



ACCESS TO INFORMATION MANUAL

(PAIA MANUAL)

PREPARED IN TERMS OF SECTION 51 OF THE PROMOTION
OF ACCESS TO INFORMATION ACT 2 OF 2000



K.C.

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PURPOSE OF THE MANUAL IN TERMS OF PAIA

The Promotion of Access to Information Act 2 of 2000 (PAIA) creates the framework to the right to access information enshrined in s32 of the Constitution of the Republic of South Africa, 1996. The purpose of this legislation is to promote a culture of transparency, accountability and good governance.

This Manual aims to assist people wishing to exercise their Constitutional right to access information from JTC Fund Solutions RSA (Pty) Limited (JTCSA).

BACKGROUND OF JTC FUND SOLUTIONS RSA (PTY) LTD

JTC Group (the 'Group') was formed in 1987. Having been in business for over 25 years, the Group is a leading independent provider of corporate, fund and private wealth services. Our head office is located in Jersey's financial district of St Helier and through our continued international expansion, we have local, representative and alliance offices in several key jurisdictions around the world including British Virgin Islands, Cayman Islands, Guernsey, Luxembourg, New Zealand, Switzerland, the UK, Dubai, Isle of Man, Mauritius, the USA, - Hong Kong, Labuan, Malaysia, Netherlands, and Singapore.

JTCSA (Company Registration Number: 2006/028378/07) is a wholly owned subsidiary of JTC Fund Solutions (Guernsey) Limited which is registered in Guernsey and regulated by the Guernsey Financial Services Commission under The Protection of Investors (Bailiwick of Guernsey) Law 1987 as amended and The Regulation of Fiduciaries, Administration Businesses and Company Directors, etc. (Bailiwick of Guernsey) Law, 2000. JTCSA is regulated by the South African Financial Sector Conduct Authority (FSCA) as a Category I Financial Services Provider (FSP 36141) primarily to provide services from within the Republic of South Africa to its holding company and other entities within the JTC Group.

JTCSA's services include administration, accounting, client service and statutory reporting across a wide range of open and closed-ended structures from funds of hedge funds, hedge funds, private equity funds, mezzanine finance funds, infrastructure funds and real estate funds in the Guernsey, Jersey, UK, Cayman, US and Luxembourg markets.

PARTICULARS IN TERMS OF THE SECTION 51 MANUAL

This manual has been compiled in accordance with the PAIA.

ORGANISATION'S CONTACT DETAILS

Registered Address: Block B, Century Falls,
Century Boulevard
Century City
Milnerton
South Africa
7441

Postal Address: Postnet Suite 152
Private Bag X18
Milnerton
Cape Town
South Africa
7435

Telephone: +27 (0) 21 5294860 (switchboard)

Fax: +27 (0) 21 5515575

Managing Director: Kobus Cronje
Email: kobus.cronje@jtcgroup.com

Compliance Officer: Maretha van Huyssteen
Email: maretha.vanhuysssteen@jtcgroup.com

THE INFORMATION OFFICER

The Act prescribes the appointment of an Information Officer responsible for assessing requests for access to information. In terms of s51, the Head of a Private Body fulfils this function.

The Information Officer appointed in terms of the Act also refers to the Information Officer as referred to in the Protection of Personal Information Act 4 of 2013 (POPI). The Information Officer oversees the functions and responsibilities as required for in terms of both Acts.

For JTCSA the Information Officer is the Managing Director, who has sub-delegated certain functions to the Compliance Officer, to assist with fulfilling the s55 duties set out in POPI.

All requests for information in terms of the Act must be addressed to the Compliance Officer.

TYPES OF RECORDS

Records automatically available

The following categories of records are automatically available for inspection, purchase or photocopying without having to be requested in terms of the Act:

- > Newsletters
- > Booklets
- > Pamphlets / Brochures
- > Reports of a public nature
- > Other information intended for public viewing.

