



PAIA Manual

Capital Legacy Solutions (Pty) Ltd

Prepared in terms of section 51 of the Promotion of Access to Information Act 2 of 2000 (as amended)

Date of compilation	16 th March, 2022
----------------------------	------------------------------

Date of revision	1 st September, 2022
-------------------------	---------------------------------

CAPITAL L_EGCY

Wills & Estates Specialists

Table of Contents

- 1. List of acronyms and abbreviations 2
- 2. Purpose of PAIA Manual 2
- 3. Key contact details for access to information of Capital Legacy 2
- 4. Guide on how to use PAIA and how to obtain access to the Guide 2
- 5. Categories of records of Capital Legacy which are available upon request to access 3
- 6. Description of the records of Capital Legacy which are available in accordance with any other legislation 3
- 7. Description of the subjects on which Capital Legacy holds records and categories of records held on each subject by Capital Legacy 4
- 8. Processing of Personal Information 4
- 9. Availability of the Manual 5
- 10. Updating of the Manual 5

1. List of acronyms and abbreviations

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

2. Purpose of PAIA Manual

This PAIA Manual is useful for the public to –

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

3. Key contact details for access to information of Capital Legacy

3.1 Chief Information Officer

Name: Alex Simeonides
 Tel: 087 405 4516
 Email: alex@capitallegacy.co.za

3.2 Access to information general contacts

Email: compliance@capitallegacy.co.za

3.3 National or Head Office

Postal: 57 Sloane Street, The Campus, 1st Floor, Roland Garros, Bryanston, Sandton, 2191
 Physical: 57 Sloane Street, The Campus, 1st Floor, Roland Garros, Bryanston, Sandton, 2191
 Telephone: 087 352 2925
 Email: compliance@capitallegacy.co.za
 Website: <https://www.capitallegacy.co.za/>

4. Guide on how to use PAIA and how to obtain access to the Guide

- 4.1. The Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the revised Guide on how to use PAIA ("Guide"), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.
- 4.2. The Guide is available in each of the official languages and in braille.
- 4.3. The aforesaid Guide contains the description of –
 - 4.3.1 the objects of PAIA and POPIA;
 - 4.3.2 the postal and street address, phone and fax number and, if available, electronic mail address of –
 - 4.3.2.1 the Information Officer of every public body, and
 - 4.3.2.2 every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
 - 4.3.3 the manner and form of a request for –
 - 4.3.3.1 access to a record of a public body contemplated in section 11³; and

1 Section 17(1) of PAIA - For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.

2 Section 56(a) of POPIA - Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.

3 Section 11(1) of PAIA - A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.

- 4.3.3.2 access to a record of a private body contemplated in section 50⁴;
- 4.3.4 the assistance available from the IO of a public body in terms of PAIA and POPIA;
- 4.3.5 the assistance available from the Regulator in terms of PAIA and POPIA;
- 4.3.6 all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging –
 - 4.3.6.1 an internal appeal;
 - 4.3.6.2 a complaint to the Regulator; and
 - 4.3.6.3 an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;
- 4.3.7 the provisions of sections 14⁵ and 51⁶ requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
- 4.3.8 the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 4.3.9 the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and
- 4.3.10 the regulations made in terms of section 92¹¹.
- 4.4 Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.
- 4.5 The Guide can also be obtained –
 - 4.5.1 upon request to the Information Officer;
 - 4.5.2 from the website of the Regulator (<https://www.justice.gov.za/inforeg/>).
- 4.6 A copy of the Guide is also available in the following two official languages, for public inspection during normal office hours –
 - 4.6.1 English
 - 4.6.2 Afrikaans

5. Categories of records of Capital Legacy which are available without a person having to request access

Information described on the Capital Legacy website is available to download or on request within the constraints of the Protection of Personal Information Act.

6. Description of the records of Capital Legacy which are available in accordance with any other legislation

NB: Please specify all the records which are created and available in accordance with any of the South African legislation. Below is an example of the table that can be used in describing the records and applicable legislation.

Category of Records	Applicable Legislation
Memorandum of incorporation	Companies Act 71 of 2008
PAIA Manual	Promotion of Access to Information Act 2 of 2000
Administration of Estates	Administration of Estates Act 66 of 1965
Employment records	Basic Conditions of Employment 75 of 1997
Employment records	Compensation of Occupational Injuries and Diseases Act 130 of 1993
Treating Customers Fairly	Consumer Protection Act 68 of 2008
Electronic communications	Electronic Communications and Transactions Act 25 of 2002
Employment records	Employment Equity Act 55 of 1998
Financial services	Financial Advisory and Intermediary Services Act 37 of 2002

4 Section 50(1) of PAIA - A requester must be given access to any record of a private body if-

- a) that record is required for the exercise or protection of any rights;
- b) that person complies with the procedural requirements in PAIA relating to a request for access to that record; and
- c) access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.

