



(PTY) LTD

PROMOTION OF ACCESS TO INFORMATION MANUAL (“PAIA” Manual)

[Prepared in terms of Section 51 of the Promotion of Access to Information Act, No. 2 of 2000]

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Table of Contents

SECTION A	3
1. INTRODUCTION.....	3
SECTION B	4
1. CONTACT INFORMATION TO BE USED BY REQUESTERS.....	4
2. GENERAL INFORMATION	4
3. THE REGULATOR'S GUIDE.....	5
4. RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION.....	5
5. RECORDS AVAILABLE WITHOUT HAVING TO REQUEST ACCESS IN TERMS OF THE ACT	6
6. RECORDS SUBJECT TO REQUEST IN TERMS OF THE ACT	6
7. THE REQUEST PROCEDURES.....	8
8. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS	9
9. REMEDIES AVAILABLE IN THE EVENT OF A REFUSAL OF ACCESS	10
10. AVAILABILITY OF THIS MANUAL	10
Annexure A – Request for access to a record (Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (Regulation 10)	12
Annexure B – Fees	14

SECTION A

1. INTRODUCTION

Brolink is a private body and wholly owned subsidiary of Santam Limited. It is a private company and is an authorised financial services provider that is duly licensed by the Financial Sector Conduct Authority in terms of the Financial Advisory and Intermediary Services Act, Act 37 of 2002. The registration number is 10834. It is registered to provide financial intermediary services to clients on the following types of products:

- ✓ Short-term Insurance: Personal Lines
- ✓ Short-term Insurance: Commercial Lines
- ✓ Long-term Category A
- ✓ Long-term Category B.

The business has been active since 1994. It employs duly experienced and qualified persons in representative and administrative roles respectively. It holds binding authority with several insurers as well as administration and outsourcing agreements with insurers and administrators. Brolink is the owner its own administration platform but also makes use of the platforms of insurers in delivering its services. It is contracted to a vast number of brokers - providing underwriting, claims and policy management services to the clients of these brokers.

The purpose of this manual is to facilitate requests for access to information of Brolink as per the Promotion of Information Act (hereinafter, unless specified otherwise, "the Act"). This manual is not exhaustive of, nor does it comprehensively deal with, every procedure provided for in the Act. Any person/s making a request for information in terms of the Act ("the requestor/s") are advised to familiarise themselves with the provisions of the Act before making any requests to Brolink.

The business recognizes a person's right of access to information held by another person when that information is required for the exercise or protection of any rights.

SECTION B

1. CONTACT INFORMATION TO BE USED BY REQUESTERS

Head of body:	The Chief Executive Officer
Designated person:	The Information Protection Officer
Physical address:	West End Office Park, 254 Hall Street, Die Hoewes Centurion
Postal address:	P.O. Box 9346, Centurion, 0046
Telephone number:	012 673 0000
Fax number:	012 673 0180
Email address:	paia@brolink.co.za

2. GENERAL INFORMATION

Name of Body:	Brolink (Pty) Ltd
Registration number:	2004/010734/07
VAT registration number:	4700216353
Registered address:	West End Office Park, 254 Hall Street, Die Hoewes Centurion
Street address:	West End Office Park, 254 Hall Street, Die Hoewes Centurion
Postal address:	P.O. Box 9346, Centurion, 0046
Telephone number:	012 673 0000
Fax number:	012 673 0180
E-mail address:	paia@brolink.co.za
Website address:	www.brolink.co.za

3. THE REGULATOR'S GUIDE

The Regulator's Guide is a guide contemplated in terms of Section 10 of the Act and contains such information as may be reasonably required by a person who wishes to exercise their rights as contemplated in the Act. Until a regulator has been appointed any queries regarding this guide must be directed to the South African Human Rights Commission:

Address PAIA Unit (Research and Documentation Department)
Private Bag X2700
Houghton
2041
Telephone 011 484 8300/877 3600
Fax 011 484 1360
E-mail paia@sahrc.org.za
Website www.sahrc.org.za

4. RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION

Brolink retains records relating to several statutes, which includes, inter alia, the following:

