

# PAIA MANUAL

Elevate Financial Consulting (Pty) Ltd

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

Date of compilation: **01/01/2022**  
Date of revision: **25/01/2024**



## 1. INTRODUCTION

The Promotion of Access to Information Act (“PAIA”), No 2 of 2000 gives effect to the constitutional right of access to any information held by the State and any information that is held by another person and that is required for the exercise or protection of any rights. PAIA gives the requester a right to lodge a request from the information officer of a public or private body. PAIA requires all private and public bodies to prepare a PAIA manual.

### 1. LIST OF ACRONYMS AND ABBREVIATIONS

- 1.1 “**IO**”- Information Officer;
- 1.2 “**Minister**”- Minister of Justice and Correctional Services;
- 1.3 “**PAIA**”- Promotion of Access to Information Act No. 2 of 2000 (as amended);
- 1.4 “**POPIA**”- Protection of Personal Information Act No.4 of 2013;
- 1.5 “**Regulator**”- Information Regulator; and
- 1.6 “**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 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 THE ELEVATE FINANCIAL CONSULTING (PTY) LTD**

#### 3.1. Chief Information Officer

**Name:** Managing Director – Nieuwoudt du Plessis  
**Tel:** 087 551 3181  
**Email:** [nieuwoudt@elfco.co.za](mailto:nieuwoudt@elfco.co.za)

#### 3.3 Access to information general contacts

**Email:** [admin@elfco.co.za](mailto:admin@elfco.co.za)

### 3.4 National or Head Office

**Postal Address:** PostNet suite 211  
Private bag X3706  
Three Rivers  
1935

**Physical Address:** General Hertzog 93  
Three Rivers  
Vereeniging  
1935

**Telephone:** 087 551 3181

**Email:** admin@elfco.co.za

**Website:** www.elfco.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 PAIA<sup>1</sup> and section 56 of POPIA<sup>2</sup>;
- 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 11<sup>3</sup>; and
  - 4.3.3.2. access to a record of a private body contemplated in section 50<sup>4</sup>;
- 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

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<sup>1</sup> 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.*

<sup>2</sup> 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.*

<sup>3</sup> 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.*

<sup>4</sup> 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.*

decision by the Regulator or a decision of the head of a private body;

- 4.3.7. the provisions of sections 14<sup>5</sup> and 51<sup>6</sup> 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 15<sup>7</sup> and 52<sup>8</sup> 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 22<sup>9</sup> and 54<sup>10</sup> regarding fees to be paid in relation to requests for access; and
  - 4.3.10. the regulations made in terms of section 92<sup>11</sup>.
- 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/inforeq/>).

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<sup>5</sup> 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.

<sup>6</sup> 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.

<sup>7</sup> 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.

<sup>8</sup> 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.

<sup>9</sup> 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.

<sup>10</sup> 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.

<sup>11</sup> 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.”

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 AND AFRIKAANS

**5. CATEGORIES OF RECORDS OF THE ELEVATE FINANCIAL CONSULTING (PTY) LTD WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS**

<b>Category of records</b>	<b>Types of the Record</b>	<b>Available on Website</b>
Manuals, POPI Related Documents	PAIA Manual	X
	Privacy Policy Statement	X
Complaints Procedures and Management of Conflict Processes	Conflict of Interest Management Policy	Available upon request
	Complaint Management Framework	X Available upon request

**6. DESCRIPTION OF THE RECORDS OF ELEVATE FINANCIAL CONSULTING (PTY) LTD WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION**

- Financial Intelligence Centre Act (28 of 2001)
- Financial Advisory and Intermediary Act (37 of 2022)
- Protection of Personal Information Act 4 of 2013
- Promotion of Access to Information Act 2 of 2000
- The Basic Conditions of Employment Act
- Compensation for Occupational Injuries and Diseases Act 130 of 1993;
- The Labour Relations Act
- The Employment Equity Act
- Unemployment Insurance Act 30 of 1996
- Unemployment Insurance Contributions Act 4 of 2002;
- Occupational Health and Safety Act No 85 of 1993
- Companies Act 71 of 2008

**6. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY THE ELEVATE FINANCIAL CONSULTING (PTY) LTD.**

<b>Subjects on which the body holds records</b>	<b>Categories of records</b>
Financial	<ul style="list-style-type: none"> <li>- Annual Financial Statements</li> <li>- Accounting Records</li> <li>- Invoices</li> <li>- Management Accounts</li> </ul>
Human Resources	<ul style="list-style-type: none"> <li>- HR policies and procedures</li> <li>- Employees records</li> <li>- Salary Information</li> <li>- Leave Records</li> <li>- Performance Appraisals</li> <li>- Employment Contracts</li> <li>- Disciplinary Records/information</li> </ul>
Company Authorization and Licence	<ul style="list-style-type: none"> <li>- FSCA License and Levy payment</li> <li>- CIPC Registration and annual renewal</li> </ul>

**8. PROCESSING OF PERSONAL INFORMATION**

**8.1 Purpose of Processing Personal Information**

The purposes of processing personal information are disclosed in the privacy policy and can be accessed on our website: [www.elfco.co.za](http://www.elfco.co.za).

The following can be freely accessed on our website.

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

<b>Categories of Data Subjects</b>	<b>Personal Information that may be processed</b>
Clients	Name, address, registration numbers or identity numbers, employment status and bank details, contact details, education records, gender, medical history, income tax number, income information, marital status, Personal information of children (first name, birth information), health information.
Service Providers	Names, registration number, vat numbers, address, contact details and bank details
Employees	Name, address, qualifications, gender, and race, contact details, bank details, income tax number, medical aid information, next of kin, salary information, marital status, education records, professional licenses.

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

<b>Category of personal information</b>	<b>Recipients or Categories of Recipients to whom the personal information may be supplied.</b>
Identity number and names, for criminal checks	South African Police Services
Qualifications, for qualification verifications	South African Qualifications Authority and Financial Sector Conduct Authority
Annual Financial Statements	FSCA
Annual Financial Statements, Client's Personal Information (compliance reports), Employee Information.	Compliance Officer

#### **8.4 General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information.**

Elevate Financial Consulting's systems and devices are protected by:

- Firewall
- Anti-Virus Programs
- Passwords
- Encryption

#### **9. AVAILABILITY OF THE MANUAL**

9.1 A copy of the Manual is available-

9.1.1 on [www.elfco.co.za](http://www.elfco.co.za), if any; is available for inspection free of charge at the registered address as set out in the contact details above. Any person may also request a copy of this manual upon payment of a fee mentioned in the Act. Furthermore, a copy is available on our website as set out above.

9.1.2 head office of Elevate Financial Consulting 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 Elevate Financial Consulting will on a regular basis update this manual.

***Issued by***

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**Nieuwoudt du Plessis**

Chief Information Officer