



THE REAL AUTOMOBILE FINANCE AND INSURANCE CONSULTING COMPANY (PTY) LTD and
its associated companies
(Hereinafter referred to as "TRAFICC")

Registration Number of Company: 2004/017525/07

Promotion of Access to Information Act (PAIA)

Manual

Prepared in accordance with Section 51 of the Promotion of Access to Information Act,

No. 2 of 2000

INDEX

1. Introduction	3
2. Company and Company Contact details.....	3
3. Purpose of this Manual.....	3
4. The section 10 guide on how to use the act [Section 51(1) (b)]	4
5. Records available in terms of South African legislation [Section 51(1) (d)]	4
6. Schedule of records	5
7. Procedure for requesting access to information	6
8. Prescribed Fees.....	7
9. Considering your request.....	7
10. Grounds for refusal of access to records.....	8
11. Availability of this manual.....	8
12. Annexure A – Form C (Request for access to records)	9

1. INTRODUCTION

The Promotion of Access to Information Act, No. 2 of 2000 (“the Act”) was enacted on 3rd February 2000 and gives effect to the constitutional right of access to information held by the State and any other person that is required for the exercise or protection of any rights. Where a request is made in terms of the Act, the body to which the request is made is obliged to release the information, **except where the Act expressly provides that the information may or must not be released**. The Act sets out the requisite procedural requirements attached to such requests.

2. COMPANY AND COMPANY CONTACT DETAILS

The Real Automobile Finance and Insurance Consulting Company (PTY)Ltd, which includes reference to its group, (“Traficc or the Company”) is a juristic person incorporated as a private company in terms of the company laws of the Republic of South Africa. The Company is classified as a “private body” within the definition of Section 1 of the Act, and conducts a client service orientated business. We exist because of our clients and their customers, hence we are driven to provide exceptional and ethical service.

We are an authorized Financial Service Provider “FSP” in terms of the Financial Advisory & Intermediary Service Act and our FSP licence number is FSP 25955. We manage products which fall into Short Term Insurance, Long Term Insurance and Maintenance Plan categories.

TRAFICC is owner managed and is completely independent from any insurance company or bank thus removing any potential conflict of interest.

Traficc group structure consists of the following companies:

- Peak Hour Consultants (Pty)Ltd
- Built to Last (Pty)Ltd
- Sugar Magnolia (Pty)Ltd
- Traficc Maintenance Plans (Pty)Ltd
- Traficc Global (Pty)Ltd

Persons designated/duly authorised persons:

Director (CEO): Nick Tarlie
Email: nick@traficc.co.za

Information Officer: Adrian Edens
Email: adrian@traficc.co.za

Deputy Information Officer: Luyanda Marriman
luyanda@traficc.co.za

Postal Address: PO Box 3174, Cape Town 8000
Street Address: 5th Floor, 80 Strand Street, Cape Town 8001
Telephone Number: 021 425 6996

3. PURPOSE OF THE MANUAL

This manual has been prepared in accordance with Section 51 of the Act. It is intended to foster a culture of transparency and accountability within Traficc, by giving effect:

- to the right to information that is required for the exercise or protection of any right; and
- to actively promote a society in which the members of the public have effective access to information to enable them to more fully exercise and protect their rights.

Section 9 of the Act recognises that the right to access information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

- limitations aimed at the reasonable protection of privacy;
- commercial confidentiality;
- effective, efficient and good governance; and
- in a manner which balances the right of access with any other rights, including such rights contained in the Bill of Rights in Chapter 2 of the Constitution.

This manual sets out to provide for the manner in which requests to Traficc are to be made. This manual is drafted in accordance with the generic manual made available by the South African Human Rights Commission (“SAHRC”).

4. THE SECTION 10 GUIDE ON HOW TO USE THE ACT [Section 51(1) (b)]

4.1 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.

4.2 Requests in terms of the ACT shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.

4.3 Requesters are referred to the Guide in terms of Section 10 which has been compiled by the Information Regulator, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the Information Regulator (“IR”).