- Basic Conditions of Employment Act, No. 75 of 1997;
- Broad-Based Black Economic Empowerment Act, 2003 (Act 53 of 2003);
- Companies Act, No. 71 of 2008;
- Compensation for Occupational Injuries and Diseases Act, No. 130 of 1993;
- Electronic Communications and Transactions Act, no. 25 of 2002;
- Electronic Communications Act, 2005 (Act 36 of 2005);
- Employment Equity Act, No. 55 of 1998;
- Income Tax Act, No. 58 of 1962;
- Labour Relations Act, No. 66 of 1995;
- National Payment System Act, No. 78 of 1998;
- Protection of Personal information Act, No. 4 of 2013;
- Protected Disclosures Act, No. 26 of 2000;
- Occupational Health and Safety Act, No. 85 of 1993;
- Skills Development Act, No. 97 of 1998;
- Skills Development Levies Act, No. 9 of 1999;
- Trademarks Act No. 194.of 1993;
- Unemployment Contributions Act, No. 4 of 2002;
- Unemployment Insurance Act, No. 63 of 2001;
- Value-Added Tax Act, No. 89 of 1991;
- Financial Advisory and Intermediary Services Act, 2002 (Act 37 of 2002);
- Prevention of Organised Crime Act (121 of 1998);
- Financial Intelligence Centre Act (38 of 2001);
- Protection of the Constitutional Democracy against Terrorism Act (33 Of 2004);
- Short-term Insurance Act, No. 53 of 1998;
- Long-term Insurance Act, No. 52 of 1998;
- Pension Funds Act, No. 24 of 1956;
- The Financial Sector Regulation Act, No. 9 of 2017;
- The Insurance Act, No. 18 of 2017.

5. RECORDS AVAILABLE WITHOUT HAVING TO REQUEST ACCESS IN TERMS OF THE ACT

The following records are held by Brolink and will be made available to the following persons without having to request access to such records in terms of the Act:

- 5.1 Employees can make a request for his or her personal employee record through the Information Officer if the Employee is unable to access such record through the Human Resources Department.
- 5.2 The general public and all employees may request through the Information Officer at the contact details listed at section B of this manual:
 - 5.2.1 Memorandum of Incorporation;
 - 5.2.2 Marketing brochures;
 - 5.2.3 Media releases; and
 - 5.2.4 This manual.
- 5.3 Contact details where such information may be obtained:
 - 5.3.1 Head: Human Capital: 012 673 0000
 - 5.3.2 Information Officer: 012 673 0000

6. RECORDS SUBJECT TO REQUEST IN TERMS OF THE ACT

The following records are held by Brolink and may be requested in terms of the Act. The inclusion of a record below does not imply that the record will be made available in terms of the Act. Access may be refused as set out within the provisions of this manual or if it would contravene any section of the act.

6.1 Personnel records

- 6.1.1 Personnel records provided to Brolink by employees;
- 6.1.2 Records provided to Brolink by individuals other than employees in respect of employees;
- 6.1.3 Correspondence in respect of Brolink employees;
- 6.1.4 Conditions of employment and other employee-related contractual records;
- 6.1.5 Internal evaluation records and other internal records; and
- 6.1.6 Training schedules and material.

6.2 Customer-related records

- 6.2.1 None.

6.3 Records relating to Brolink

- 6.3.1 Financial records;
- 6.3.2 Operational records;
- 6.3.3 Databases;
- 6.3.4 Information Technology records;
- 6.3.5 Marketing records;
- 6.3.6 Internal correspondence;
- 6.3.7 Product-related records;
- 6.3.8 Statistical records;
- 6.3.9 Statutory records;
- 6.3.10 Statutory compliance records;
- 6.3.11 Company secretarial records; and
- 6.3.12 Records held by officials of Brolink.

6.4 Other records

- 6.4.1 Employee records, customer records and records relating to Brolink itself, which are held by another party as opposed to being held by Brolink.
- 6.4.2 Records held by Brolink pertaining to other parties including, without limitation, financial records, correspondence, contractual records, records provided by other parties and records that third parties have provided which relate to contractors and suppliers.
- 6.4.3 Records pertaining to other parties including, without limitation, contractors, suppliers, associated companies, joint venture companies and service providers (alternatively, such other parties may possess records that can be said to belong to Brolink).

7. THE REQUEST PROCEDURES

7.1 Form of request

7.1.1 The requestor must use the prescribed request form in the form annexed hereto as Annexure A to make the request for access to a record. This form must be completed and sent to the designated person at the address, telefax or electronic mail address set out in section B of this manual. The requestor must:

- provide sufficient detail on the prescribed request form to enable the designated person to identify the record and the requestor;
- indicate which form of access is required;
- indicate if any other manner is to be used to inform the requestor (and state the necessary particulars to be so informed); and
- identify the right that is sought to be exercised or to be protected and provide an explanation as to why the requested record is required for the exercise or protection of that right.

