



OATS
RISK SERVICES

Registration Number:
2017/242822/07

SECTION 51 MANUAL

compiled in terms of section 51 of

**THE PROMOTION OF ACCESS TO
INFORMATION ACT, NO. 2 OF
2000 (The Act)**

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1. INTRODUCTION

The Promotion of Access to Information Act, No 2 of 2000 ("the Act") was enacted on 3 February 2000, giving effect to the constitutional right of access to any information held by the state and any information that is held by another person and that is required for the exercise or protection of any rights. Where a request is made in terms of the Act, the body to whom the request is made is obliged to release the information, except where the Act expressly provides that the information may or must not be released. The Act sets out the requisite procedural issues attached to such request. The Act is read in conjunction with the Protection of Personal Information Act 4 of 2013. Oats Risk Services a licensed financial services provider offering a wide range of investment solutions and related financial services products.

2. CONTACT DETAILS

The following contact details can be used to obtain information in terms of the Act and/or this manual:

Company Owner:
Otshepeng Koketso Sokela

Postal Address:
85 Hythe Park
Glenvista
2058

Street Address:
85 Hythe Park
Glenvista
2058

Telephone number:
010 5910093

Email address:
info@oatsrisk.co.za

3. Information and Guidelines in terms of the Act

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

Requests in terms of the Act shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.

Requesters are referred to the Guide in terms of Section 10 of the Act which has been compiled by the South African Human Rights Commission (the "Commission"), which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the Commission.

The contact details of the Commission are as follows:

Postal Address:	Private Bag 2700, Houghton, 2041
Telephone number:	+27 11 877 3600
Fax Number:	+27 11 403 0625
Website:	www.sahrc.org.za

4. Applicable Legislation

The following legislation is applicable to Oats Risk (Pty) Ltd and information is accordingly available in accordance with such legislation:

(Please note that this is not an exhaustive list)

- Basic Conditions of Employment Act No. 75 of 1997
- Broad Based Black Economic Empowerment Act No. 53 of 2003
- Companies Act No. 71 of 2008
- Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993
- Consumer Protection Act No. 68 of 2008
- Copyright Act No. 98 of 1978
- Electronic Communications and Transmissions Act No. 25 of 2002
- Employment Equity Act No. 55 of 1998
- Financial Advisory and Intermediary Services Act No. 37 of 2002
- Financial Institutions (Protection of Funds) Act, 28 of 2001
- Financial Intelligence Centre Act No.38 of 2001
- Income Tax Act No. 58 of 1962
- Insolvency Act No. 24 of 1936
- Insurance Act, 18 of 2017
- Labour Relations Act No. 66 of 1995
- Long-term Insurance Act, 52 of 1998

National Credit Act No. 34 of 2005

Occupational Health and Safety Act No. 85 of 1993

- Pension Funds Act No. 24 of 1956
- Prevention of Organised Crime Act, 121 of 1998
- Promotion of Access to Information Act No. 2 of 2000
- Protection of Personal Information Act, 4 of 2013
- Short Term Insurance Act No. 53 of 1998
- Skills Development Act No. 97 of 1998
- Skills Development Levies Act No. 9 of 1999
- Trademarks Act No. 194 of 1993
- Unemployment Insurance Act No. 63 of 2001
- Unemployment Insurance Contributions Act No. 4 of 2002
- Value Added Tax Act no 89 of 1991

5. **RECORDS**

In order to facilitate a request for access to Oats Risk Services records, the subjects and categories of records held are listed below:

5.1. **Companies Act Records**

- Memorandum of incorporation

5.2. **Financial Records**

- Annual Financial Statements
- Tax Returns
- Accounting Records
- Bank statements
- Invoices

5.3. **Income Tax and other Tax Records**

- PAYE records
- Documents issued to employees for income tax purposes
- VAT records

5.4. **Information Technology Records**

- Hardware and software licenses
- Telephone lines

55. **Personnel Records**

- Employment contracts
- Pension Fund records
- Disciplinary records
- Salary records
- SETA records
- Company policies and procedures
- Leave records
- Training records

56. **Client related Records**

- Records which contain information of Oats Risk Services (Pty) Ltd clients, whether natural or juristic, that receive a service from Oats Risk Services (Pty) Ltd, that have either been provided to Oats Risk Services(Pty) Ltd by the client or generated by Oats Risk Services (Pty) Ltd in respect of the client.

