accordance with the process set out in section 7.2 of this manual.

7.1 **Right of Access to Information**

7.1.1 The purpose of this manual is to give effect to the right of access to information. PAIA, in line with the protection of Personal Information as regulated by POPI, allows for a person to request access to information Records if:

- The purpose is for exercising or protecting a Data Subject's or a Requestor's right and
- The Data Subject or Requestor has complied with the procedure stipulated by this manual and
- There are no legal grounds for refusal of the request.

7.1.2 In terms of POPI a Data Subject, upon the provision of proof of identity, may request the Responsible Party to confirm, free of charge, all information that the Responsible Party holds pertaining to the Data Subject. In accordance with section 7.3, the Requestor may additionally request access to this information, including information about the identity of any third parties who have or may have had access to the Data Subjects Personal Information.

7.2 **Procedure for making a request**

7.2.1 Requests for information or Records must be made by completing the prescribed form as set out in **Annexure B**.

7.2.2 The request form must be addressed to the Information Officer using the contact details set out in section 2.6 above.

7.2.3 Any request which fails to comply with the requirements of this manual will be referred back to the Data Subject or Requestor, with direction on the requisite information to be completed.

7.2.4 The Information Officer shall respond to the request for information within thirty (30) days of receiving the request in the prescribed form.

7.2.5 The Information Officer shall respond to the Data Subject or Requestor (and provide the requested documents) according to the manner of communication indicated by the Requestor in its application, which will then be deemed to be received/ collected by the Requestor.

7.3 Prescribed Request Fees

- 7.3.1 A Data Subject is not required to pay the request fee. Every other Requestor must pay the required request fee of R50 to the Company in order to have the application considered.
- 7.3.2 If the request is granted, then a further access fee may be payable by the Requestor for the search, reproduction, preparation of the Records, and for any time that has exceeded the prescribed hours to search and prepare the Record for disclosure. The Company shall inform the Requestor of such fee by notice, which shall specify the fee or deposit required, the fact that the fee may be challenged by court application, and the procedure to lodge a court application.
- 7.3.3 The Company is entitled to charge the Requestor certain prescribed fees in terms of Section 54 of PAIA, prior to Processing any requests for information. These prescribed fees have been published by the Minister of Justice and Constitutional Development in the Government Gazette No. 23119, General Notice No. 187 of 15 February 2002, and are set out below:

1. Access Fees For Reproduction		
1.1	Each Photocopy of A4 sized part or a part thereof	R1.10
1.2	Each photocopy of A4 sized page or part thereof held on a computer or in electronic or machine-readable form	R0.75
1.3	Copy of a computer readable memory stick	R7.50
1.4	Copy of a computer readable compact disc	R70.00
1.5	Transcript copy of visual images of an A4 sized page or part thereof	R40.00
1.6	Copy of visual images	R60.00
1.7	Transcription of an audio Record copy on an A4 sized page or part thereof	R20.00
1.8	Copy of the audio Record	R30.00
2. Access Fee for Time Spent		
2.1	Times reasonably spent to look for a Record, in preparation for the disclosure or part thereof	R30.00per hour
3. Request Fee		
3.1	Fee for requesting access to a Record made by a person other than a personal Requestor	R50.00
4. Deposit Fee		
4.1	1/3 (one third) of the access fee is payable by the Requestor as a deposit	
5. Postal Fee		
5.1	Fee for the postage of a Record to the Requestor	R9.75
6. Appeal Fees		
6.1	Fee for lodging an internal appeal upon refusal for the request for access to a Record	R50.00
7. Value Added Tax (VAT)		
7.1	The Company, will add VAT to all fees in terms of the Value Added Tax Act.	

7.4 **Granting a Request for Access to Information**

- 7.4.1 The Information Officer shall decide whether to grant or decline the Request for Access within 30 business days of receipt of the Request for Access and must give notice to the Data Subject or Requestor with reasons (if required) to that effect.
- 7.4.2 The period referred to in section 7.4.1 above may be extended for a further period of not more than 30 days if the Request for Access is for a large number of Records or the Request for Access requires a search for Records, meaning Records cannot reasonably be obtained within the original 30-day period.
- 7.4.3 The Information Officer will notify the Data Subject or Requestor in writing should an extension of time as contemplated in section 7.4.2 above be required.

7.5 **Refusal of Request for Access to Information**

Upon refusal of a request, the Information Officer will inform the Data Subject or Requestor of the reasons for the refusal of access in line with Chapter 4 of PAIA. The Data Subject or Requester shall be entitled to lodge an application against such refusal in accordance with section 10 below.