5 Section 14(1) of PAIA - The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.

6 Section 51(1) of PAIA - The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.

7 Section 15(1) of PAIA - The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access

8 Section 52(1) of PAIA - The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access

9 Section 22(1) of PAIA - The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

10 Section 54(1) of PAIA - The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

11 Section 92(1) of PAIA provides that –“The Minister may, by notice in the Gazette, make regulations regarding-

- (a) any matter which is required or permitted by this Act to be prescribed;
- (b) any matter relating to the fees contemplated in sections 22 and 54;
- (c) any notice required by this Act;
- (d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and
- (e) any administrative or procedural matter necessary to give effect to the provisions of this Act.”

Category of Records	Applicable Legislation
Financial services	Financial Intelligence Centre Act 38 of 2001
Income Tax	Income Tax Act 58 of 1991
Administration of Estates	Insolvency Act 24 of 1936
Financial Services	Inspection of Financial Institutions Act 80 of 1998
Employment Records	Labour Relations Act 66 of 1995
Employment Records	Occupational Health & Safety Act 85 of 1993
Employment Records and Customer protection	Protection of Personal Information Act 4 of 2013
Employment Records	Skills Development Levies Act 9 of 1999
Employment Records	Skills Development Act 97 of 1998
Employment Records	Unemployment Contributions Act 4 of 2002
Employment Records	Unemployment Insurance Act 63 of 2001
Financial Services	Value Added Tax Act 89 of 1991

7. Description of the subjects on which Capital Legacy holds records and categories of records held on each subject by Capital Legacy

Subjects on which the Capital Legacy holds records	Categories of records
Strategic Documents, Plans, Proposals	Annual Reports, Strategic Plan, Annual Performance Plan.
Human Resources	<ul style="list-style-type: none"> - HR policies and procedures - Advertised posts - Employees records
Operational Information	<ul style="list-style-type: none"> - Client personal details - Beneficiary personal details - Financial Information - Client Wills

8. Processing of personal information

8.1 Purpose of Processing Personal Information

Personal Information obtained and retained by Capital Legacy is for the express purposes of providing fiduciary services and to promote and market Capital Legacy offerings.

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

Data Subjects Categories	Personal Information that may be processed
Customers / Clients	name, address, registration numbers or identity numbers, employment status and bank details
Service Providers	names, registration number, vat numbers, address, trade secrets and bank details
Employees	address, qualifications, gender and race

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

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Identity number and names, for criminal checks	South African Police Services
Qualifications, for qualification verifications	South African Qualifications Authority
Credit and payment history, for credit information	Credit Bureaus
Customer contact details	Distribution partners
Identity number and names, residential addresses, financial information	Master of the High Court, other applicable Regulatory Authorities

8.4 Planned transborder flows of personal information

No planned transborder flows of personal information.

8.5 General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information
 CLS employs a rigours access mechanism to the data via a complex arrangement of encrypted private networks, firewalls, and strict password policies. From a physical point of view, the data is stored in South Africa, off-site, in highly secured data centres. We also use multi-factor authentication and RSA keys wherever applicable.

9. Availability of the Manual

- 9.1 A copy of the Manual is available –
 - 9.1.1 on <https://www.capitallegacy.co.za/>
 - 9.1.2 head office of Capital Legacy for public inspection during normal business hours;
 - 9.1.3 to any person upon request and upon the payment of a reasonable prescribed fee; and
 - 9.1.4 to the Information Regulator upon request.
- 9.2 A fee for a copy of the Manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made.

10. Updating of the Manual

The head of Capital Legacy will on a regular basis update this manual.

Issued by



Alex Simeonides
 Chief Executive Officer



CAPITAL LEGACY

Wills & Estates Specialists



1st Floor, Roland Garros, The Campus,
57 Sloane Street, Bryanston, Gauteng, South Africa
lifeinfo@capitallegacy.co.za
087 352 2800

capitallegacy.co.za

Capital Legacy Solutions™ (Pty) Ltd is an Authorised Financial Services Provider.
The Legacy Protection Plan™ is underwritten by Guardrisk Life Ltd, a Licensed Life Insurer.