

| 2024 |

# StratumBenefits<sup>+</sup>



## PROMOTION OF ACCESS TO INFORMATION ACT (PAIA)

This manual has been prepared in terms of Section 51 of the Promotion of Access to Information Act 2 of 2022, and to address the requirements of the Protection of Personal Information Act 4 of 2014.


**GUARDRISK**  
TAILORED RISK SOLUTIONS

Stratum Benefits (Pty) Ltd, an authorised FSP 2111, is underwritten by Guardrisk Insurance Company Limited, a licensed non-life insurer and authorised FSP 75. Health insurance is administered by Unity Health, a division of Ambledown Financial Services (Pty) Ltd, FSP (10287). Underwritten by Bryte Insurance Company Limited, a licensed insurer & authorised FSP (17703). Terms and conditions apply.

 **Bryte**

StratumBenefits<sup>+</sup>

 010 593 0981

 086 633 3761

 [info@stratumbenefits.co.za](mailto:info@stratumbenefits.co.za)

 +27 10 448 0861

 [www.stratumbenefits.co.za](http://www.stratumbenefits.co.za)

 **UNITYHEALTH**

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**2. DEFINITIONS**

Client	any natural or juristic person that received or receives services from the Company
Conditions for Lawful Processing	the conditions for the lawful processing of Personal Information as fully set out in chapter 3 of POPI and in paragraph 12 of this manual
Company	means a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means for processing personal information
Data Subject	the person to whom personal information relates
Information Officer	the individual who is identified in Section 4 of this manual
Manual	this manual
PAIA	the Promotion of Access to Information Act 2 of 2000



Personal Information	<p>means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to—</p> <ul style="list-style-type: none"> <li>a. information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;</li> <li>b. information relating to the education or the medical, financial, criminal or employment history of the person;</li> <li>c. any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;</li> <li>d. the biometric information of the person;</li> <li>e. the personal opinions, views or preferences of the person;</li> <li>f. correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;</li> <li>g. the views or opinions of another individual about the person; and</li> <li>h. the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person</li> </ul>
Personnel	any person who works for, or provides services to or on behalf of the Company, and receives or is entitled to receive remuneration and any other person who assists in carrying out or conducting the business of the Company, which includes, without limitation, directors (executive and non-executive), all permanent, temporary and part-time staff as well as contract workers
POPI	the Protection of Personal Information Act 4 of 2013
POPI Regulations	the regulations promulgated in terms of Section 112(2) of POPI
Private Body	<p>means—</p> <ul style="list-style-type: none"> <li>a. a natural person who carries or has carried on any trade, business or profession, but only in such capacity;</li> <li>b. a partnership which carries or has carried on any trade, business or profession; or</li> <li>d. any former or existing juristic person, but excludes a public body</li> </ul>

Processing	<ul style="list-style-type: none"> <li>a. means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including—</li> <li>b. the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;</li> <li>c. dissemination by means of transmission, distribution or making available in any other form; or</li> <li>d. merging, linking, as well as restriction, degradation, erasure or destruction of information</li> </ul>
SAHRC	the South African Human Rights Commission
Any other terms not described herein will have the meaning as ascribed to it in terms of PAIA or POPI.	

### 3. INTRODUCTION

For the purpose of **POPI** and **PAIA**, the **Company - Stratum Benefits (Pty) Ltd** - is defined as a private body. In accordance with the Company's obligations in terms of POPI and PAIA, Stratum Benefits has produced this manual.

This manual:

- sets out all information required by both PAIA and POPI.
- deals with how requests are to be made in terms of PAIA.
- establishes how compliance with POPI is to be achieved.

### 4. CONTACT DETAILS

#### STRATUM BENEFITS (PTY) LTD

Reg no.: 2003/018155/07

367 Surrey Avenue, Block C & D, Ferndale, Randburg, 2194  
Suite 386, Private Bag X09, Weltevreden Park, 1715

t 010 593 0981

f 086 610 6029

**Information Officer:** Yolanda de Klerk

e yolanda.deklerk@stratumbenefits.co.za

### 5. GUIDE OF SAHRC

- A guide to PAIA and how to access information in terms of PAIA has been published pursuant to Section 10 of PAIA.
- The guide contains information required by an individual who may wish to exercise their rights in terms of PAIA.
- Should you wish to access the guide you may request a copy from the Information Officer by submitting Annexure A to the details specified above.
- You may also inspect the guide at the Company's offices during normal working hours.
- You may also request a copy of the guide from the Information Regulator at the following details:

**Information Regulator:**

P.O Box 31533, Braamfontein, Johannesburg, 2017

t 010 023 5200

w www.justice.gov.za

e PAIACompliance.IR@justice.gov.za

### 6. LATEST NOTICES IN TERMS OF SECTION 52(2) OF PAIA

At this stage no notice has been published on the categories of records that are available without having to request access to them in terms of PAIA.