8. **OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION BY A DATA SUBJECT**

- 8.1 Where the Company holds Personal Information in respect of any Data Subject, such Data Subject may object, in writing and to the Information Officer to the Processing or further Processing of Personal Information. Such objection shall be in the prescribed form as set out in **Annexure C**.

9. **REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION BY A DATA SUBJECT**

- 9.1 Where a Data Subject has requested Personal Information from the Company, which is subsequently provided, the Data Subject may request a correction of such Personal Information if the information is inaccurate, incomplete, outdated, irrelevant or misleading. Such a request shall be made to the Information Officer, and all correct information must be provided along with the request to correct, in the prescribed form as set out in **Annexure D**.

10. **RIGHT TO WITHDRAW CONSENT**

Where the Company process data of a Data Subject on the legal basis of consent, the Data Subject has the right to withdraw consent, provided that such withdrawal does not affect the lawfulness of the processing before the consent was withdrawn.

11. **APPEAL OR LODGING A COMPLAINT**

- 11.1 Should a Data Subject or Requester be unsatisfied with the decision of the Information Officer in relation to a request for access, an objection to Processing or to a request for correction or deletion of Personal Information, the Data Subject or Requester may advise the Company of this in writing, and in such circumstances an internal appeal and review process will be conducted.
- 11.2 The Company's managing director shall manage the internal appeal process and communicate the final decision of the appeal to the Data Subject or Requester in writing and within 15 (fifteen) working days of the appeal having been lodged with the Company. The Data Subject or Requester will be kept informed if it appears that the original time frame will not be met.

- 11.3 If a Data Subject or Requester does not agree with the decision in section 10.2 above, the Data Subject or Requester may apply, within 180 days of being advised of the decision, to the High Court having jurisdiction, for an appropriate order.
- 11.4 A Data Subject or Requester may also seek relief from any court with appropriate jurisdiction in respect of the following decisions of the Information Officer:
- The amount of fees required to be paid and / or
 - The decision to extend the period within which the information will be provided as stated in 7.4.2
 - The form of access granted
 - Refusal of the request for granting access.
- 11.5 If a Data Subject has lodged a complaint with the Information Officer and is unsatisfied with the result of the appealed decision, the Information Officer must advise the Data Subject to lodge the complaint in writing with the Information Regulator.
- 11.6 The Information Regulator must, as soon as is reasonably practicable, advise the Data Subject and the Company of the course of action that the Regulator proposes to adopt.
- 11.7 The Information Regulator may be contacted on the details below:

Mr Marks Thibela
 Chief Executive Officer
 Information Regulator (South Africa)

Address: 33 Hoofd Street
 Forum III, 3rd Floor
 Braampark

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

Telephone number: +27 (0)10 023 5200
 Cell number: +27 (0)82 746 4173
 Website: [https://justice.gov.za/inforeg/](https://justice.gov.za/inforeg/complaints.IR@justice.gov.za)
 Complaints email: complaints.IR@justice.gov.za
 General enquirers email : inforeg@justice.gov.za

11. PROCESSING OF PERSONAL INFORMATION

11.1 Purpose of Processing Personal Information

The Company may collect and Process Personal Information either as a Responsible Party, alternatively, as an Operator.

11.1.1 As a Responsible Party, The Company will Process Personal Information in the following circumstances:

- 11.1.1.1 As an employer and for purposes related to administration of the employment contract. Personal Information may be transferred or shared with various service providers or outsourced parties for recruitment purposes, purposes relating to Broad Based Black Economic Empowerment strategies, and government authorities in relation to labour law requirements or tax requirements.

- 11.1.1.2 To offer and provide premium financing services to Clients, in line with a loan agreement concluded with a client for the purpose of providing finance to that client. Personal Information of the client shall be processed for all matters relating to performance under the loan agreement. Personal Information may be transferred to approved brokers, insurers or system providers as is necessary in order for performance under the loan agreement.
- 11.1.2 As an Operator, the Company shall process Personal Information as instructed by Insurers or Brokers in line with services provided to these parties in relation to premium collection. All Personal Information processed is received from insurer and broker clients and processed in accordance with their specific instructions or as is required in order to perform under written contracts concluded with these clients. Collection services may also be provided to retail clients or clients in various business sectors. In this case, the Company acts as an Operator in accordance with instructions received from its client, and processes Personal Information only in so far as it is required in order to perform under the contract.
- 11.1.3 Personal Information may be sent to various service providers, including system providers, outsourced parties or technology partners where this is required in order for the Company to perform its obligations recorded in client contracts. All third parties that process Personal Information at the instruction of the Company are required to have technical and organisational controls in place to ensure safety, integrity and security of all Personal Information in accordance with generally accepted information technology governance policies.
- 11.1.4 A Disclosure Notice attached at **Annexure E** will set out more specifically the categories of Data Subjects and categories of Personal Information Processed by the Company, as well as Operators of the Company.