Records available in terms of legislation

All records kept and made available in terms of legislation applicable to JTCSA include, but is not limited to, the following:

- > Basic Conditions of Employment Act 75 of 1997
- > Collective Investment Schemes Control Act 45 of 2002
- > Companies Act 71 of 2008
- > Compensation for Occupational Injuries and Diseases Act 130 of 1993
- > Constitution of the Republic of South Africa 2008
- > Customs and Exercise Act No 91 of 1964
- > Electronic Communications and Transaction Act 25 of 2002

- > Employment Equity Act 55 of 1998
- > Financial Advisory and Intermediary Services Act 37 of 2002
- > Financial Intelligence Centre Act 38 of 2001
- > Income Tax Act 58 of 1962
- > Labour Relations Act 66 of 1995
- > Occupational Health and Safety Act 85 of 1993
- > Prevention of Organised Crime Act 121 of 1998
- > Promotion of Access to Information Act 4 of 2013
- > Protected Disclosure Act 26 of 2000
- > Protection of Personal Information Act 4 of 2013
- > Regulation of Interception of Communications and Provision of Communication Related Information Act 70 of 2002
- > Skills Development Levies Act 9 of 1999
- > Skills Development Levies Act 1999
- > Unemployment Insurance Act 63 of 2001
- > Unemployment Insurance Contributions Act 4 of 2002
- > Value Added Tax Act 89 of 1991

Records available on request.

The subjects and categories of records held by JTCSA and available upon request in terms of the PAIA are described as follows:

Personnel records -

- > Contracts of employment
- > Personnel files
- > Disciplinary records
- > Employee benefit records
- > Salary and wage register
- > Retirement annuity agreement
- > Retirement annuity rules
- > Retirement annuity contribution reports
- > Attendance and leave registers
- > Expense accounts
- > Group life assurance and disability income protection insurance
- > Human resource policies and codes of conduct

Financial records –

- > Annual financial statements
- > Books of account
- > Invoices, statements, receipts, vouchers and bills of exchange
- > Auditor's reports
- > Income Tax returns
- > Value Added Tax returns, invoices and supporting documentation

Banking Details -

- > Bank facilities and account details
- > Overdraft facilities
- > Bank statements
- > Bank signatory forms
- > Other banking records and agreements

Operational records –

- > Policies and Procedures
- > Internal phone lists
- > Internal correspondence
- > Information technology
- > Property insurance
- > Professional indemnity insurance
- > Lease agreements
- > Computer software, support and maintenance agreements
- > Disaster recovery plans
- > Complaints register
- > Agreements with suppliers
- > Confidentiality and / or non-disclosure agreements

Statutory company records -

- > Memorandum of Incorporation
- > Certificates issued by the Registrar of Companies
- > Company resolutions
- > Proxy forms
- > Company forms (CM and/or COR forms) lodged with the Registrar in terms of the Companies Act, Minute books
- > Share registers
- > Director's attendance registers
- > Shareholder agreements

Client Information –

- > Documentation and other information received from clients including information required in terms of the Financial Intelligence Centre Act 38 of 2001
- > Documentation and other information received from third parties
- > Correspondence with clients
- > Correspondence with third parties
- > Information prepared by employees for clients, including opinions, memoranda and reports

REQUESTING PROCEDURE

A person who wants access to the records must complete the prescribed request form (refer to Appendix A). The completed form must be sent to the address or fax number provided above and marked for the attention of the Compliance Officer.

The requester must indicate which form of access is required, and identify the right that is sought to be exercised or protected, and provide an explanation of why the requested record is required for the exercise or protection of that right.

If a request is being made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request.

The Compliance Officer will process the request and inform the requester of the access fee (if any) to be paid upon access and the procedures to be followed.

If a person needs assistance to obtain the form or on any other matter, please contact the Compliance Officer at the telephone number provided above.

Note that the accessibility of the records may be subject to grounds of refusal such as records being deemed confidential on the part of a third party, which will necessitate permission from the third party concerned, in addition to normal requirements, before JTCSA will consider access.

Any grounds for refusal will be considered by JTCSA when processing the request.

AVAILABILITY OF THE MANUAL

Copies of this manual are available for inspection during office hours and free of charge, at the offices of JTCSA. Copies are also available from the South African Human Rights Commission at the address indicated below.

F E E S

A requester fee of R50 should be paid; this amount will be refunded should the request for access be refused. A requester who seeks access to a record containing personal information about that requester is not required to pay the request fees. Any other requester who is not a personal requester must pay the fee. The fee will be required before processing the request.

An access fee (see appendix B) is the fee paid by all requesters in the event that a request for access is granted. This fee is inclusive of costs involved by the Private Body in obtaining and preparing a record for delivery to the requester.

A portion of the access fee (not more than one third) may be required before the request is considered. The requester may lodge an application with a court against the payment of the request fee.

DETAILS OF THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION

Any queries with regard to exercising one's rights under PAIA should be directed to:

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

Phone: +27 (0) 11 4848300
Fax: +27 (0) 11 4840582
Email: PAIA@sahrc.org.za
Website: www.sahrc.org.za

LETTER OF ENDORSEMENT

The Promotion of Access to Information Act 2 of 2000 (PAIA) was enacted on 3 February 2000, giving effect to the constitutional right in terms of section 32 of the Bill of Rights contained in the Constitution of the Republic of South Africa, 1996 of access to any information held by the state and any information that is held by another person and that is required for the exercise or protection of any rights.