7.1.2 If a request is made on behalf of another person, the requestor must submit proof of the capacity in which the requestor is making the request to the satisfaction of the designated person.

7.1.3 If the requestor is unable to complete the prescribed form because of illiteracy or disability, such person may make the request orally.

7.2 Fees

7.2.1 A requestor who seeks access to a record containing personal information about that requestor is not required to pay the request fee. Every other requestor who is not a personal requestor must pay the required fee as set out in Annexure B to this manual.

7.2.2 The designated person will notify the requestor (other than a personal requestor) by notice, requiring the requestor to pay the prescribed fee (if any) before further processing the request.

7.2.3 If the request is granted then a further access fee as set out in Annexure B to this manual must be paid for the search, production, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

7.3 Processing of requests

7.3.1 Brolink will process the request within thirty (30) business days unless the request contains considerations that are of such a nature that an extension of the thirty (30) business day time limit is necessitated.

7.3.2 Where an extension of the thirty (30) business day time limit is required, the requestor shall be notified together with reasons explaining why such extension is necessitated.

7.3.3 The requestor shall be informed whether access will be granted or whether it is refused. If, in addition, the requestor requires reasons to be provided for the decision, this requirement must be stated by the requestor with reference to the manner in which, and the particulars so, required.

8. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

- 8.1 The Act provides for grounds on which access to records may be refused and the grounds on which Brolink could, inter alia, refuse access to records are as follows:
- 8.1.1 Mandatory protection of information in terms of the FAIS Act [Section 3 of the General Code of Conduct] where it relates to an insured under any insurance policy and where such party has not explicitly provided the requester with a written mandate to obtain specified information of such insured;
- 8.1.2 Mandatory protection of information of returns, reports, submissions, statistics, etc. that relates to the commercial relationship between Brolink and any insurer or administrator;
- 8.1.3 Mandatory protection of information relating to submissions, reports, returns, correspondence, etc. between Brolink and any regulator [including, but not limited to, the Financial Sector Conduct Authority, the Prudential Authority and the Financial Intelligence Centre];
- 8.1.4 Mandatory protection of privacy of a third party who is a natural person which would involve the unreasonable disclosure of personal information of that natural person;
- 8.1.5 Mandatory protection of the commercial information of a third party where the requested record or records contain:
- trade secrets of that third party;
 - financial, 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 Brolink, if the disclosure of such information could put that third party at a disadvantage in negotiations or commercial competition;
- 8.1.6 Mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- 8.1.7 Mandatory protection of the safety of individuals and the protection of property;
- 8.1.8 Mandatory protection of records privileged from production in legal proceedings;
- 8.1.9 Brolink's commercial information which may include, without limitation:
- trade secrets;
 - financial, commercial, scientific or technical information (the disclosure of which could likely harm the financial or commercial interests of Brolink);
 - information which, if disclosed, could put Brolink at a disadvantage in negotiations or commercial competition;
 - computer programs and related information technology software which is owned by Brolink and which is protected by copyright;
- 8.1.10 Mandatory protection of research information compiled by Brolink or a third party if its disclosure would place the research at a serious disadvantage.

8.1.11 Access to all information that has been requested of Brolink which relates to personal information as defined in the Protection of Personal information Act will be refused in terms of this clause 8 unless it can be shown, by the requestor at their own expense, that provision of this information to the requesting party will not contravene the Act.

8.2 The definition of personal information in the Act is information relating to an identifiable, living, natural person and where it is applicable, an identifiable, existing juristic person including, but not limited to:

- (a) information related to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour sexual orientation, age, physical or mental health, wellbeing, disability, religion, conscience, belief, culture, language and birth of the person;
- (b) Information relating to the education or the medical, financial, criminal or employment history of the person;
- (c) any identifying number (including account number), symbol, e-mail address, physical address, telephone number or other particular assignment to the person;
- (d) the blood type or any other biometric information of the person;
- (e) the personal opinions, views or preferences of the person;
- (f) correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
- (g) the views or opinions of another individual about the person; and
- (h) the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.

9. REMEDIES AVAILABLE IN THE EVENT OF A REFUSAL OF ACCESS

9.1 The Act does not require, and Brolink does not have, any internal appeal procedures that may be followed if a request for access to information has been refused.