The following table set out the Records held by the Company:

Operations and Collections	
Access control records	Certificates and accreditations
Patents, trademarks and documentation	Utilities records
Facilities management records	FAIS licence numbers
Travel documentation	Health and safety records
Service provider contracts, SLA	General correspondence
Policyholder details- Name, policy number, debit amount, date of debit, bank account details	Insurer and brokers details- Address, VAT number, contact details, registration numbers, bank account details
Fulcrum Guarantees	Insurance documents- Credit notes for refunds, claims information, policy documents
Debit order and payment information	
Information Technology	
Equipment register	IT usage register
Business process records	Software licences
Repair and maintenance records	Client contracts- Company name, registration number, email addresses
Employee information- Employee number, emails sent and received, documents, passwords, contact number	Client information- Name, email addresses, contact numbers
Client contracts- Company name, registration number, contact numbers, email addresses	
Sales and Marketing	
Sales Strategy presentations from the business development team	Fulcrum Agreements or Contracts worked on for different business units or master documents for layout purposes.
Public Relations folder with press releases that are issued for Fulcrum.	Advertising, communication, marketing materials and strategies

Fulcrum Team professional photographs for use on profile pieces when arranged with industry media.	Staff information for editorials
Insurance Industry Journalist and Insurance Industry Presidents of institutes contact details.	Pipeline of various prospects, Leads from FSCA
Client information- Company name, registration number, tax number, auditor details, contact details, email addresses, directors ID numbers, B-BBEE certificates	Value of monthly collection/deposit, number of transactions, total value collected on a monthly basis, total number of transactions collected, value of deposits, number of deposits, average debit order return rate / % Ratio, average debit order disputes rate / % Ratio, user abbreviated names
Fulcrum BBBEE Certificate and full BBBEE report	Fulcrum Company Invoice details for the respective business units.
Design briefs that are submitted to designers for Fulcrum internal as well as external requirements.	Fulcrum Statutory Disclosure Notice Master document
Fulcrum Team members details, who belong to certain Insurance Institutes as members for a particular Fiscal Year	Fulcrum Collect specific marketing documents that have been generated. Brochures, powerpoints presentations, launch plans, teaser campaign ideas.
Fulcrum Statutory Disclosure Notice Master document	
Human Resources	
Accounting and payroll records	Leave records
B-BBEE records, employment equity records	PAYE records and returns
Target letters, performance agreements/ management records, disciplinary records	Career development plans, skills development reports, training records and statistics
Personnel records, letters of appointment, ad hoc employee agreements, working time records	UIF returns, income tax records, disbursements, refunds and claim records
Retirement, provident fund, medical aid records	Policies, procedures, standards and guidelines
Employee- identity numbers, names, addresses, email addresses, bank account details, salary details, position, benefits, race, ethnic origin, provident fund beneficiary details	Credit checks, criminal checks

Biometrics	Medical information- illnesses, medication
Learnerships- Contact details, race, ethnic origin, gender, tax information, employment status	Enterprise supplier development and Enterprise development (company details)
Finance	
Accounting records	VAT records
Annual financial statements	Invoices and statements
Agreements and contracts	Management reports
Audit reports	Tax returns and records
Asset register	South African Revenue Services returns
Banking records	Share register
Debtors Brokers- Banking details, contact numbers, email addresses, Companies and intellectual property commission records, company name, registration number, Gross written premium, details, commission/ fee details.	Creditors- banking details, contact numbers, email addresses, Companies and intellectual property commission records, company name, registration numbers
Debtors Insurers- Gross written premium details	Emails and correspondence: internal, suppliers, customers, auditors, shareholders, South African Revenue Service
Employees- banking details, third party payments (medical aid/ provident fund)	Budgeting reports
Company insurance policies	Budget allocations and actual spend recording for the brand budget
Business Information	
Budget records	Strategic plans
Management reports	General information
Business plans	Monthly reports
Minutes of meetings	Annual reports
Precedents	Pricing tables and algorithms
Service description and offerings	Training content and customer presentations

