

**HDI Gerling Insurance of SA Ltd
(Registration No.1998/006415/06)**

ACCESS TO INFORMATION MANUAL

Prepared in terms of Section 51 of the
Promotion of Access to Information Act 2 of
2000

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PREAMBLE

The Promotion of Access to Information Act No. 2 of 2000 ("The Act") came into operation on 23 November 2001. Section 51 of this Act requires that we as a Private Body compile a manual giving information to the public regarding the procedure to be followed in requesting information from us for the purpose of exercising or protecting rights.

INTRODUCTION TO THIS PRIVATE BODY

HDI Gerling Insurance of SA Limited was incorporated on 2 April 1998.

HDI Gerling Insurance of SA Limited conducts a business of

"to operate as a short term insurance company"

We as a Private Body have compiled this manual, not only to comply with the provisions of the Act, but also to foster a culture of transparency and accountability in our environment and to ensure that members of the public have effective access to information in our possession which will assist them in the exercise and protection of their rights.

Inside these pages you will be able to view the categories of information which we possess. You will also be shown the correct procedure to follow should you require access to any of this information.

PARTICULARS IN TERMS OF SECTION 51

1. Contact Details [Section 51(1)(a)]

Full name of Private Body:	HDI Gerling Insurance of SA Limited
Registration Number:	1998/006415/06
Postal Address:	P O Box 66 Saxonwold, 2132
Physical Address:	3 rd Floor, 20 Baker Street Rosebank, 2196
Telephone Number:	(011) 340 0100
Facsimile Number:	(011) 447 4981
Head/Chief Executive Officer:	Cornelis Goedhart
Designated Information Officer:	Cornelis Goedhart
Email address of Information Officer:	Kees.goedhart@hdi-gerling.co.za

2. The Section 10 Guide On How To Use The Act [Section 51(1)(b)]

- 2.1 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.
- 2.2 Requests in terms of the Act shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariffs are dealt with in paragraphs 6 or 7 of the Act.

- 2.3 Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.

The contact details of the Commission are:

Postal Address: Private Bag X2700, Houghton, 2041
Telephone Number: +27-11-877-3600
Fax Number: +27-11-403-0625
Website: www.sahrc.org.za

3. Voluntary disclosure

HDI Gerling Insurance of SA Limited has not published a notice in terms of Section 52(2) of the Act and is not obliged to do so.

4. Applicable Legislation

- a. Consumer Protection Act 68 of 2008
- b. Copyright Act 61 of 1978
- c. Electronic Communications and Transactions Act 25 of 2002
- d. Employment Equity Act 55 of 1998
- e. Income Tax Act 58 of 1962
- f. Insolvency Act 24 of 1936
- g. Labour Relations Act 66 of 1995
- h. Occupational Health and Safety Act 85 of 1993
- i. Prevention of Organised Crime Act 121 of 1998
- j. Skills Development Act 97 of 1998
- k. Skills Development Levies Act 9 of 1999
- l. Stamp Duties Act 77 of 1968
- m. Unemployment Insurance Act 63 of 2001
- n. Value Added Tax Act 89 of 1991
- o. Financial Intelligence Centre Act 38 of 2001
- p. Financial Advisory and Intermediary Act 37 of 2002
- q. Short term Insurance Act 53 of 1998

5. Records held by HDI Gerling Insurance of SA Limited Ltd [Section 51(1)(e)]

We maintain records on the following categories and subject matters. However, please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be honoured. All requests for access will be evaluated on a case by case basis in accordance with the provisions of the Act.

Please note further that many of the records held by us are those of third parties, such as client and employees and we take the protection of third party confidential information very seriously. In particular, where we act as professional advisors to clients, many of the records held are confidential and others are the property of the client and not HDI Gerling Insurance of SA Limited. Requests for access to these records will be considered very carefully. Please ensure that requests for such records are carefully motivated to avoid rejection.

5.1 Internal Records

The following are records pertaining to HDI Gerling Insurance of SA Limited's own affairs:

- Memorandum of Incorporation;
- Financial records;
- Directors' Resolutions;
- Intellectual property and research;
- Agreements with service providers;
- Agreements with Suppliers;
- Agreements with landlords, bankers, office equipment hire companies; and
- Minutes of Board, Audit, Risk and Remuneration Committees.

5.2 Personnel records

Personnel records include the following:

- Employment Equity Plan;
- Conditions of Service;
- Employees' personnel files; and

- Records relating to other employee issues, such as Annual and Sick Leave, Conditions of Employment, Medical Aid, Retirement Fund etc.

