

Intelligent Compliance and Education (Pty) Ltd

Registration number: 2004/002560/07

**MANUAL
PREPARED
IN ACCORDANCE WITH
SECTION 51
OF THE
PROMOTION OF ACCESS TO INFORMATION ACT
[ACT 2 OF 2000]**

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1. **Introduction**

- 1.1 Intelligent Compliance and Education (Pty) Ltd or ICE (Pty) Ltd are a compliance services provider, providing consultancy services to companies in respect of their compliance obligations arising out of legislation such as Financial Advisory and Intermediary Services Act (Pty) Ltd (FAIS) and the Financial Intelligence Centre Act (FICA). ICE is also an accredited learner provider with INSETA and provides training to companies in the financial services sector
- 1.2 The aim of this manual is to assist potential requestors as to the procedure to be followed when requesting access to information/documents from Intelligent Compliance and Education (Pty) Ltd as contemplated in terms of the Act.
- 1.3 The manual may be amended from time to time and, as soon as any amendments have been finalised, the latest version of the manual will be made public.
- 1.4 Any requestor is advised to contact Mr Peter Veal should he/she require any assistance in respect of the utilisation of this manual and/or the requesting of information/documents from Intelligent Compliance and Education (Pty) Ltd.
- 1.5 The following words will bear the following meanings in this manual :-
- 1.5.1 **“the Act” means the Promotion of Access to Information Act 2 of 2000, together with all relevant regulations published;**
- 1.5.2 **“the/this manual”** means this manual, together with all annexures thereto as available at the offices of Intelligent Compliance and Education (Pty) Ltd from time to time;
- 1.5.3 **“Intelligent Compliance and Education (Pty) Ltd”** means Intelligent Compliance and Education (Pty) Ltd, a private company duly registered in accordance with the company laws of the Republic of South Africa and bearing registration number 2004/002560/07
- 1.5.4 **“SAHRC”** means the South African Human Rights Commission; and
- 1.5.5 **“Information Officer”** means the chief executive officer of Intelligent Compliance and Education (Pty) Ltd, who has been appointed as the Information Officer of Intelligent Compliance and Education (Pty) Ltd and to whom requests for information in terms of the Act should be addressed.

2. **PARTICULARS IN TERMS OF THE SECTION 51 MANUAL**

1. **Contact details**

Physical Address: RP Centre, Building B
180 Smit Street
Fairlands
Gauteng

Postal Address: P.O. Box 125
Honeydew
2040
Gauteng

Telephone Number: (011) 431-1183
Facsimile Number: (086) 656-2947
E-Mail: info@ice-sa.co.za

Appointed Information Officer: Peter Veal

3. **The section 10 Guide on how to use the Act**

The Guide will be available from the South African Human Rights Commission by not later than August 2004. Please direct any queries to:

The South African Human Rights Commission:

**PAIA Unit
The Research and Documentation Department**

Postal address: Private Bag 2700
Houghton
2041

Telephone: +27 11 484-8300
Fax: +27 11 484-7146
Website: www.sahrc.org.za
E-mail: paia@sahrc.org.za

4. Records available in terms of any other legislation

- 4.1 Basic Conditions of Employment Act No.75 of 1997
- 4.2 Companies Act No. 61 of 1973
- 4.3 Copyright Act No. 98 of 1978
- 4.4 Employment Equity Act No. 55 of 1998
- 4.5 Insolvency Act 24 of 1936
- 4.6 Income Tax Act No. 95 of 1967
- 4.7 Labour Relations Act No. 66 of 1995
- 4.8 Occupational Health and Safety Act No. 85 of 1993
- 4.9 Regional Services Councils Act No. 109 of 1985
- 4.10 Skills Development Levies Act No. 9 of 1999
- 4.11 Skills Development Act no. 97 of 1998
- 4.12 Unemployment Contributions Act No. 4 of 2002
- 4.13 Unemployment Insurance Act No. 63 of 2001
- 4.14 Value Added Tax Act No. 89 of 1991
- 4.15 Financial Advisory and Intermediary Services Act, 2002

5. Access to the records held by the private body in question

i. Not Applicable

ii.

a. Administration

- Minutes of staff meetings
- Correspondence
- Minutes of Quality Management Meetings
- Minutes of General and Special Meetings of Directors
- Commercial Contracts
- Insurance Policies
- Communications and Correspondence

b. Human Resources

- Employment Contracts
- Remuneration records
- Correspondence with Employees including appraisals and disciplinary hearings.
- Personal details of prospective, previous and existing employees, consultants and directors

c. Operations (Compliance)

- Client database (personal information of clients, commercial and financial information)
- Communications and Correspondence
- Compliance reports
- Contracts with clients

d. Operations (Education)

- Learner Records (personal information of learners and results of assessments conducted by ICE)
- Course Material
- Assessment Material
- Portfolios of Evidence and assessment tasks provided by learners to ICE

e. Finances

- Financial Statements
- Annual Financial Statements
- Monthly Management Reports
- Bank Statements
- Vouchers

f. Management

- Incorporation documents (including Articles of Association and Memorandum)
- Minutes of board meetings
- Company statutory records

ii **The request procedures**

Form of request:

- The requester must use the prescribed form to make the request for access to a record. This must be made to the head of the private body. This request must be made to the address, fax number or electronic mail address of the body concerned
- The requester must provide sufficient detail on the request form to enable the head of the private body 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.
- 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 right.
- 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 the head of the private body.

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

- After the head of the private body 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.

5. Other information as may be prescribed

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

6. Availability of the manual

Copies are available with the SAHRC, in the Gazette and on the private body's website (www.ice-sa.co.za)