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PAIA Manual

**Prepared in accordance with section 51 of the Promotion of
Access to Information Act, No 2 of 2000**

Viva Cover (Pty) Ltd (“Viva Cover”)

This document serves as the information manual as required by Section 51(1) of the Promotion of Access to Information Act, No 2 of 2000 (“the Act”) for a private body. It provides information on the records held and the process that is to be followed to request access to such records.

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Guardrisk Insurance Company Limited
An Authorised Financial Services Provider – FSP 75
Registration Number 1992/001639/06
VAT Registration Number 425 013 8072

102 Rivonia Road, Ground Floor, 2nd Tower
Sandton, Johannesburg

Administered by:
Viva Cover (Pty) Ltd is an
authorised Financial Services Provider (FSP : 42787)
Registration Number 2007/018990/07
VAT Registration Number 453 024 3569

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**PROTECTION OF PERSONAL INFORMATION ACT (“PAIA MANUAL”)
VIVA COVER (PTY) LTD (“Viva Cover”)
FSP number: 42787**

1. Scope

The scope of this information manual relates to Viva Cover (Pty) Ltd and all wholly or partially owned subsidiaries and associated juristic persons, hereafter referred to as “Viva Cover”.

2. Availability of the manual

The public are able to obtain a copy of this manual on request from the designated contact person.

3. Designated contact person

Information required by section 51(1) (a) of the Act

Contact person: Andre Jordaan
Postal address: Postnet Suite 33, Private Bag X75, Bryanston, 2021
Physical address: Ground floor, Building 3, 34 Culross Road, Bryanston, 2191
Telephone number: 086 154 3326

4. Section 10 guide to the Act

Information required by section 51(1) (b) of the Act

A guide has been compiled, in terms of section 10 of the Act, by the South African Human Rights Commission. It contains information to assist a person wishing to exercise a right, in terms of the Promotion of Access to Information Act, No. 2 of 2002. This guide is available for inspection, inter alia as follows –

Contact body: The South African Human Rights Commission
Postal address: Private Bag 2700, Houghton 2041
Physical address: PAIA Unit, 29 Princess of Wales Terrace Cnr York and Andrew Street, Parktown
Telephone number: +27(11) 484 8300
Facsimile number: +27(11) 484 0582
Email address: PAIA@sahrc.org.za

The regulations regarding the Act published under Government Notice No. R187 of 15 February 2002 set forth how the South African Human Rights Commission should make the guide available.

5. Records automatically available

Information required by section 51(1) (c) of the Act

A section 52(2) notice regarding categories of records, which are available without a person having to request access in terms of the Act, has to date not been published.

6. Records available in accordance with other legislation

Information required by section 51(1) (d) of the Act

Records are held in accordance with the following legislation –

- Electronic Communications and Transactions Act, 2002
- Conversion of SASRIA Act, 1998
- Income Tax Act, 1962
- Insider Trading Act, 1998
- National Credit Act, 2005
- Short Term Insurance Act, 1998
- Stamp Duties Act, 1968 (repealed)
- Statistics Act, 1999
- Value-Added Tax Act, 1991
- Tobacco Products Control Act, 1993
- Basic Conditions of Employment Act, 1997
- Compensation for Occupational Injuries and Diseases Act
- Employment Equity Act, 1998
- Labour Relations Act, 1995
- Manpower Training Act, 1981 (repealed)
- Occupational Health and Safety Act, 1993
- Skills Development Act, 1998
- Skills Development Levies Act, 1999
- Unemployment Insurance Act, 2001
- Unemployment Insurance Contributions Act, 2002
- Regional Services Councils Act, 1985
- Broad Based Black Economic Empowerment Act, 2003
- Companies Act, 1973
- Companies Act, 2008
- Competition Act, 1998
- Consumer Affairs Act (Unfair Business Practices) Act, 1988
- Consumer Protection Act, 2008
- Consumer Affairs Reports
- Copyright Act, 1978

- Trade Marks Act, 1993
- Long Term Insurance Act, 1998
- Medical Schemes Act, 1998
- Financial Intelligence Centre Act, 2001
- Financial Advisory and Intermediary Services Act, 2002

7. Subjects and categories of record

Information required by section 51(1) (e) of the Act

The following subjects and categories of records are held –

Corporate governance

- Audit Committee minutes and records
- Codes of conduct
- Corporate Social Investment records
- Directors' minutes and records
- Legal compliance
- Policies and procedures
- Remuneration Committee minutes and records
- Risk management reports
- Shareholder agreements

Finance

- Accounting records
- Annual financial statements
- Banking records
- Business contracts
- Credit bureau records
- General correspondence
- Internal control reports
- Invoices, credit notes, statements etc
- Management accounts
- Property leases
- Proposal and tendered documents
- SA Reserve Bank returns and correspondence
- Statistic SA returns and correspondence
- Statutory records
- Tax returns and SARS correspondence

Human resources

- Bargaining council records and correspondence
- BEE statistics, certificates and audit reports
- Employment Equity reports
- Leave records
- Letters of employment
- Medical aid records
- PAYE records and returns
- Payroll records
- Personnel files and records
- Policies and procedures
- Retirement benefit records
- SDL records and returns
- SETA records and correspondence
- Staff attendance records
- Traineeship contracts
- Training material
- Training statistics
- UIF records and returns
- Workman's Compensation records

Information technology

- Contracts and agreements
- Policies and procedures
- Register of software and hardware
- Warranties

Marketing and business growth

- Brand management records
- Contracts and agreements
- Marketing brochures and advertising records
- Marketing strategies
- New business development
- Proposal and tender documents

Operations

- Patent and trademark records
 - Service Level Agreements
-

8. Request for access to records

Information required by section 51(1) (e) of the Act

It is important to note that the successful completion and submission of an access request form does not automatically allow the requester access to the requested record. An application for access to a record is subject to certain limitations if the requested record falls within a certain category as specified within Part 3 Chapter 4 of the Act.