### 7. AVAILABILITY OF CERTAIN RECORDS IN TERMS OF PAIA

The Company holds and/or processes the following records for the purpose of PAIA and POPI.

The following records may be requested, however, it should be noted that there is no guarantee that the request will be honoured. Each request will be evaluated in terms of PAIA and any other applicable legislation.

The latest notices of records are accessible and available to you at no cost:

- Brochures
- Documents related to business marketing activities
- Pamphlets

### ADMINISTRATION

- License of product categories
- Minutes of management meetings
- Minutes of staff meetings
- Correspondence

### HUMAN RESOURCES

- Employment contracts
- Mandates
- Policies and procedures
- Training
- Remuneration registers and benefits policies

### 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 premature cancellation of products
- Client lists

### FINANCES

- Accounting and audit records
- Financial statements
- Assets inventory
- Assets inventory

## 8. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION

The Company may be in possession of records in terms of the following legislation as and when applicable:

- Basic Conditions of Employment Act No. 75 of 1997
- Collective Investments Schemes Control Act No. 45 of 2002
- 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 Laws General Amendment Act 45 of 2013
- Financial Advisory and Intermediary Services Act No. 37 of 2002
- Financial Intelligence Centre Act No. 38 of 2001
- Financial Institutions (Protection of Funds) Act No. 28 of 2001
- Financial Services Board Act No. 97 of 1990
- Financial Services Ombud Schemes Act No. 37 of 2004
- Friendly Societies Act No. 25 of 1956
- Income Tax Act No. 58 of 1962
- Insurance Laws Amendment Act No. 27 of 2008
- Labour Relations Act No. 66 of 1995
- Long-Term Insurance Act No. 52 of 1998
- Medical Schemes Act No. 131 of 1998
- Occupational Health and Safety Act No. 85 of 1993
- Pension Funds Act No. 24 of 1956
- Prevention of Organised Crime Act No. 121 of 1998
- Protection of Constitutional Democracy against Terrorist and Related Activities Act No. 33 of 2004
- Security Services Act No. 36 of 2004
- Short Term Insurance Act No. 53 of 1998
- Skills Development Act No.97 of 1998
- Skills Development Act No.97 of 1998
- Unemployment Contributions Act No. 4 of 2002
- Unemployment Insurance Act No. 63 of 2001
- Value Added Tax Act No. 89 of 1991

The Company may be in possession of records in terms of the following legislation as and when applicable:

## 9. REQUEST PROCESS

- An individual who wishes to place a request must comply with all the procedures laid down in PAIA.
- The requester must complete Annexure A and submit it to the Information Officer at the details specified above.
- The prescribed form must be submitted as well as payment of a request fee and a deposit, if applicable to the Information Officer at the postal or physical address, fax number or electronic mail as is stated herein.
- The prescribed form must be completed with enough particulars to enable the Information Officer to determine:
  - the record(s) requested;
  - the identity of the requester;
  - what form of access is required; and
  - the postal address or fax number of the requester.
- The requester must state that the records are required for the requester to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. An explanation of why the records requested is required to exercise or protect the right.
- The request for access will be dealt with within 30 days from date of receipt, unless the requester has set out special grounds that satisfies the Information Officer that the request be dealt with sooner.

- The period of 30 days may be extended by not more than 30 additional days, if the request is for a large quantity of information, or the request requires a search for information held at another office of the Company and the information cannot be reasonably obtained within 30 days. The Information Officer will notify the requestor in writing should an extension be necessary.
- The requestor will be informed in writing whether access to the records have been granted or denied. If the requestor requires a reason for the decision the request must be expressed in the prescribed form, the requestor must be further stated what particulars of the reasoning the requestor requires.
- If a requestor has requested the records on another individual's behalf, the requestor must submit proof of the capacity the requestor submits the request in, to the satisfaction of the Information Officer.
- Should the requestor have any difficulty with the form or the process laid out herein, the requestor should contact the Information Officer for assistance.
- An oral request can be made to the Information Officer should the requestor be unable to complete the form due to illiteracy or a disability. The Information Officer will complete the form on behalf of the requestor and provide a copy of the form to the requestor.

## 10. GROUNDS FOR REFUSAL

The following are grounds upon which the Company may, subject to the exceptions in Chapter 4 of PAIA, refuse a request for access in accordance with Chapter 4 of PAIA:

- Mandatory protection of the privacy of a third party who is a natural person, including a deceased person, where such disclosure of personal information would be unreasonable
- Mandatory protection of the commercial information of a third party, if the records contain:
  - Trade secrets of that third party;
  - Financial, commercial, scientific or technical information of the third party, the disclosure of which could likely cause harm to the financial or commercial interests of that third party; and/or
  - Information disclosed in confidence by a third party to the Company, the disclosure of which could put that third party at a disadvantage in contractual or other negotiations or prejudice the third party 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 that would be regarded as privileged in legal proceedings;
- Protection of the commercial information of the Company, which may include:
  - Trade secrets;
  - Financial/commercial, scientific or technical information, the disclosure of which could likely cause harm to the financial or commercial interests of the Company;
  - Information which, if disclosed, could put the Company at a disadvantage in contractual or other negotiations or prejudice the Company in commercial competition; and/or
  - Computer programs which are owned by the Company, and which are protected by copyright and intellectual property laws;

- Research information of the Company or a third party, if such disclosure would place the research or the researcher at a serious disadvantage; and
- Requests for records that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources.

#### 11. REMEDIES SHOULD A REQUEST BE REFUSED

- The Company does not have an internal appeal procedure in light of a denial of a request. Decisions made by the Information Officer is final.
- The requestor may in accordance with sections 56(3) (c) and 78 of PAIA, apply to a court for relief within 180 days of notification of the decision for appropriate relief.

#### 12. POPI

POPI has eight conditions for lawful processing and includes:

- Accountability
- Processing limitation
- Purpose specification
- Further processing limitation
- Information quality
- Openness
- Security safeguards
- Data subject participation

The Company is involved in the following types of processing:

- Collection
- Recording
- Organisation
- Structuring
- Storage
- Adaptation or alteration
- Retrieval
- Consultation
- Use
- Disclosure by transmission
- Dissemination or otherwise making available
- Alignment or combination
- Restriction
- Erasure
- Destruction

The Company processes information for the following purposes:

- to fulfill agreements in relation to its employees.
- to provide services to its clients in accordance with terms agreed to by the clients'
- to undertake activities related to the provision of services, such as:
  - to fulfil domestic legal, regulatory and compliance/ requirements;
  - to verify the identity of client representatives who contact the Company or may be contacted by the Company;
  - for risk assessment, information security management, statistical, trend analysis and planning purposes;
  - to monitor and record calls and electronic communications with the client for quality, training, investigations and fraud prevention purposes;

- to enforce or defend the Company or the Company affiliates' rights; and
- to manage the Company's relationship with its clients, which may include providing information to its clients and its clients' affiliates about the Company's and the Company affiliates' products and services.

- the purposes related to any authorised disclosure made in terms of agreement, law or regulation.
- any additional purposes expressly authorised by the Company's client.
- any additional purposes as may be notified to the client or data subjects in any notice provided by the Company.

The Company processes personal information for the following categories of data subjects:

- Juristic persons:
  - corporate clients
  - suppliers
- Natural persons:
  - individuals
  - staff
  - clients
  - suppliers

The Company processes the following categories personal information:

- Client profile information
- Bank account details
- Payment information
- Client representatives
- Names
- Email addresses
- Telephone numbers
- Facsimile numbers
- Physical addresses
- Tax numbers
- Identity numbers
- Passport numbers

Recipients of personal information:

- The Company, the Company's affiliates, and their respective representatives.

When making authorised disclosures or transfers of personal information in terms of Section 72 of POPI, personal information may be disclosed to recipients in countries that do not have the same level of protection for personal information as South Africa does.

The following security measures are implemented by the Company to protect personal information that is stored electronically and physically:

- The Company ensures that appropriate security measures are taken and updates these measures on a regular basis.
- The Company has also implemented various policies for additional security for personal information stored both physically and electronically.



The personal information that is stored physically is protected as follows:

- Where physical records of the data exist, such records will be stored in a secure area that can be “locked away” as to avoid a breach of the personal information.
- Such physical data records will be “locked away” and secured when not in use.

The Company may share personal information with third parties and in certain instances this may result in cross border flow of the personal information. The personal information will always be subject to protection, not less than the protection it is afforded under the Protection of Personal Information Act No.4 of 2013.

Objection to the processing of personal information by a data subject:

Section 11(3) of POPI and regulation 2 of the POPI regulations provides that a data subject may, at any time object to the processing of their personal information in the prescribed form attached to this manual as ANNEXURE “A”.

#### ANNEXURE A - REQUEST ACCESS TO A RECORD

Use the prescribed form to request access to a record.

Address it to: Stratum Benefits Director, and send it by post, fax or email.

Provide sufficient details to help us identify the person requesting a record and to find the record.

Also indicate the preferred communication method in which the record must be shared, and identify which right needs to be exercised or protected and provide an explanation.

If your request to access a record is made on behalf of someone else, submit proof that confirms you’re allowed to do so. Your reason must satisfy the Director of the private body.

