

Strictly Private & Confidential

PROMOTION OF ACCESS TO INFORMATION MANUAL

STONEHAGE FLEMING SOUTH AFRICA

JULY 2023



NOW AND FOR FUTURE GENERATIONS

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1. DEFINITIONS

Data subject	the person (natural or juristic) to whom personal information relates
Guide	means the guide made in pursuance of section 10 of PAIA, which seeks to assist requesters in exercising their right to access information
Information Officer	of a private body means the head of a private body. The Information Officer is the person authorised to handle PAIA requests
Information Regulator	The Information Regulator established in terms of section 39 of POPIA. The Office of the Information Regulator has been created to monitor and enforce compliance in relation to both POPIA and PAIA
Personal Information	any information relating to an identified or identifiable natural person or an identifiable legal entity, including, but not limited to— (a) information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, 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, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person; (d) the 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
Private body	person, company or other kind of juristic entity, that carries on a trade, business or profession
Promotion of Access to Information Act or PAIA	Promotion of Access to Information Act, No. 2 of 2000 (as Amended)
Promotion of Personal Information Act or POPIA or POPI	Protection of Personal Information Act No.4 of 2013
Processing	any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including— (a) the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use; (b) dissemination by means of transmission, distribution or making available in any other form; or (c) merging, linking, as well as restriction, degradation, erasure or destruction of information
Public body	a government department or other functionary or institution, which is performing a public function
Record	any recorded information regardless of the form, including, for example, written documents, video materials etc. A record requested from a public or private

	body refers to a record that is in that body's possession regardless of whether that body created the record
Regulations	Regulations relating to the Promotion of Access to Information, 2021
Requestee	the person (Information Officer), or entity, to whom you are making a request
Requester	the person who is asking for the record from a public or private body. It includes the person making a request on behalf of someone else
Responsible party	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
Third Party	any natural or juristic person who is not the requester of the information, nor the body to whom the information request is made

2. PURPOSE

This PAIA Manual is prepared in terms of PAIA, which requires that the Stonehage Fleming Group of Companies operating in South Africa ("SFG"), as a group of private bodies must compile a manual giving information to the public regarding the procedure to be followed in requesting information from SFG for the purpose of exercising or protecting rights in accordance with data protection constraints.

2.1 The purpose of PAIA is to:

- 2.2.1 foster a culture of transparency and accountability in public and private bodies by giving effect to the right of access to information; and to
- 2.2.2 actively promote a society in which the people of South Africa have effective access to information to enable them to more fully exercise and protect all of their rights.

SFG recognises everyone's right to access to information and is committed to provide access to its records where the proper procedural requirements as set out by PAIA and POPI have been met.

2.2 This PAIA Manual is useful for the public to:

- 2.2.1 check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- 2.2.2 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;
- 2.2.3 know the description of the records of the body which are available in accordance with any other legislation;
- 2.2.4 access all the relevant contact details of the Information Officer who will assist the public with the records they intend to access;
- 2.2.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.2.6 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;
- 2.2.7 know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.2.8 know the recipients or categories of recipients to whom the personal information may be supplied;

- 2.2.9 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
- 2.2.10 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. SCOPE

Unless otherwise indicated, all sections of this PAIA Manual apply to SFG:

Company	Registration No.
Stonehage Fleming Financial Services (Pty) Ltd	2000/021837/07
Terra Nova Trustees (Pty) Ltd	2008/002155/07
Stonehage Fleming Investment Management (South Africa) (Pty) Ltd	2007/023139/07
Stonehage Fleming South Africa (Pty) Ltd	2008/007702/07
Stonehage Fleming Consulting (Pty) Ltd	2017/174829/07
Stonehage Fleming Fiduciary Ltd	2001/020319/06
Stonehage Fleming Executors Ltd	1985/000007/06
Theseus Trustees (South Africa) (Pty) Ltd	2004/028720/07
Stonehage Fleming Corporate Services (Pty) Ltd	2008/020146/07
Stonehage Fleming Trustees (Pty) Ltd	1999/002503/07
Mondi SSC (SA) (Pty) Ltd	2007/011747/07
Stonehage Fleming Advisory (Pty) Ltd	1982/000968/07
Stonehage Fleming Asset Management (Pty) Ltd	2002/025867/07
Mathews & Company Incorporated	2009/023818/21
Stonehage Fleming Investment Management Ltd	04027720
Stonehage Fleming Advisory Ltd	04027724
Stonehage Fleming Dealing And Treasury Services (Jersey) Ltd	110608