The contact details of the IR are:

Postal Address: Private Bag 2700, Houghton, 2041

Telephone Number: 011 877 3600

Fax Number: 011 403 0625

Website: www.justice.gov.za

5. RECORDS AVAILABLE IN TERMS OF SOUTH AFRICAN LEGISLATION [Section 51(1) (d)]

Traficc keeps documents in accordance with the following legislations. (Please note that this is not an exhaustive list):

<u>No</u>	<u>Ref</u>	<u>Act</u>
1	No 61 of 1973	Companies Act
2	No 38 of 2001	FICA
3	No 55 of 1998	Employment Equity Act
4	No 95 of 1967	Income Tax Act
5	No 66 of 1995	Labour Relations Act
6	No 89 of 1991	Value Added Tax Act
7	No 37 of 2002	Financial Advisory and Intermediary Services Act
8	No 75 of 1997	Basic Conditions of Employment Act

9	No 52 of 1998	Long Term Insurance Act
10	No 53 of 1998	Short Term Insurance Act
11	No 25 of 2002	Electronic Communications and Transactions Act
12	No 2 of 2000	Promotion of Access of Information Act
13	No 30 of 1996	Unemployment Insurance Act
14	No 9 of 1999	Skills Development Levies Act
15	No 130 of 1993	Compensation for Occupational injuries and Diseases
16	No 85 of 1993	Occupational Health and Safety
17	No 4 of 2013	Protection of Personal Information
18	No 121 of 1998	Prevention of Organised Crime
19	No 26 of 2000	Protected Disclosures
20	No 33 of 2004	Protection of Constitutional Democracy against Terrorists and Related Activities
21	No 68 of 2008	Consumer Protection

6. SCHEDULE OF RECORDS

6.1 Records Automatically Available

Records that are automatically available to the public are:

- All records of the Company lodged in terms of regulatory/legislative requirements with various statutory/regulatory bodies.

6.2 Records that may be requested

The information in this section provides a reference to the records that the Company holds, which will facilitate a request in terms of the Act.

Records below include, but are not limited to records which pertain to the Company's own affairs.

These records are not automatically available and can only be made available by facilitating a request in terms of the Act. Please note that the records listed below are not exhaustive.

<u>Records</u>	<u>Subject</u>	<u>Availability</u>
Compliance	• Training manuals and training records	Request in terms of PAIA
	• Health and Safety Records	Request in terms of PAIA
	• Intellectual Property Records	Request in terms of PAIA
	• Employee, customer and supplier information	Request in terms of PAIA
	• Complaints records	Request in terms of PAIA
Sales & Underwriting	• Product Brochures	Request in terms of PAIA
	• Customer Information and Database	Request in terms of PAIA
	• Dealer Agreements	Request in terms of PAIA
Customer Service / Claims Human Resources	• Customer Records	Request in terms of PAIA
	• Employee Records	Request in terms of PAIA
	• Employment Contracts	Request in terms of PAIA
	• Payroll Records	Request in terms of PAIA
	• Recruitment Records	Request in terms of PAIA

	• Disciplinary code	Request in terms of PAIA
Financial Division	• Audited Financial Statements	Request in terms of PAIA
	• Tax Records (Company & Employees)	Request in terms of PAIA
	• Management Accounts	Request in terms of PAIA
	•	
Background information	• Education, Credit and criminal or employment history	Request in terms of PAIA

7. PROCEDURE FOR REQUESTING ACCESS TO INFORMATION

7.1 Access to records held by Company

Records held by the company may be accessed by requests only once the prerequisite requirements for access have been met.

A requestor must use the prescribed form to make a request for access to a record. A “requestor” in relation to a private body means –

- ✓ Any person, including, but not limited to, a public body or an official thereof, making a request for access to a record of that private body; or
- ✓ A person acting on behalf of the person contemplated above.

There are two types of requesters:

• Personal Requester

A personal requester is a requester who seeks access to a record containing personal information about the requester. The Company will voluntarily provide the requested information, or give access to any record with regard to the requester’s personal information. The prescribed fee for reproduction of the information requested will be charged.

• Other Requester

This requester (other than a personal requester) is entitled to request access to information on third parties.

7.2 To facilitate the processing of your request, kindly:

7.2.1 Use the prescribed form, available on the website of the Information Regulator at www.justice.gov.za (also attached hereto – refer to Form C).