5.3 Client records

Client-related information includes the following:

- Contracts;
- Reports;
- Delivery related records;
- Quotes;
- Policies;
- Correspondence;
- Method development and other related research;
- Payments; and
- Internal financial records

5.4 Other records

Other records that are under the control of HDI Gerling Insurance of SA Limited such as:

- Information relating to our own commercial activities;
- Research information belonging to HDI Gerling Insurance of SA Limited or carried out on behalf of a third party.

6. The Request Procedures

- Requests for access to records held by HDI Gerling Insurance of SA Limited must be made on the request forms that are available from the SAHRC website (www.sahrc.org.za).
- The requester must use the prescribed form to make the request for access to a record. This must be made to the head of HDI Gerling Insurance of SA Limited. This request must be made to our address, fax number or electronic mail address. [Section 53(1)].

- The requester must provide sufficient detail on the request form to enable us to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed [Section 53(2)(a) and (b) and (c).
- The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that rights [Section 53(2)(d)].
- 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 our Information Officer.
- The standard form that must be used for the making of requests is attached as Annexure A. Not using this form could cause your request to be refused or delayed.

7. Fees:

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee:

- The list detailing the prescribed fees in respect of requests and the fees in respect of access to records (if the request is granted) is attached as Annexure B.
- The Information Officer of HDI Gerling Insurance of SA Limited will notify the requester to pay the prescribed fee before processing the request.
- After the Information Officer has made a decision on the request, the requester must be notified in the required form.
- If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure [Section 54(6)].

8. Availability of the manual [Section 51(3)]

This manual is available from the South African Human Rights Commission (see details above) and HDI Gerling Insurance of SA Limited (see details above).

9. Remedies available for non-compliance

This private body does not have an internal appeal procedure relevant to the Act. Accordingly, a dispute regarding the Act may be resolved by approaching the relevant court directly.

Signed at Rosebank on this day the 14 of Dec 2015.

Cornelis Bouwe Goedhart
FULL NAMES

M.D.
CAPACITY/DESIGNATION

[Signature]
SIGNATURE

FORM

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:

Email 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:

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.*

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:
_____	_____
_____	_____
_____	_____
_____	_____

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 to 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:						
	copy of record*	inspection of record					
2.	If record consists of visual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.,)						
	view the images	copy of the images*	transcription of the images*				
3.	If record consists of recorded words or information which can be reproduced in sound:						
	listen to the soundtrack (audio cassette)	transcription of soundtrack* (written or printed document)					
4.	If record is held on computer or in an electronic or machine-readable form:						
	printed copy of record*	printed copy of information derived from the record*	copy in computer readable form* (stiffy or compact disc)				
*if you requested a copy of transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.			<table border="1" style="width: 100%;"> <tr> <td style="width: 50%; text-align: center;"><u>YES</u></td> <td style="width: 50%; text-align: center;"><u>NO</u></td> </tr> <tr> <td style="height: 20px;"></td> <td style="height: 20px;"></td> </tr> </table>	<u>YES</u>	<u>NO</u>		
<u>YES</u>	<u>NO</u>						

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:

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**

FEES IN RESPECT OF PRIVATE BODIES

1. The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1,10 for every photocopy of an A4-size page or part thereof.
2. The fees for reproduction referred to in regulation 11(1) are as follows:

(a)	For every photocopy of an A4-size page or part thereof	1,10
(b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c)	For a copy in a computer-readable form on -	
(ii)	compact disc	70,00
(d)	(i) For a transcription of visual images, for an A4-size page or part thereof	40,00
(ii)	For a copy of visual images	60,00
(e)	(i) For a transcription of an audio record, for an A4-size page or part thereof	20,00
(ii)	For a copy of an audio record	30,00
3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50,00.
4. The access fee payable by a requester referred to in regulation 11(3) are as follows:

		R
(1)	(a) For every photocopy of an A4-size page or part thereof	1,10
	(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
	(c) For a copy in a computer-readable form on –	
	i. compact disc	70,00
	(d) i. For a transcription of visual images, for an A4-size page or part thereof	40,00
	ii. For a copy of visual images	60,00
	(e) i. For a transcription of an audio record, for an A4-size page or part thereof	20,00
	ii. For a copy of an audio record	30,00
	(f) To search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation.	
(2)	For purposes of Section 54(2) of the Act, the following applies:	
(a)	Six hours as the hours to be exceeded before a deposit is payable; and	
(b)	One third of the access fee is payable as a deposit by the requester.	
(3)	The actual postage is payable when a copy of a record must be posted to a requester.	