Access records relating to facilities (Access to the building)	External publications, media releases and voice/video clips
Records held in compliance to specific legislation, regulations, and codes	Policies, procedures, standards and guidelines, manuals
Client records	
Client correspondence	Status reports
Project plans	Operational reports, findings and recommendations
Customer agreements and other legal documents	Working papers
Client- business proposals	Minutes of meetings
Premium Finance	
Policyholder information- Legal entity name, registration number, Physical and postal address, contact number, email address, bank details, signatory details, financial information, updated management accounts, sureties, resolutions for approvals	Insurer information- Insurance debit and credit notes
Loan agreements- Financial information	Marketing- Broker database
Legal and Compliance	
Directors ID numbers, addresses, contact details	Internal Policies, procedures, standards and guidelines
Board resolutions	Minutes of board and management bodies meetings
Share registers and share certificates	Annual reports
Corporate structure diagrams	Minute books
Applicable statutory documents (incl. Certificate of incorporation, certificate to commence business, memorandum of incorporation)	Records relating to the appointment of directors, auditors, Company secretary and officers of the Company

Request for Personal Information or Records

A. Particulars of the Company	
Information Officer:	
B. Particulars of person requesting access to the record	
(i) The particulars of the person who requests access to the record must be recorded below	
(ii) Furnish an address and/or fax number in the Republic to which information must be sent	
(iii) Proof of the capacity in which the request is made, if applicable, must be attached	
Full names &	
Identity	
Postal	
Fax number:	
Telephone	
Email	
Capacity:	
C. Particulars of person on whose behalf request is made	
This section must be completed <i>ONLY</i> if a request for information is made on behalf of another person	
Full names &	
Identity	
D. Particulars of Record	
(i) Provide full particulars of the record to which access is requested, including the reference number	
(ii) If the provided space is inadequate, please continue on a separate page and attach to this form.	
Please sign any additional pages	
Description	
Reference	
Any further	

E. Fees	
(i) 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	
(ii) You will be notified of the amount required to be paid as the request fee	
(iii) 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	
(iv) If you qualify for exemption of the payment of any fee, please state the reason therefor	
Reason	for
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 hereunder, please state your disability and indicate in which form the record is required	
Disability:	
Form in which	
Mark the appropriate box with an "X"	
(i) Your indication as to the required form of access depends on the form in which the record is available	
(ii) Access in the form requested may be refused in certain circumstances, In such a case you will be informed of access will be granted in another form	
(iii) The fee payable for access to the record, if any, will be determined partly by the form in which	
1) If the record is in written or printed form:	
▪ copy of record	
▪ inspection of record	
2) If record consists of visual images:	
▪ view the images	
▪ copy of the images	
▪ transcription of the	
3) If the record consists of recorded words or information which can be reproduced in sound:	
▪ listen to the	
▪ transcription of the	
4) If the record is held on computer or in an electronic or machine-readable form:	
▪ printed copy of record	
▪ copy in computer	

Please indicate the preferred method of delivery	
▪ By hand	
▪ Email	
▪ Post	
▪ Fax	
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 additional folios.	
Indicate which right is to be exercised or	
Explain why the record requested is required for the exercise or protection of the aforementioned right:	
H. Notice of decision regarding the request for access	
You will be notified in writing whether your request has been approved / denied. If you wish to be informed thereof in another manner, please specify the manner and provide the necessary particulars	
How would you prefer to be informed of the decision regarding your request for access to the record?	
I. Signature page	
Signed at:	
Date:	
Signature of Requester / Person on whose behalf request is made:	

Information Officer signature:	
Date:	

Objection to the processing of Personal Information in terms of section 11(3) of the Protection Of Personal Information act 4 of 2013

Note:

1. Affidavits or other documentary evidence may be attached to support your request.
2. If the space provided for in this form is inadequate, submit information as an annexure to this form and sign each page.
3. Complete as applicable.

A. Details Of Data Subject	
Names and surname / registered name:	
Identity number:	
Residential, postal or business address:	
Contact number:	
Fax number:	
Email address:	
B. Details Of the Company	
Names and surname / registered name:	
Residential, postal or business address:	
Contact number:	
Email address:	
C. Reasons for objection to the processing of the personal information in terms of section 11(1)(d) to (f) which is in possession or under the control of the company	

Signed atthis day of20.....