57. **Legal Records**

- Various Legal Agreements including supplier agreements, lease agreements, service level agreements, and brand agreements.

6. FORM OF REQUEST (Section 51 (1) (e))

To facilitate the processing of your request, kindly:

- 6.1. Use the prescribed form, available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za.
- 6.2. Address your request to the Head of the Company
- 6.3. Provide sufficient details to enable the COMPANY to identify:
 - a) The record(s) requested;
 - b) The requester (and if an agent is lodging the request, proof of capacity);
 - c) The form of access required;
 - d) The postal address or fax number of the requester in the Republic;
 - e) If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;
 - f) The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

7. PRESCRIBED FEES

- 7.1. The following applies to requests (other than personal requests):
- 7.2. A requestor is required to pay the prescribed fees (R50.00) before a request will be processed;
- 7.3. If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);
- 7.4. A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- 7.5. Records may be withheld until the fees have been paid.
- 7.6. The fee structure is available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za.

FORM C

REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY
(Section 18(1) of the Promotion of Access to Information Act, 2000

(Act No. 2 of 2000)

[Regulation 6]

FOR DEPARTMENTAL USE

Reference number:

Request received by
name and surname of information officer/deputy information officer on
(date) at (place)

Request fee (if any): R.....

Deposit (if any): R

Access fee: R.....

.....Signature of information officer/deputy Information Officer

A Particulars of public body

The Information Officer/Deputy Information Officer:

B Particulars of person requesting access to the record

- (a) *The particulars of the person who requests access to the record must be given below.*
- (b) *The address and/or fax number in the Republic to which the information is to be sent, must be given.*
- (c) *Proof of the capacity in which the request is made, if applicable, must be attached.*

Full names and surname:

Identity number:

Postal address:

Fax number:

Telephone number:

E-mail address:

Capacity in which request is made, when made on behalf of another person:

C. Particulars of person on whose behalf request is made

This section must be completed ONLY if a request for information is made on behalf of another person.

Full names and surname:

Identity number:

D. Particulars of record

(a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.

(b) If the provided space is inadequate, please continue on a separate folio and attach it to this form.

The requester must sign all the additional folios.

- 1 Description of record or relevant part of the record:
- 2 Reference number, if available:
- 3 Any further particulars of record:

E. Fees

(a) 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.

(b) You will be notified of the amount required to be paid as the request fee.

(c) The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.

(d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

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 for in 1 to 4 below, state your disability and indicate in which form the record is required.

Disability:	Form in which record is required:
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Mark the appropriate box with an X.

NOTES:

(a) Compliance with your request for access in the specified form may depend on the form in which the record is available.

(b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.

(c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

1. If the record is in written or printed form:

	copy of record*		inspection of record
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2. If record consists of visual images -

(this includes photographs, slides, video recordings, computer-generated images, sketches, etc):

	view the images		copy of the images*		transcription of the images*
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3. If record consists of recorded words or information which can be reproduced in sound:

	listen to the soundtrack (audio cassette)		transcription of soundtrack* (written or printed document)
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4. If record is held on computer or in an electronic or machine-readable form:

	printed copy of record'		printed copy of information derived from the record*		copy in computer readable form* (stiffy or compact disc)
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*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.	YES	NO
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Note that *if* the record is not available in the language you prefer, access may *be granted* in the language in *which* the record is available.

In which language would you prefer the record?

G. Notice of decision regarding request for access

You will be notified whether your request has been approved/denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at thisday of..... 20

SIGNATURE OF REQUESTER 1 PERSON ON
WHOSE BEHALF REQUEST IS MADE