9.2 A requestor or third party that is dissatisfied with Brolink's refusal to disclose information may, within one hundred and eighty (180) days of notification of the decision, apply to a competent Court for relief.

10. AVAILABILITY OF THIS MANUAL

10.1 This manual is made available in terms of the regulations of the Act. And may be accessed via the company's website: www.brolink.co.za.

10.2 The manual is further available at the South African Human Rights Commission and has been published in English in the Government Gazette.

10.3 Copies of this manual can also be obtained from the addresses set out in Section B of this manual.

Brolink compiled this manual with reference to the blueprint for private bodies for the manual required in terms of Section 51 of the Act provided by the South African Human Rights Commission.

Annexure A – Request for access to a record (Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (Regulation 10)

Request for access to a record (Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (Regulation 10)

To:	The Information Protection Officer
Company:	Brolink (Pty) Ltd
By Email:	paia@brolink.co.za
By Post:	The Information Protection Officer Brolink (Pty) Ltd West End Office Park 254 Hall Street Centurion 0157

Particulars of the individual making the request for information (“requestor”)

First Name/s:		Surname:	
Identity Number:		Mobile Number:	
Fax Number:		Postal Address:	
		Post Code:	

Email Address:

This Request is Made: (mark with x)	By Requestor		On Behalf of Someone Else	
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Reason for request: (if on behalf of someone else)	
---	--

Full Names (First Name/s and Surname) of the Person on whose behalf this request is made:	
---	--

Identity Number of the Person on whose behalf this request is made:	
---	--

Nature of the information requested

Description of the Record	
Reference Number (if available)	
Any other information relevant to the request (continues next page)	

Initial:

Fees: (mark with x)	I consent to the payment of the fees noted in BroLink's PAIA manual (as amended from time to time) before any information is sent to me in accordance with this request. I understand that these fees will be payable only if I am requesting information which does not pertain to myself.		
	Yes		No
Is the person making the request for information disabled? (mark with x)	Yes		No
	Specify Disability		
If disabled, please specify the format of the information to be returned: (mark with x)	Audio		
	Written		
	Other		
Form of information to be supplied by BroLink			
If the record is in written or printed form (mark with x)	Copy of Record		Inspection of Record
If record consists of visual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.) (mark with x)	View the image		Copy of the image
			Transcript the image
If record consists of recorded words or information which can be reproduced in sound (mark with x)	Listen to the soundtrack		Transcription of the soundtrack
If record is held on computer in words or information which can be reproduced in sound (mark with x)	Printed copy of the record		Sound reproduction
Preferred means of information to be returned to the requestor (mark with x)	E-mail		Post (postage costs payable by requestor)
Acceptance of Terms and Conditions included in the BroLink PAIA Manual			
By signing below, I hereby accept the terms and conditions as included in BroLink's PAIA manual.			
Signed at:	On this:	Day of:	20____
Signature:			
Full Name/s:			
Identity Number:			

Annexure B – Fees

Payment of fees is regulated in terms of Section 54 of the Promotion of Access to Information Act

1. The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1.10 for every photocopy of an A4-size page or part thereof.
2. The fees for reproduction referred to in regulation 11(1) are as follows:

For every photocopy of an A4-size page or part thereof	R1.10
For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R0.75
For a computer-readable form	R70.00
For a transcription of visual images, for an A4-size part or part thereof	R40.00
For a copy of visual images	R60.00
For a transcription of an audio record, for an A4-size part or part thereof	R20.00
For a copy of an audio record	R30.00

3. The request fee payable by a requestor, other than a personal requestor, referred to in regulation 11(2) is R50.00.
4. The access fees payable by a requestor referred to in regulation 11(3) is as follows:

For every photocopy of an A4-size page or part thereof	R1.10
For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R0.75
For a computer-readable form	R70.00
For a transcription of visual images, for an A4-size part or part thereof	R40.00
For a copy of visual images	R60.00
For a transcription of an audio record, for an A4-size part or part thereof	R20.00
For a copy of an audio record	R30.00

5. To search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation.
6. The following applies:
 - 6.1.1. Six hours as the hours to be exceeded before a deposit is payable; and
 - 6.1.2. one third of the access fee is payable as a deposit by the requester.
7. The actual postage is payable when a copy of a record must be posted to a requester.

Signature: