

THE  
INFORMATION MANUAL IN TERMS OF SECTION 51. OF  
THE PROMOTION OF ACCESS TO INFORMATION ACT NO. 2  
OF 2000 (PAIA) [as AMENDED]

OF

**The Brokerage (PTY) LTD**  
Registration No. 2001/005643/07

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## **INTRODUCTION TO THE BROKERAGE (PTY) LTD**

This private body is an authorized financial service provider that provides financial advice and renders intermediary services to clients on financial products under a license issued in terms of the Financial Advisory and Intermediary Services Act, Act 37 of 2002. Specializing in Short Term Insurance and registered with the FSB under license number FSB4542.

## **CONTACT DETAILS**

1. Name of Business: The Brokerage (PTY) Ltd
2. Postal Address: Suite 332,  
Postnet X09,  
Weltevreden Park,  
1715
3. Street Address: 7 Sandpeer Avenue,  
Weltevredenpark,  
Gauteng.
4. Telephone Number: +27 11 475 5048
5. Facsimile Number: +27 11 475 0032
6. Electronic Mail (e-mail): [leon@thebrokerage.co.za](mailto:leon@thebrokerage.co.za)
7. Head of Organization: Leon Delpont

## **The SECTION 10 GUIDE on how to use the Act.**

The guide is available on the website of the SAHRC.

The guide is also available from the South African Human Rights Commission.  
Please direct any queries to:

The South African Human Rights Commission  
PAIA Unit  
The Research and Documentation Department  
Private Bag X2700  
Houghton  
2041

Telephone Number: +27 11 877 3600  
Facsimile Number: +27 11 403 0668  
Electronic Mail (e-mail): [paia@sahrc.org.za](mailto:paia@sahrc.org.za)  
Website: [www.sahrc.org.za](http://www.sahrc.org.za)

## **RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION**

**NOTE:** *There may not be specific records that mention us by name in the records of all or any of the institutions that administer the Acts mentioned below, but the following legislation is applicable to our business;*

The Financial Services Board Act No. 97 of 1990  
 The Short Term Insurance Act No. 53 of 1998  
 The Financial Institutions (Protection of Funds) Act No. 28 of 2001  
 The Financial Advisory and Intermediary Services Act No. 37 of 2002 (FAIS)  
 Basic Conditions of Employment Act No. 75 of 1997  
 Companies Act No. 71 of 2008  
 Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993  
 Consumer Protection Act No. 68 of 2008  
 Employment Equity Act No.55 of 1998  
 Financial Services Ombud Schemes Act No. 37 of 2004  
 Income Tax Act No. 58 of 1962  
 Insurance Laws Amendment Act No. 27 of 2008  
 Labour Relations Act No. 66 of 1995  
 Occupational Health and Safety Act No. 85 of 1993  
 Skills Development Act No.97 of 1998  
 Skills Development Levies Act No. 9 of 1999  
 Unemployment Contributions Act No. 4 of 2002  
 Unemployment Insurance Act No. 63 of 2001  
 Value Added Tax Act No. 89 of 1991

**NOTE:** *Certain legislation is not directly applicable to our business, but it impacts on the activities of investors of funds and places a duty of care on the entire Financial Service Industry to ascertain the source of investment funds and in some instances (monies emanating from or subject to money laundering, drugs and drug trafficking, stolen goods, other unlawful activities as well as tax evasion) it imposes an obligation on financial advisers to report the activities of clients to the authorities. The following Acts are applicable:-*

Drug and Drug Trafficking Act No.140 of 1992.  
 Prevention of Organized Crime Act No. 121 of 1998  
 Financial Intelligence Centre Act N0. 38 of 2001  
 Protection of Constitutional Democracy against Terrorist and Related Activities Act No. 33 of 2004

## **ACCESS TO OUR RECORDS**

The latest notice regarding the categories of records of the body, which are available without a person having to request access in terms of this Act in terms of section 52(2):

Not applicable. Some brochures, pamphlets and documents related to the business of the private body are available without cost.

Records that may be requested:

### Administration

Licences of product categories (in terms of FAIS Act)  
Minutes of management meetings  
Minutes of staff meetings  
Correspondence

### Human Resources

Employment contracts  
Remuneration and benefits policies and records  
Policies and procedures  
Mandates  
Training

### Operations

Production records  
Compliance manual – FAIS  
Compliance reports  
Complaints procedures  
Contractual agreements with suppliers  
Procedures manual – FICA  
Records of advice  
Register of key individuals  
Register of representatives  
Register of non-compliance  
Record of continued compliance by representatives  
Register of cancellation of products

### Client Register

Personal particulars of clients  
Product particulars of clients  
Policy details  
Premium/contribution details

### Finances

Asset registry  
Commission Statements (Consolidated and per Producer)  
Financial Statements  
Accounting and audit records

## **THE PROCEDURE FOR REQUESTING OUR RECORDS – (ANNEXURE A)**

The requester must use the prescribed form to make the request for access to a record. This must be made to our Head of The Brokerage. This request must be made to our postal address, fax number or e-mail address contained above.

The requester must provide sufficient detail on the request form to enable the Head of The Brokerage to identify the record and the requester. The requester must also indicate which form of access is required and specify its postal address, fax number or e-mail address in the Republic.

The requester must identify the right that is sought to be exercised or to be protected and provide an explanation as to why the requested record is required for the exercise of that right.

If the request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request to the satisfaction of the Head of The Brokerage.

## **FEES PAYABLE FOR REQUESTING OUR RECORDS – (ANNEXURE B)**

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 Head of The Brokerage must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request.

The requester must pay a fee of R50. The requester may lodge an application to the court against the tender or payment of the request fee.

After the Head of The Brokerage has made a decision on the request, the requester will be notified in the required form.

If the request is granted, 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.

## **OTHER INFORMATION**

The Minister of Justice and Constitutional Development has not made any regulations in this regard.

## **ACCESS TO AND AVAILABILITY OF OUR MANUAL**

This Manual is available for inspection free of charge at our physical address as above

Copies are also available with The South African Human Rights Commission.