Signature of Requestor/ designated person

Request for correction or deletion of Personal Information or destroying or deletion of record of Personal Information in terms of Section 21(1) of the Protection Of Personal Information Act 4 of 2013

Note:

1. Affidavits or other documentary evidence may be attached to support your request.
2. If the space provided for in this form is inadequate, submit information as an annexure to this form and sign each page.
3. Complete as applicable.

Mark the appropriate box with an "x"

Request for:

- Correction or deletion of Personal Information which is in possession or under the control of the Company.
- Destroying or deletion of Personal Information which is in possession or under the control of the Company, who is no longer authorised to retain the record of information.

A. Details Of The Data Subject	
Names and surname / registered name:	
Identity number:	
Residential, postal or business address:	
Contact number:	
Fax number:	
Email address:	
B. Details Of the Company	
Names and surname / registered name:	
Residential, postal or business address:	
Contact number:	
Email address:	

C. Information to be Corrected/ Deleted/ Destroyed

D. Reasons for correction or deletion of the Personal Information about the date subject in terms of section 24(1)(a) which is in possession or under the control of the company; and or

Reasons for destruction or deletion of a Record of Personal Information about the date subject in terms of section 24(1)(b) which the company is no longer authorised to retain.

Signed atthis day of20.....

Signature of Requestor/ designated person

Disclosure Notice

1. Nature and purpose of data Processing

The nature and purpose of Processing Personal Information is for the Company to provide premium collection or premium financing services under an existing client agreement or related to administration of the employment contract. Processing of Personal Information is in line with the Company's business functions and activities.

2. Record retention and cross boarder transfer

Company Records that include Personal Information, will be for as long as it is required to achieve the legitimate purpose for which the Personal Information was obtained, or such longer period as is required by legislation or as required for lawful purposes in relation to the Company's business functions or activities, or for historical purposes. Record retention shall be in accordance with Company record retention policies and in certain instances may be kept indefinitely in order to comply with legislative obligations.

No Personal Information will be transferred across border or processed in a jurisdiction outside of the Republic of South Africa, except where such jurisdiction has the same or stronger protection of Personal Information laws as are required in South Africa, alternatively, where there is a contractual agreement in place with the entity to which the Personal Information is sent. The contracts shall ensure that appropriate technical and organisational controls are implemented so as to afford the same or stronger protection of Personal Information as is required under Personal Information laws in South Africa.

Generally, Personal Information shall not be transferred across border, except for some data hosting services by contracting parties. Alternatively, the Company may, in carrying out its contractual services, be required to pay a foreign insurer insurance premium. In this case, only the premium amount due is paid to the insurer with no additional transfer of Personal Information. The payment is made in accordance with instructions received from the Responsible Party.

3. Categories of data subjects

The Company may process Personal Information of any of the following types of Data Subjects:

- Employees and potential employees of the Company
- Web portal users
- Juristic persons, existing and potential clients (mostly brokers, but can also include other juristic entities) and Insurers
- Service providers to the Company or other contracting parties (such as recruitment agents, workplace wellbeing consultants, broad- Based Black Economic Empowerment Agencies, IT hosting companies, system providers and technology partners)

4. Categories of Personal Information

The Company may process the following categories and type of Personal Information

Responsible Party (RP) or Operator (O)	Category of data	Nature of Personal Information	Voluntary or mandatory	Applicable laws, where relevant
RP	Basic Personal Information of Employees	First name, last name, email address, work email and phone number, residential address	M	n/a
RP	Basic Personal Information of Clients	First name and last name (where a natural person), Company name (where a juristic person), email addresses, physical and registered address, VAT number, contact details (phone, email and website information), registration numbers, annual financial statements and management accounts, CIPC details which reflect details of the directors and signatories Insurer details Value added products and amounts Underwriting managers	M	Financial Intelligence Centre Act, 38 of 2001 Financial Advisory and Intermediary Act, 37 of 2002 Companies Act, 71 of 2008 Value Added Tax Act, 89 of 1991
RP	Prospective client information	Value of monthly collection/deposits, number of transactions, total value of premium collected on a monthly basis, total number of transactions collected, value of deposits, number of deposits, average debit order return rate / % ratio, average debit order disputes rate / % ratio, debit order user abbreviated name, insurance policies and insurance cover, amount of premium due, value added product providers and amounts underwriting manager details names and details of insurers.	V	National Payments Systems Act, 78 of 1998
RP	Employee personal Information	Photographs and birthdays, name and position, employee number, salary and benefits, bank account information, educational and study information, current and past courses, financial and tax information (for SARS and pension fund benefits), device identification (for example IMEI-number and MAC address)	M (except for photographs and birthdays which is voluntary)	Labour Relations Act, 66 of 1995 Basic Conditions of Employment Act, 75 of 1997 Employment Equity, 55 of 1998 Income Tax Act, 58 of 1962 Pension Funds Act, 24 of 1956 Skills Development Act, 97 of 1997 Skills Development Levies Act, 9 of 1999 Unemployment Insurance Act, 63 of 2001 Unemployment Insurance Contributions Act, 4 of 2002

