

PROMOTION OF ACCESS TO INFORMATION ACT MANUAL

CITADEL HOLDINGS PROPRIETARY LIMITED
AND THE CITADEL GROUP

THIS MANUAL HAS BEEN PREPARED IN ACCORDANCE WITH
SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000

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CITADEL HOLDINGS PROPRIETARY LIMITED
REGISTRATION NUMBER: 2000/027580/07

This manual applies to Citadel Holdings Proprietary Limited, its South African subsidiaries, companies in which such subsidiaries hold an interest, trusts and retirement funds administered by a Citadel group company. A list of these entities is available on request. A reference below to the “Company” should be regarded as a reference an entity to which this manual applies.

1 INTRODUCTION

The Promotion of Access to Information Act, 2000 (the “Act”) gives third parties the right to approach private bodies and the government to request information held by them, which is required in the exercise and/or protection of any rights. On request, the private body or government is obliged to release such information unless the Act expressly states that the records containing such information may or must not be released. This manual informs requestors of procedural and other requirements which a request must meet as prescribed by the Act.

2 NATURE OF BUSINESS

Citadel Holdings Proprietary Limited is the holding company of the Citadel group which operates in the financial services sector.

3 CONTACT DETAILS

Name of body	Citadel Holdings Proprietary Limited and the entities included in the list referred to above
Chief Executive Officer	Andrew Möller
Head of body for purposes of the Act and Information Officer	Sajeel Maharaj
Physical Address	Kaaimans Building, Lynnwood Bridge Office Park, 14 Hilden Road (off Daventry Road), Lynnwood Manor, Pretoria, 0081
Postal Address	Private Bag X9 Lynnwood Ridge 0040
Telephone Number	+27124702500

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Email address sajeelm@citadel.co.za
Website www.citadel.co.za

4 THE ACT

- 4.1 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.
- 4.2 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.
- 4.3 Requesters are referred to the Guide in terms of Section 10, which has been compiled by the South African Human Rights Commission (“SAHRC”), which contains information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.

The contact details of the SAHRC are as follows:

Street Address (Head Office)	Braampark Forum 3, 33 Hoofd Street, Braamfontein
Telephone Number	+27 11 877 3600
Website	www.sahrc.org.za

5 ACCESS TO RECORDS HELD BY THE CITADEL GROUP

Records held by the Citadel group may be accessed on request only once the requirements for access have been met.

A requester is any person making a request for access to a record of the Citadel group and in this regard, the Act distinguishes between two types of requesters:

Personal Requester

A personal requester is a requester who is seeking access to a record containing personal information about the requester. Subject to the provisions of the Act and applicable law, the Company will provide the requested information, or give access to any record with regard to the requester’s personal information. The prescribed fee for reproduction of the information requested will be charged by the Company.

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Other Requester

This requester (other than a personal requester) is entitled to request access to information pertaining to third parties. However, the Company is not obliged to grant access prior to the requester fulfilling the requirements for access in terms of the Act. The prescribed fee for reproduction of the information requested will be charged by the Company.

6 REQUEST PROCEDURE/FORM OF REQUEST

A requester must comply with all the procedural requirements contained in the Act relating to a request for access to a record.

A requester must complete the prescribed form enclosed herewith in Appendix 1 and submit same as well as payment of a request fee and a deposit, if applicable to the information officer at the postal or physical address or electronic mail address stated herein.

The prescribed form must be filled in with enough detail to at least enable the information officer to identify:

- the record or records requested;
- the identity of the requester;
- what form of access is required; and
- the postal address or e-mail address of the requester.

A requester must state that he or she requires the information in order to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. The requester must also provide an explanation of why the requested record is required for the exercise or protection of that right.

The Company will process a request within 30 days, unless the requestor has stated special reasons which satisfy the information officer that circumstances dictate that this time period not be complied with and that a shorter time period is appropriate.

The requester shall be informed in writing whether access has been granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, he or she must state the manner and the particulars so required.

If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the information officer.

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If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally to the information officer.

7 DECISION

The Company will, within 30 days of receipt of a request, decide whether to grant or decline a request and give notice with reasons (if required) to that effect.

The 30 day period within which the Company has to decide whether to grant or refuse a request, may be extended for a further period of not more than 30 days if the request is for a large quantity of information, or the request requires a search for information held at another office of the Company (other than the head office) and/or the information cannot reasonably be obtained within the original 30 day period. The information officer will notify the requester in writing should an extension be necessary.

8 PRESCRIBED FEES

The Act provides for two types of fees (with the fee structure being available on the website of the SAHRC at www.sahrc.org.za), namely a request fee (which will be a standard fee) and an access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs, where applicable.

When a request is received by the information officer of the Company, the information officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee (if any), before further processing of the request. If a search for the record is necessary and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the information officer shall notify the requester to pay as a deposit the prescribed portion of the access fee which would be payable if the request is granted.

The information officer shall be entitled to withhold a record until the requester has paid the fee or fees as indicated.

A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.

If a deposit has been paid in respect of a request for access, which is refused, then the information officer shall repay the deposit to the requester.

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9 REMEDIES AVAILABLE IF THE COMPANY REFUSES A REQUEST FOR INFORMATION

Internal Remedies

The Company does not have internal appeal procedures. As such, the decision made by the information officer pertaining to a request is final, and requestors will have to exercise such external remedies at their disposal if a request is refused and the requestor is not satisfied with the response provided by the information officer.

External Remedies

A requestor that is dissatisfied with the information officer's refusal to disclose information may, within 30 days of notification of the decision, apply to a court for relief. Likewise, a third party dissatisfied with the information officer's decision to grant a request for information, may within 30 days of notification of the decision, apply to a court for relief. For purposes of the Act, courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status.

10 LIST OF APPLICABLE LEGISLATION

Records may be kept by or on behalf of the Company in accordance with the legislation listed in Appendix 2 attached hereto, as amended from time to time, (some of which may not be applicable to the Company), as well as with other legislation that may apply to the Company from time to time.

11 SCHEDULE OF RECORDS

The following is a description of the records/documents kept by the Company:

11.1 Companies Act records

- Documents of incorporation
- Memorandum and Articles of Association
- Minutes of Board of Directors meetings
- Minutes of shareholder meetings
- Records relating to the appointment of directors/ auditor/ secretary/ public officer and other officers
- Share Register and other statutory registers

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11.2 **Financial records**

- Annual Financial Statements
- Tax Returns
- Accounting Records
- Banking Records
 - o Bank Statements
 - o Electronic banking records
- Asset Register
- Rental Agreements
- Invoices
- Investment performance fact sheets / minimum disclosure documents

11.3 **Income tax records**

- PAYE Records
- Documents issued to employees for income tax purposes
- Records of payments made to SARS on behalf of employees
- All other statutory compliances:
 - o VAT
 - o Regional Services Levies
 - o Skills Development Levies
 - o UIF
 - o Workmen's Compensation

11.4 **Personnel documents and records**

- Employment contracts
- Employment Equity Plan
- Medical Aid records
- Pension Fund records
- Disciplinary records
- Salary records

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- SETA records
- Disciplinary code
- Leave records
- Training records
- Training Manuals

12 AVAILABILITY OF THE MANUAL

The manual is available for inspection, on reasonable prior notice, at the office of the Company free of charge. Copies of the manual of the Company are also available from the SAHRC and on the Company's website.