(Collectively and individually referred to as “SFG” in this PAIA Manual)

4. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION

Stonehage Fleming South Africa Group / SFG	
Address	First Floor, North Block, Waterway House, 3 Dock Road, V&A Waterfront, Cape Town, 8001, South Africa 8 Helderberg Street, Stellenbosch, 7600, South Africa 54 Glenhove Road, Melrose, Johannesburg, 2196, South Africa
Tel:	021 301 0800 / 021 301 0700 / 011 544 2900
E-mail address of information officers	sainformationofficer@stonehagefleming.com
Website	www.stonehagefleming.com

5. DUTIES OF THE INFORMATION OFFICER

The Information Officer is responsible for:

- 5.1 Publishing and proper communication of the PAIA manual/policy i.e. creating policy awareness;
- 5.2 The facilitation of any request for access;
- 5.3 Providing adequate notice and feedback to the requester;
- 5.4 Determining whether to grant a request for access to a complete/full record or only part of a record;
- 5.5 Ensuring that access to a record, where so granted, is provided timeously and in the correct format; and
- 5.6 Reviewing the policy for accuracy and communicating any amendments.

6. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

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. The Guide is available in each of the official languages and in braille. The Guide contains a description of:

- 6.1 the objects of PAIA and POPIA;
- 6.2 the postal and street address, phone and fax number and, if available, electronic mail address of the Information Officer of every public body, and every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA and section 56 of POPIA;
- 6.3 the manner and form of a request for-
 - 6.3.1 access to a record of a public body contemplated in section 11¹; and
 - 6.3.2 access to a record of a private body contemplated in section 50²;
- 6.4 the assistance available from the Information Officer of a public body in terms of PAIA and POPIA;
- 6.5 the assistance available from the Regulator in terms of PAIA and POPIA;
- 6.6 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:
 - 6.6.1 an internal appeal;
 - 6.6.2 a complaint to the Regulator; and
 - 6.6.3 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;
- 6.7 the provisions of sections 14³ and 51⁴ requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;

¹ 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.

² 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.

³ 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

⁴ 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

- 6.8 the provisions of sections 15⁵ and 52⁶ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 6.9 the notices issued in terms of sections 22⁷ and 54⁸ regarding fees to be paid in relation to requests for access; and
- 6.10 the regulations made in terms of section 92⁹.

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. The Guide can also be obtained upon request to the Information Officer or from the website of the Regulator at the following link - <https://infoeregulator.org.za/paia-guidelines/>

7. INFORMATION AUTOMATICALLY AVAILABLE

The following categories of records are automatically available for inspection, or photocopying without having to be requested in terms of PAIA:

- 7.1 Newsletters;
- 7.2 Booklets;
- 7.3 Pamphlets / Brochures;
- 7.4 Reports of a public nature; and
- 7.5 Other information intended for public viewing.

The only fee payable for access to the records listed in this clause 7 is a prescribed fee for reproduction.

8. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION

Records are kept in accordance with such other legislation as is applicable to SFG which includes, but is not limited to, the following:

- 8.1 Income Tax Act 58 of 1962
- 8.2 Financial Advisory and Intermediary Services Act 37 of 2002
- 8.3 Financial Intelligence Centre Act, 38 of 2001
- 8.4 Value Added Tax Act 89 of 1991
- 8.5 Occupational Health and Safety Act 85 of 1993
- 8.6 Labour Relations Act 66 of 1995
- 8.7 Basic Conditions of Employment Act 75 of 1997
- 8.8 Employment Equity Act 55 of 1998

⁵ 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

⁶ 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

⁷ 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.

⁸ 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

⁹ 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.”