O	Prospective Employee Information	Identity numbers, contact info, credit information and history, criminal records and history, qualifications and references	V	n/a
RP	Directors and officers	Identity numbers, Tax numbers, residential addresses, telephone numbers, other directorships held	M	Companies Act, 71 of 2008
O	Policyholder data – for collection services	Names, banking details, policy numbers, premium amounts and debit order details	M	Insurance Act, 18 of 2017 Short Term Insurance Act, 53 of 1998 Long Term Insurance Act, 52 of 1998 Financial Advisory and Intermediary Act, 37 of 2002
O	Policyholder data- for premium financing services	Policy numbers, Debit and Credit Notes/Policy Schedules Insured Client information, including Bank account details	M	Insurance Act, 18 of 2017 Short Term Insurance Act, 53 of 1998 Long Term Insurance Act, 52 of 1998 Financial Advisory and Intermediary Act, 37 of 2002
RP	Authentication information- clients	Log in details, username only to the company web portal	M	n/a
RP	Authentication information- clients / employees	Log in details, username and password to work related profiles and systems	M	n/a
RP	Work related files and documents	Employee emails and correspondence, employee views and opinions	M	n/a
RP	Special personal information- employees	Biometrics (for example employee fingerprints for entry to the Company's office), race and ethnic origin (prospective and current employees), medical information (employees)	M	Broad Based Black Economic Empowerment Act, 53 of 2003 Employment Equity Act, 55 of 1998 Medical Schemes Act, 131 of 1998
RP	Website visitor's identification	Location information (for example, geo-location network data)	V	n/a
O	Skills development – training and learnerships	Students and businesses (names and registration numbers), course work, cost of training	M	Broad Based Black Economic Empowerment Act, 53 of 2003 Income Tax Act, 58 of 1962
O	Enterprise and Supplier development - Companies identified for enterprise and supplier development	Enterprise and Supplier name, registration details, procurement spend Broad Based Black Economic Empowerment rating	M	Broad Based Black Economic Empowerment Act, 53 of 2003

5. Operators or Sub- Operators

The Company may share Personal Information with our Operators and sub – operators to process information on our behalf. Information will be shared where this is required in order for the Company to perform its obligations recorded in client or employee contracts or where there is a legal requirement to do so.

Operators and sub- operators include:

- Fulcrum banking partners
- System providers (limited or restricted access)
- IT Hosting and paper-based storage facilities (for storing and archiving of electronic and paper-based records)
- IT technology partners
- Auditors (for audit purposes)
- Recruitment agents
- Provident fund administrators
- System providers for HR management
- Marketing and Media partners
- Photographers
- Regulatory bodies or government departments (including FSCA, the Information Regulator, PASA, SARS, the Companies and Intellectual Property Commission, department of labour)
- Medical aid providers
- Employee welfare consultants (health, mental health, finance)
- Skills Development program facilitators
- Enterprise and Supplier development program facilitators
- Retirement/ pension funds
- Financial Service consultants/ brokers mandated by the Company

- Associated Fulcrum Group companies (such as subsidiary companies)

6. **Consequences of failure of the Data Subject to provide the Personal Information**

In instances where all mandatory information is not provided by the Data Subject, the Company will be unable to comply with its legislative obligations, alternatively, will be unable to perform its contractual services. Where this is the case, it will not be possible to enter into a contract with a client, employee or service provider. Onboarding and conclusion of client and employee contracts will not be possible until all required information has been supplied to the Company.

Failure to provide Personal Information that is voluntary will affect certain parts of the services and certain options will no longer be available to the Data Subject. Failure of the prospective client to provide voluntary Personal Information shall mean that it will not be possible to finalise a proposal for that prospective client, which will preclude the conclusion of a final contract. Failure of a prospective employee to provide consent to credit check or credit assessments will result in the inability of the Company to view this information, which will prevent the conclusion of the employment contract.