If it is reasonably suspected that the requester has obtained access to records through the submission of materially false or misleading information, legal proceedings may be instituted against such requester.

Completion of Access Request Form

- The Access Request Form must be completed;
- Proof of identity is required to authenticate the identity of the requester. Therefore in addition to the access form, requesters will be required to supply a copy of their identification document;
- Type or print in BLOCK LETTERS an answer to every question;
- If a question does not apply, state "N/A" in response to that question;
- If there is nothing to disclose in reply to a particular question state "nil" in response to that question;
- If there is insufficient space on a printed form, additional information may be provided on an additional attached folio; and
- When the use of an additional folio is required, precede each answer with the applicable that title.

The Access Request Form is included in this manual as an appendix starting on page 9.

Submission of Access Request Form and request fee payable

The completed Access Request form together with a copy of the requester's identity document must be submitted either via conventional mail, e-mail or fax and must be addressed to the designated contact person as indicated above.

An initial, request fee of R57.00 (incl. VAT) is payable on submission.

This fee is not applicable to Personal Requesters referred to in section 54(1) of the Act being any person seeking access to records that contain their personal information.

Notification

Viva Cover will within 30 days of receipt of the request to access records decide whether to grant or decline the request and give notice with reasons (if required) to that effect

The 30 day period within which Viva Cover has to decide whether to grant or refuse the request, may be extended for a further period of not more than thirty days, if the request is for a large volume of information, or the request requires a search for information held at premises other than those of Viva Cover and the information cannot reasonably be obtained within the original 30 day period. Viva Cover will notify the requester in writing should an extension be sought.

9. Grounds for refusal of access to records

Chapter 4 of the Act

The main grounds for refusal of a request for access to records are –

- Mandatory protection of privacy of a third party who is a natural person if its disclosure would involve the unreasonable disclosure of personal information;
- Mandatory protection of the commercial information of a third party if its disclosure contains trade secrets, financial, commercial, scientific or technical information which disclosures could likely cause harm to the financial or commercial interest of that third party or information disclosed in confidence by a third party if the disclosure thereof could reasonably put that third party at a disadvantage in contractual negotiations or in commercial competition;
- Mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- Mandatory protection of the safety of individuals and the protection of property;
- Mandatory protection of records which could be regarded as privileged in legal proceedings;
- The commercial information of Viva Life, and/or Viva Cover, which may include trade secrets, financial, commercial, scientific or technical information which disclosures could likely cause harm to the financial or commercial interest of Viva Life, and/or Viva Cover, or information, the disclosure thereof could reasonable put Viva Life, and/or Viva Cover at a disadvantage in contractual negotiations or in commercial competition; and
- Mandatory protection of research information of a third party of Viva Life and/or Viva Cover.

10. Approval of information manual

This information manual has been prepared in accordance with Section 51(1) of the Promotion of Access to Information Act, No 2 of 2000 and is hereby approved.

Appendix A – Access Request Form

PRESCRIBED FORM TO BE COMPLETED BY A REQUESTER FORM B

Section 53(1) of the Promotion of Access to Information Act, No 2 of 2000

Regulation 10

A. Particulars of private body

Private body name: Viva Cover (Pty) Ltd

Contact person: Andre Jordaan

Postal address: Postnet Suite 33, Private Bag X75, Bryanston, 2021

Physical address: Ground floor, Building 3, 34 Culross Road, Bryanston, 2191

Phone number: 086 154 3326

Fax number: 086 245 4931

Email address: support@vivalife.co.za

B. Particulars of Person requesting access to the record

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

Full name and surname:

Identity number:

Postal address:

Telephone number:

Fax 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 name 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

Description of the Records or relevant part of the record:

E. Fees:

- (a) *A request for access to a record, other than any 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 of the request fee.*
- (c) *The **fee payable for access** to a record depends on the form in which the 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 therefore.*

Reason for exemption of payment of fees:

F. Form of Access to the 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:

Mark the appropriate box with an "X"

NOTES:

- (a) Your indication as to the required form of access depends 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.
- (d) Prices below are stated inclusive of VAT

1. If the record is in written or printed form:					
	Photocopy of record of an A4 size – R1,25 per page or part thereof			Inspection of record – Not available	
2. If the record consists of visual images: (This includes photographs, slides, video recordings, computer-generated images, sketches, etc.)					
	View the images Not available		Copy of the images of an A4 size – R68,40 per image		Transcription of the images* of an A4 size – R45,60 per record transcription
3. If the record consists of recorded words or information which can be reproduced in sound:					
	Listen to the soundtrack (audio cassette) Not available			Transcription of soundtrack * (written or printed document) –Not available	
4. If the record is held on computer or in an electronic or machine-readable form:					
	Printed copy of record of an A4 size or part thereof – R0,85 per page		Printed copy of information derived from the record – R0,97 per A4 size print plus a cost of R34,20 per hour or part thereof where the documentation is required for such search and preparation*		Copy in computer readable form on a compact disc* –R90,97
If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? A postal fee is payable.				YES	NO

* Deposit may be requested in terms of Section 54(2) of the Promotion of Access to Information Act, in which instance the following will apply:

- a deposit will need to be paid within 8 business hours of the notification thereof; and
- the deposit will be equal to 50% of the projected fee.

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

Indicate which right is to be exercised or protected:

Explain why the requested record is required for the exercising or protection of the aforementioned right:

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 thereof 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 _____ on this _____ day of _____ 20____

Signature of requester or person on
whose behalf the request is made

Name and Surname