13 SIGNED

ANDREW MÖLLER
CHIEF EXECUTIVE OFFICER

Date:

SAJEEL MAHARAJ
PAIA HEAD AND INFORMATION OFFICER

Date:

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APPENDIX 1

PRESCRIBED FORM TO BE COMPLETED BY A REQUESTER

FORM C

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY
(Section 53(1) of the Promotion of Access to Information Act, 2000
(Act No. 2 of 2000)

[Regulation 10]

A. Particulars of private body

The Head:

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:

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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. |
| (c) | 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 hereunder, 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 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 for 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:					
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record		
2. If record consists of visual images this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)					
<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images*		
3. transcription of the images*					
3. If record consists of recorded words or information which can be reproduced in sound:					
<input type="checkbox"/>	listen to the soundtrack audio cassette	<input type="checkbox"/>	transcription of soundtrack* written or printed document		
4. If record is held on computer or in an electronic or machine-readable form:					
<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record		
<input type="checkbox"/>		<input type="checkbox"/>	copy in computer readable form* (stiffy or compact disc)		
*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.			<table border="1"> <tr> <td>YES</td> <td>NO</td> </tr> </table>	YES	NO
YES	NO				

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 the additional folios.

1. Indicate which right is to be exercised or protected:

2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

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H. Notice of decision regarding request for access

You will be notified in writing 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 _____ this _____ day of _____ 20

SIGNATURE OF REQUESTER /
PERSON ON WHOSE BEHALF REQUEST IS MADE

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APPENDIX 2

LIST OF APPLICABLE LEGISLATION

	Investment Management, Advice and Administration
1.	Administration of Estates Act 66 of 1965
2.	Civil Union Act 17 of 2006
3.	Collective Investment Schemes Control Act 45 of 2002
4.	Divorce Act 70 of 1979
5.	Financial Advisory and Intermediary Services Act 37 of 2002
6.	Financial Institutions (Protection of Funds) Act 28 of 2001
7.	Financial Intelligence Centre Act 38 of 2001
8.	Financial Markets Act 19 of 2012
9.	Financial Services Board Act 97 of 1990
10.	Financial Sector Regulation Act 9 of 2017
11.	Insurance Act 18 of 2017
12.	Long-term Insurance Act 52 of 1998
13.	Intestate Succession Act 81 of 1987
14.	Maintenance of Surviving Spouse Act 27 of 1990
15.	Matrimonial Property Act 88 of 1984
16.	Medical Schemes Act 131 of 1998
17.	Pensions Funds Act 24 of 1956
18.	Short-term Insurance Act 53 of 1998
19.	Trust Property Control Act 57 of 1988
20.	Wills Act 7 of 1953

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Banking and Exchange Control	
21.	Banks Act 94 of 1990
22.	Currencies and Exchanges Act 9 of 1933
Employer-Employee	
23.	Basic Conditions of Employment Act 57 of 1997
24.	Compensation for Occupational Injuries and Diseases Act 130 of 1993
25.	Employment Equity Act 55 of 1998
26.	Labour Relations Act 66 of 1995
27.	Occupational Health and Safety Act 85 of 1993
28.	Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
29.	Protected Disclosures Act 26 of 2000
30.	Skills Development Act 97 of 1998
31.	Skills Development Levy Act 9 of 1999
32.	Unemployment Insurance Act 63 of 2001
33.	Unemployment Insurance Contributions Act 4 of 2002
34.	Tobacco Products Control Act 83 of 1993
Revenue	
35.	Estate Duty Act 45 of 1995
36.	Income Tax Act 58 of 1962
37.	Securities Transfer Tax Act 25 of 2007
38.	Securities Transfer Tax Administration Act 26 of 2007
39.	Tax Administration Act 28 of 2011
40.	Value Added Tax Act 89 of 1991
General	
41.	Broad-based Black Economic Empowerment Act 53 of 2003
42.	Companies Act 71 of 2008
43.	Competition Act 89 of 1998
44.	Constitution of RSA Act 108 of 1996
45.	Consumer Affairs (Unfair Business Practices) Act 71 of 1988

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46.	Consumer Protection Act 68 of 2008
47.	Copyright Act 98 of 1978
48.	Electronic Communications and Transactions Act 25 of 2002
49.	Insolvency Act 24 of 1936
50.	King Code of Conduct for Corporate Governance
51.	Prevention and Combating of Corrupt Activities Act 12 of 2004
52.	National Credit Act 34 of 2005
53.	Prevention of Organised Crime Act 121 of 1998
54.	Promotion of Access to Information Act 2 of 2000

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