- 8.9 Prevention of Organised Crime Act 121 of 1998
- 8.10 Protection of Constitutional Democracy against Terrorism and Related Activities Act No. 33 of 2004
- 8.11 Protection of Personal Information Act no. 4 of 2013
- 8.12 Medical Schemes Act 131 of 1998
- 8.13 Skills Development Levies Act 9 of 1999
- 8.14 Unemployment Insurance Act 63 of 2001
- 8.15 Unemployment Insurance Contributions Act 4 of 2002
- 8.16 Companies Act 71 of 2008
- 8.17 Estate Duty Act 45 of 1955
- 8.18 Administration of Estates Act 66 of 1965
- 8.19 Wills Act No. 7 of 1953
- 8.20 Intestate Succession Act No. 81 of 1987
- 8.21 Trust Property Control Act 57 of 1988

9. SUBJECTS ON WHICH SFG HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT

The list of subjects and categories of information held by SFG includes the following:

9.1 Statutory Company Information

- 9.1.1 Memorandum and Articles of Association/Memorandum of Incorporation;
- 9.1.2 Certificates issued by the Registrar of Companies;
- 9.1.3 Company resolutions;
- 9.1.4 Proxy forms;
- 9.1.5 Company forms lodged with the Registrar in terms of the Companies Act, Minute books;
- 9.1.6 Share registers;
- 9.1.7 Director's attendance registers; and
- 9.1.8 Shareholder agreements.

9.2 Accounting and Tax Records

- 9.2.1 Annual financial statements;
- 9.2.2 Books of account;
- 9.2.3 Fixed Asset Registers;
- 9.2.4 Client Invoices;
- 9.2.5 Supplier Invoices;
- 9.2.6 Auditor's reports;
- 9.2.7 Income Tax returns; and
- 9.2.8 Value Added Tax returns.

9.3 Banking Details

- 9.3.1 Bank facilities and account details;
- 9.3.2 Overdraft facilities;
- 9.3.3 Bank statements;
- 9.3.4 Bank signatory forms; and
- 9.3.5 Other banking records and agreements.

9.4 Human Resources / Employment Records

- 9.4.1 Pay as You Earn (PAYE) records;
- 9.4.2 Contracts of employment;
- 9.4.3 Personnel files;
- 9.4.4 Disciplinary records;

- 9.4.5 Schedule of shares;
- 9.4.6 Employee benefit records;
- 9.4.7 Salary and wage register;
- 9.4.8 Provident fund agreement, rules and actuarial valuation reports;
- 9.4.9 Minutes of meetings of trustees and members of provident fund;
- 9.4.10 Provident fund contribution reports;
- 9.4.11 Attendance and leave registers;
- 9.4.12 Expense accounts;
- 9.4.13 Group life;
- 9.4.14 Human resource policies and codes of conduct;
- 9.4.15 Training manual; and
- 9.4.16 Medical Aid Administration.
- 9.5 Client Information
 - 9.5.1 Documentation and other information received from clients, including documentary information required in compliance with the Financial Intelligence Centre Act 38 of 2001;
 - 9.5.2 Documentation and other information received from third parties;
 - 9.5.3 Correspondence with clients;
 - 9.5.4 Correspondence with third parties;
 - 9.5.5 Information prepared by employees for clients, including opinions, memoranda and reports; and
 - 9.5.6 Other information relating to, or held on behalf of, clients.
- 9.6 Insurance Records
 - 9.6.1 Insurance policies taken out for the benefit of SFG and its employees, including:
 - 9.6.2 Group life assurance and disability income protection insurance;
 - 9.6.3 Professional indemnity insurance in respect of SFG; and
 - 9.6.4 Directors and Officers liability cover.
- 9.7 Immovable And Movable Property
 - 9.7.1 Agreements of lease of immovable property occupied by SFG;
 - 9.7.2 Credit sale agreements and/or hire purchase agreements; and
 - 9.7.3 Other agreements for the purchase, ordinary sale, conditional sale or hire of assets.
- 9.8 Information Technology
 - 9.8.1 Computer software, support and maintenance agreements; and
 - 9.8.2 Other documentation pertaining to computer systems and computer programmes held by SFG.
- 9.9 Sales and Marketing
 - 9.9.1 Brochures, Newsletters and Advertising Materials; and
 - 9.9.2 Marketing agreements.
- 9.10 Miscellaneous Agreements
 - 9.10.1 Loans from third parties (including banks);
 - 9.10.2 Loans to third parties;
 - 9.10.3 Suretyship agreements;
 - 9.10.4 Security agreements, guarantees and indemnities;
 - 9.10.5 Agency, management and distribution agreements;
 - 9.10.6 Agreements with suppliers;
 - 9.10.7 Confidentiality and/or non-disclosure agreements; and
 - 9.10.8 Any other relevant agreements.