#### ANNEXURE B - FEES PAYABLE FOR A REQUEST

A fee isn’t payable if personal information is requested about yourself, but will be payable if it’s requested about someone else.

We’ll notify you of the fee before processing your request.

The fee payable to the Director is **R 140.00**, however, you may lodge an application to the court for the fee to be waived.

If the request is granted, an access fee will still be payable for the search, reproduction, preparation and time that exceeds the prescribed hours to search for and prepare the record.



**ANNEXURE A – REQUEST ACCESS TO A RECORD**

Full Name	Surname	Identity / Passport Number
<input type="text"/>	<input type="text"/>	<input type="text"/>

Postal Address

Telephone Number	Fax Number	E-mail Address
<input type="text"/>	<input type="text"/>	<input type="text"/>

**1. DETAILS OF THE PERSON REQUESTING ACCESS TO A RECORD ON BEHALF OF ANOTHER PERSON**

Full Name	Surname	Identity / Passport Number
<input type="text"/>	<input type="text"/>	<input type="text"/>

Capacity

**2. DETAILS OF THE RECORD**

- Provide full details of the requested record, including the reference number if available, to help us find the record.
- If more space is needed, continue on a separate page that's been signed and attach it to this form.

Description or relevant part of the record	Reference number, if available	Additional details of the record
<input type="text"/>	<input type="text"/>	<input type="text"/>

**3. FEES**

- Requests to access records will be processed after the requested fee is paid. Requests to access your own personal records are free of charge.
- You'll be notified of the required fee amount.
- Fees are determined by the format in which a record is required and the time needed to search for the record and the preparation of it.
- If you qualify for exemption of paying a fee, state the reason below.

#### 4. FORMAT OF THE RECORD

If you're unable to read, view or listen to the record in the format it's provided in due to a disability, indicate your disability and the format the record must be provided in.

Disability

Preferred format

- Accessibility to the record may be restricted depending on the format the record is available in.
- In certain instances we may refuse access to a record in the format it's requested in. In such cases, we'll let you know if access can be granted in a different format.
- The fee payable, if any, will be determined partly by the format in which access is requested.

1. If the record is in written or printed form:

Copy of record  Inspection of record

2. If the record consists of visual images (photographs, slides, video recordings, computer-generated images, sketches, etc):

View images  Copy of images  Transcription of images

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

Listen to soundtrack (Audio cassette)  Transcription of soundtrack (Written or printed document)

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

Printed copy  Printed copy of information derived from record  Copy in computer-readable form

- Should any copy or transcription that you've requested be posted to you?

Yes  No

Postage is payable.

#### 5. RIGHT TO BE EXERCISED OR PROTECTED

If more space is needed, continue on a separate page that's been signed and attach it to this form.

Which right is to be exercised or protected?

Explain why the requested record is required for the right mentioned:



## 6. OUTCOME OF REQUEST FOR ACCESS TO A RECORD

You'll be notified in writing if your request to access a record has been approved or declined. If you prefer to be notified in another manner, please specify your preference and provide the necessary details for us to comply.

How should we inform you of our decision regarding your request to access a record?

Signed at

on this

day of

20

Full Name of Requester / Person on whose behalf the request is made

Signature of Requester / Person on whose behalf the request is made

### ANNEXURE B - FEES PAYABLE FOR A REQUEST

Request fee (payable on every request): **R 140.00**

1. Fees for reproduction referred to in Regulation 11(1) are as follows:

Photocopy of an A4 page or part thereof:	<b>R 2.00</b>
Printed copy of an A4 page or part thereof:	<b>R 2.00</b>

2. Copy in a computer-readable format on:

Hard copy on flash drive (flash drive to be provided by requestor):	<b>R 40.00</b>
Hard copy on a compact disc (compact disc to be provided by requestor):	<b>R 40.00</b>
Hard copy on a compact disc (compact disc to be provided by the Company):	<b>R 60.00</b>

3. Transcription of visual images:

Transcription of visual images per A4 page: <b>As per quotation of service provider</b>	-
Copy of visual images: <b>As per quotation of service provider</b>	-

4. Transcription of an audio record:

Transcription of an audio record per A4 page:	<b>R 24.00</b>
Copy of an audio record on flash drive (flash drive to be provided by requestor):	<b>R 40.00</b>
Copy of an audio on a compact disc (compact disc to be provided by requestor):	<b>R 40.00</b>
Copy of an audio on a compact disc (compact disc to be provided by the Company):	<b>R 60.00</b>

5. Search:

To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation:	<b>R145.00</b>
To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation (cannot exceed total cost):	<b>R435.00</b>

6. Postage, email or any other electronic transfer: **Actual expense, if any.**