7.2.2 Address your request to the Head of the Company.

7.2.3 Provide sufficient details to enable the COMPANY to identify:

- (a) The record(s) requested;
- (b) The requester (and if an agent is lodging the request, proof of capacity);
- (c) The form of access required;
- (d) (i) The postal address or fax number of the requester in the Republic;

(ii) If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;

(e) The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

8. PRESCRIBED FEES

The following applies to requests (other than personal requests):

- 8.1** A requestor is required to pay the prescribed fees (R50.00) before a request will be processed;
- 8.2** If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);
- 8.3** A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- 8.4** Records may be withheld until the fees have been paid.
- 8.5** The fee structure is available on the website of the Information Regulator at www.justice.gov.za

9. CONSIDERING YOUR REQUEST

- 9.1** The Company will, within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons to that effect [Section 56].
- 9.2** The 30 day period within which the Company is to decide whether to grant or refuse the request may be extended for a further period of not more than 30 days if [Section 57]:
- the request is for a large number of records or requires a search through a large number of records and compliance with the original period would unreasonably interfere with the activities of the private body concerned;
 - the request requires a search for records in, or collection thereof from, an office of the private body not situated in the same town or city as the office of the head that cannot reasonably be completed within the original period;
 - consultation among divisions of the Company or with another private body is necessary or desirable to decide upon the request that cannot reasonably be completed within the original period;
 - core than one of the circumstances contemplated in the paragraphs above exist in respect of the request making compliance with the original period not reasonably possible;
 - the requester consent in writing to such extension.

If the period is extended, the Designated Information Officer will within 30 days after the request is received notify the requester of

- The period of the extension;
- The reasons for the extension, including the provisions of this Act relied upon; and

- That the requester may lodge an application with a court against the extension, and the procedure (including the period) for lodging the application

10. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

Mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information about that natural person [Section 63]. A record will not be refused in so far as it consists of information:

- About an individual who has consented to the disclosure of the record;
- Already publicly available;
- That was given to the private body by the individual to whom it relates and the individual was informed by or on behalf of the private body, before it was given, that the information belongs to a class of information that would or might be made available to the public;
- About an individual's physical or mental health, or well-being, who is under the care of the requester and who is –
 - ✓ Under the age of 18 years: or
 - ✓ Incapable of understanding the nature of the request: and if giving access would be in the individual's best interests;
- About an individual who is deceased and the requester is –
 - ✓ The individual's next of kin: or
 - ✓ Making the request with the written consent of the individual's next of kin; or
- About an individual who is or was an official of a private body and which relates to the position or functions of the individual, including, but not limited to-
 - ✓ the fact that the individual is or was an official or private body:
 - ✓ the title, work address, work phone number and other similar particulars of the individual
 - ✓ the classification, salary scale or remuneration and responsibilities of the position held or service performed by the individual

11. AVAILABILITY OF THIS MANUAL

This manual is available for inspection by the general public, upon request, during office hours and free of charge at the offices of The Real Automobile Finance And Insurance Consulting Company (Pty) Ltd as well as on the website: www.traficco.co.za

ANNEXURE A:

FORM C

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

Physical Address: 5th Floor
80 Strand Street
Cape Town
8001
Tel : 021 425 6996
Email : adrian@traficc.co.za

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:
Telephone 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 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 for 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:

<input type="checkbox"/>	Copy of record*	<input type="checkbox"/>	Inspection of record
--------------------------	-----------------	--------------------------	----------------------

2. If record consists of visual image

this includes photographs, slides, video recordings, computer-generated images, sketches, etc)

<input type="checkbox"/>	View the images	<input type="checkbox"/>	Copy of the images*	<input type="checkbox"/>	Transcription of the Images*
--------------------------	-----------------	--------------------------	---------------------	--------------------------	------------------------------

3. If record consists of recorded words or information which can be reproduced in sound:

<input type="checkbox"/>	Listen to the soundtrack audio cassette	<input type="checkbox"/>	Transcription of soundtrack, written or printed document*
--------------------------	---	--------------------------	---

4. If record is held on computer or in an electronic or machine-readable form:

<input type="checkbox"/>	Printed copy of record*	<input type="checkbox"/>	Printed copy of information derived from the record*	<input type="checkbox"/>	Copy in computer readable form* (stiffy or compact disc)
--------------------------	-------------------------	--------------------------	--	--------------------------	--

*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.	YES	NO
--	------------	-----------

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.....on this.....day of20.....

Name and Surname

Signature