Where a request is made in terms of PAIA, the body to which the request is made is obliged to release the information, subject to applicable legislative and /or regulatory requirements.

JTC Fund Solutions RSA (Pty) Limited (JTCSA) is committed to acting with honesty, integrity and transparency and so looks to comply with not only the letter but spirit of every applicable law.

This manual is intended to ensure that JTCSA complies with the Act and to foster a culture of transparency and accountability within JTCSA 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 people of South Africa have effective access to information to enable them to exercise and protect their rights.

In my capacity as Managing Director and Information Officer for JTCSA, I hereby endorse this PAIA manual and its framework and principles.



Kobus Cronje
Managing Director – South Africa

REVIEW FREQUENCY

Manual will be reviewed annually and any material changes submitted to the South African Human Rights Commission.

REVISION HISTORY

| VERSION | DATE | AUTHOR | COMMENTS |
|---------|--------------|-----------------------|---|
| 1.4 | April 2020 | Maretha van Huyssteen | General review and update of policy. Update of Policy owner, Compliance officer and contact details. |
| 1.3 | October 2018 | Candice Henderson | Account for sub delegation of Information Officer responsibilities |
| 1.2 | July 2018 | Candice Henderson | Reviewed for 2018. Policy owner contact details updated. Formatting updates. |
| 1.0 | Feb 2017 | Candice Henderson | Reset version control to 1.0 following integration of KB into JTC. JTC formatted and KB references removed. Best practice updates and revision in line with POPI. |

CHANGE CONTROL

Requests for amendments to this document must be made in writing to the Policy Owner stating details of the change required and the reason for the change.

| POLICY OWNER | E - MAIL |
|--|--------------------|
| SA Senior Manager: Risk and Compliance | sa.rc@jtcgroup.com |



APPENDIX A: PRESCRIBED FORM C – REQUEST FOR ACCESS

REQUEST FORM 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 JTC Fund Solutions RSA (Pty) Ltd

Information:

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:

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

- | | |
|-----|---|
| (a) | 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. |

Description of record or relevant part of the record:

Reference number, if available:

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:

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.

Mark the appropriate box with an X.

| | | | |
|--|--|--|--|
| 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 | | 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 | | copy in computer readable form |
| 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.

Indicate which right is to be exercised or protected:



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 of20.....

SIGNATURE OF REQUESTER / PERSON ON
WHOSE BEHALF REQUEST IS MADE

APPENDIX B: FEE SCHEDULE

The fees for reproduction referred to in s52(3) are as follows:

| | |
|--|--------|
| (i) For every photocopy of an A4-size page or part thereof | R1,10 |
| (ii) For every printed copy of an A4-size page or part | R0,75 |
| (iii) For a copy in a computer-readable form | R70,00 |
| (iv) For a transcription of visual images for an A4-size page or part thereof | R40,00 |
| (v) For a copy of visual images | R60,00 |
| (vi) For a transcription of an audio record, for an A4-size page or part thereof | R20,00 |
| viii) For a copy of an audio record | R30,00 |

ix) To search for the record for disclosure, R 30,00 for each hour or part of an hour reasonably required for such search.

x) If the head of the company or if the request liaison officer is of the opinion that six hours will be exceeded to search, reproduce and/or prepare the information requested, a deposit is payable equal to one-third of an amount of R30 for each hour or part thereof, exceeding the six hours.



REGULATION AND TERMS OF BUSINESS

JTC Group entities that carry on regulated business are (respectively): regulated by the British Virgin Islands Financial Services Commission; the Cayman Islands Monetary Authority; the Guernsey Financial Services Commission; the Jersey Financial Services Commission; the Commission de Surveillance du Secteur Financier and the Ordre des Experts-Comptables (Luxembourg); the Financial Services Commission (Mauritius); De Nederlandsche Bank (Netherlands), the South African Financial Sector Conduct Authority as an authorised financial services provider; chartered and regulated to provide trust services by the South Dakota Division of Banking in South Dakota (USA); a member of l'Association Romande des Intermédiaires Financiers (Switzerland); licensed by the Isle of Man Financial Services Authority and authorised and regulated by the Financial Conduct Authority (UK).

For our full website disclaimer, please visit: www.jtcgroup.com/disclaimer.

For JTC Group's full terms of business, please visit: www.jtcgroup.com/terms-of-business

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