10. THE PURPOSE OF PROCESSING PERSONAL INFORMATION

- 10.1 For natural or juristic persons who are clients of SFG, directly or indirectly – for example as a shareholder or a director or officer of a corporate entity to which SFG provide regulated services in South Africa; or a Trustee, a Protector or Beneficiary of a Trust for which SFG provide services; or a related party or advisor, then SFG will collect and use the personal information obtained to meet SFG’s contractual obligations.
- 10.2 SFG also have regulatory obligations, including compliance with anti-money laundering (“AML”) regulations which necessitate processing of personal information.
- 10.3 Depending on the services required from SFG, personal information may be processed:
 - 10.3.1 To perform due diligence and comply with legal regulatory obligations (including AML legislation);
 - 10.3.2 To perform our client take on process and client reviews;
 - 10.3.3 To perform transaction monitoring;
 - 10.3.4 To incorporate a legal entity (e.g. where you are a shareholder, director or equivalent);
 - 10.3.5 To establish and register a trust;
 - 10.3.6 To administer a legal entity generally (the activities we undertake can be very broad and range from property and/or staff management to regulatory filings);
 - 10.3.7 To appoint and distribute funds to shareholders or beneficiaries;
 - 10.3.8 To make payments and investments;
 - 10.3.9 To assist in the creation of loan agreements;
 - 10.3.10 Keeping documents (e.g. wills) in safe custody;
 - 10.3.11 To raise and send invoices;
 - 10.3.12 At termination of any relationship involving a data subject;
 - 10.3.13 To conduct internal reviews and compile internal reports;
 - 10.3.14 For internal administration such as time recording against the client name or scanning and saving of documentation;
 - 10.3.15 For record keeping purposes including quality control processes;
 - 10.3.16 To generate reports for our clients (including risk reports);
 - 10.3.17 In compliance with any request from an auditor, or a regulatory or supervisory body;
 - 10.3.18 To generate and distribute trust correspondence;
 - 10.3.19 To complete tax returns;
 - 10.3.20 For the submission of Foreign Account Tax Compliance Act (“FATCA”)/Common Reporting Standard (“CRS”) reports;
 - 10.3.21 In the establishment of bank accounts and interaction with banks;
 - 10.3.22 In the administration of deceased estates;
 - 10.3.23 To provide information to our investors, banks or other financing institution or in the event of any merger, acquisition or disinvestment in accordance with SFG’s legitimate business interests;
 - 10.3.24 To otherwise fulfil client instructions, to provide services according to our engagement, or comply with our obligations.

11. CATEGORIES OF DATA SUBJECTS AND PERSONAL INFORMATION PROCESSED BY THE COMPANY

Categories of data subjects and personal information processed by the Company include the following:

Categories of Data Subject	Personal Information Processed
Clients / Prospective Clients: Natural Persons	Names; contact details; physical and postal addresses; dates of birth; identification numbers; financial information; nationality; confidential correspondence.
Clients / Prospective Clients: Juristic Persons	Names of contact persons; name of legal entity; physical / postal addresses and contact details; financial information; registration number; authorised signatories; founding documents and related information; information of connected parties and Ultimate Beneficial Owners.
Product Suppliers	Names of contact persons; name of legal entity; physical and postal address and contact details; registration number; regulatory licence number; founding documents; authorised signatories and representatives; financial information.
Contracted Service Providers / Vendors	Names of contact persons; name of legal entity; physical and postal address and contact details; financial information; registration number; founding documents; authorised signatories; BEE Certificates.
Employees / Potential Employees / Contracted staff members	Gender; marital status; race; age; language; identity number; physical and postal addresses and contact details; financial information; pregnancy status; shareholder scheme information; educational information, employment history, medical history, criminal history, opinions.
Stonehage Fleming group companies: Juristic Persons	Name of legal entity; physical / postal addresses and contact details; statutory information; financial information.
Shareholders: Natural Persons	Name; identity number; physical and postal addresses and contact details; financial information.
Shareholders: Juristic Persons	Name of legal entity; physical / postal addresses and contact details; statutory information; financial information.

12. RECIPIENTS OR CATEGORIES OF RECIPIENTS TO WHOM PERSONAL INFORMATION IS SUPPLIED

SFG's business and the services requested of us require transfers to many third parties, often at our clients' request, and at other times transferring data to a third party is necessary to perform our contractual obligations (for example if we are asked to open a bank account for a legal entity or where other advisors or service providers are engaged) or for legal/regulatory reasons, such as completion of a corporate annual return of a company. A non-exhaustive list of potential transfers includes:

- 12.1 Collecting and sending documents for external audits of client entities;
- 12.2 Collecting and sending documents for external audits of SFG entities;

- 12.3 Publications onto the public record, such as companies registries or beneficial ownership registers;
- 12.4 Publications with regulators;
- 12.5 FATCA/CRS filings onto approved external platforms;
- 12.6 Sending information to external parties such as notaries and other advisors or service providers on behalf of serviced clients;
- 12.7 For legitimate business purposes, personal information may be shared with any investor, potential investor, acquirer, bank or financial institution investing in or considering investing in SFG or any of the Stonehage Fleming group companies; and
- 12.8 Sharing of AML information with banks, custodians, brokers, advisors, auditors or portfolio managers.

13. TRANSBORDER FLOW OF PERSONAL INFORMATION

- 13.1 Personal information will be processed in South Africa and is subject to POPIA. As a business which offers goods and services into the European Union (“EU”), where SFG process personal information of data subjects that are resident in the EU, the General Data Protection Regulation (“GDPR”) also applies to SFG. Personal information may be processed by any of the Stonehage Fleming group companies, inside and outside the EU or South Africa. Where applicable, there are agreements in place between the Stonehage Fleming group companies to protect your data to GDPR / POPIA compliant standards. Should you require further information please contact the Information Officer.
- 13.2 Additionally personal information may be entered into our accounting and/or billing systems, and our document management systems and personal information may be processed by our operations / sub-processors, including our retail investment technology and third party services providers or outsourcing technology companies, including cloud services providers, in such cases, where personal information is processed outside of the EU, the appropriate safeguards are in place. It may also be provided externally to banks, regulators, auditors, advisors (including, but not limited to, legal advisors), supervisory or governmental bodies as well as those appointed as directors, shareholders, and/or beneficiaries, settlors or protectors to the trust. At our clients’ request we will transfer personal information to a new service provider.

14. INFORMATION SECURITY MEASURES TO PROTECT PERSONAL INFORMATION

- 14.1 SFG is committed to developing appropriate safeguards to make sure that personal information is kept secure and confidential, and is protected against reasonably anticipated threats to its security or integrity, and against unauthorised access or use that might result in substantial harm or inconvenience to data subjects;
- 14.2 Reasonable technical and organisational measures are implemented for the protection of personal information processed by SFG; and
- 14.3 SFG continuously implements and monitors technical and organisational security measures to protect personal information against unauthorised access as well as accident or wilful manipulation, loss or destruction.

15. REQUEST PROCEDURES

Any and all records shall only be made available subject to the provisions of PAIA.

15.1 Form of Request

- 15.1.1 When making a request to access a record, the requester must use the prescribed form (refer to the Information Regulator’s website at the following link - <https://info regulator.org.za/wp->

<content/uploads/2020/07/InfoRegSA-PAIA-Form02-Reg7.pdf>), addressed to the head of the body;

- 15.1.2 The requester must provide sufficient detail on the request form to allow for the identification of the record and the requester. The requester should also indicate which form of access is required and specify a postal address or fax number in the Republic of South Africa;
 - 15.1.3 The requester must identify the right that is sought to be exercised or protected and provide an explanation of why the requested record is required for the exercise or protection of that right;
 - 15.1.4 If, in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, to state that manner and the necessary particulars to be so informed; and
 - 15.1.5 If a request is being made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request.
- 15.2 Decision
- 15.2.1 SFG will, within 30 days of receipt of a request, decide whether to grant or decline a request and providing reasons to that effect to the requester;
 - 15.2.2 The 30 day period within which SFG has to decide whether to grant or refuse a request may be extended for a further period of not more than 30 days, if reasonably required under the circumstances; and
 - 15.2.3 If the request for access is refused, the requester may lodge an application to court or alternatively, lodge a complaint with the Information Regulator.
- 15.3 Grounds for Refusal
- 15.3.1 SFG has the right to refuse a request for information based on any of the following grounds:
 - (a) Mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person;
 - (b) Mandatory protection of the commercial information of a third party, if the record contains:
 - (i) Trade secrets of that third party;
 - (ii) Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party; and
 - (iii) Information disclosed in confidence by a third party, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition.
 - (c) Mandatory protection of confidential information of third parties if it is protected in terms of any agreement or legislation;
 - (d) Mandatory protection of the safety of individuals and the protection of property;
 - (e) Mandatory protection of records which would be regarded as privileged in legal proceedings;
 - (f) The information relates to the commercial activities of SFG, which may include:
 - (i) Trade secrets of SFG;
 - (ii) Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of SFG;
 - (iii) Information which, if disclosed, could put SFG at a disadvantage in negotiations or commercial competition;
 - (iv) A computer program which is owned by SFG and which is protected by copyright.
 - (g) The research information of SFG or a third party, if its disclosure would disclose the identity of the institution, the researcher or the subject matter of the research and would place the research at a serious disadvantage;

- 15.3.2 A request for information that is clearly frivolous or vexatious, or which would involve an unreasonable diversion of resources will be refused.

16. PRESCRIBED FEES AND FORMS IN RESPECT OF PRIVATE BODIES

If the requester is granted access to the records he or she requested and he or she is not exempted from paying any fees, SFG may charge the prescribed fees relating to the following categories:

- 16.1 The request fee payable by every requester;
- 16.2 Photocopy of A4 size page;
- 16.3 Printed copy of A4 size page;
- 16.4 For a copy in a computer-readable form on:
 - 16.4.1 Flash drive (to be provided by requestor);
 - 16.4.2 Compact disc
 - (a) If provided by requestor;
 - (b) If provided to the requestor.
- 16.5 For a transcription of visual images per A4 size page;
- 16.6 Copy of visual images;
- 16.7 Transcription of an audio record, per A4 size page;
- 16.8 Copy of an audio record on:
 - 16.8.1 Flash drive (to be provided by requestor);
 - 16.8.2 Compact disc:
 - (a) If provided by requestor;
 - (b) If provided to the requestor.
- 16.9 To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation. To not exceed a total cost of the prescribed maximum amount;
- 16.10 Deposit: If search exceeds 6 hours; and
- 16.11 Postage, e-mail or any other electronic transfer.

17. MANUAL AVAILABILITY

A copy of the PAIA Manual is available:

- 17.1 on www.stonehagefleming.com;
- 17.2 at Stonehage Fleming offices in Cape Town, Stellenbosch and Johannesburg for public inspection during normal business hours;
- 17.3 to any person upon request and upon the payment of a reasonable prescribed fee; and
- 17.4 to the Information Regulator upon request.

A fee for a copy of the PAIA Manual, as prescribed, shall be payable per each A4-size photocopy made.

18. UPDATING OF THE MANUAL

The Information Officers in consultation with Risk and Compliance (South Africa) are responsible for updating this manual as and when required.