

The Promotion of Access to Information Act, 2 of 2000 gives persons the right of access to information that is required for the exercise or protection of any rights. In order for access to information to be granted, certain requirements have to be met. The Act also requires private bodies such as SA Bullion Fund Management (Proprietary) Limited to compile a manual, designed to assist people who want to exercise their right to access to information. This manual, as well as the prescribed request form and fees payable should you wish to exercise your right of access to information, are available on this web page.

MANUAL PREPARED IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT, NO 2 OF 2000, FOR THE FOLLOWING ENTITY:

- SA Bullion Fund Management (Pty) Ltd

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A. INTRODUCTION TO ENTITIES

SA Bullion Fund Management (Pty) Limited is approved by the Financial Services Board ("the FSB") as an authorized financial services provider

B. PARTICULARS IN TERMS OF THE SECTION 51 MANUAL

This Manual has been compiled in accordance with the Promotion of Access to Information Act 2 of 2000 ("the Act") and applies to all the identified entities.

1. Contact details

All requests for information in terms of this manual should be directed to:

The Managing Director	9 Lair Avenue
SA Bullion Fund Management (Pty) Limited	Hout Bay
PO Box 26253	Western Cape
Hout Bay	7806
Western Cape	
7872	

Telephone: +27 - 21 – 790 6659 Fax: +27 - 86 – 610 6659

2. The section 10 Guide on how to use the Act

Should you require greater clarity on or assistance with the Act, we refer you to the Guide that must be published by the South African Human Rights Commission ("SAHRC") in terms of section 10 of the Act. It will, inter alia, include:

- the objectives of the Act
- the relevant contact details of each public and private body (where possible)
- the process that needs to be followed in order to request access to records
- assistance available from the SAHRC and information officers of public bodies
- how to obtain access to the manual of a private body
- all the remedies available to you in law
- details on prescribed fees payable in respect of requests for information

The Guide will be printed in each official language in the Government Gazette and will be available for inspection by the public at the offices of the SAHRC.

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 - 011 484 - 8300

Fax : +27 - 011 484 - 0582/1360

Website : www.sahrc.org.za

E-mail : PAIA@sahrc.org.za

3. Types of Records

(a) Records are held in terms of the following legislation:

Long-term Insurance Act, 52 of 1998

Pension Funds Act, 24 of 1956

Promotion of Access to Information Act 2 of 2000

Inspection of Financial Institutions Act, 80 of 1998

Financial Advisory and Intermediary Services Act, 37 of 2002

Labour Relations Act, 66 of 1995

Basic Conditions of Employment Act, 75 of 1997

Companies Act, 61 of 1973

Consumer Affairs (Unfair Business Practices Act), 71 of 1988

Compensation of Occupational Injuries and Diseases Act, 130 of 1993

Administration of Estates Act, 66 of 1965

Trust Property Control Act, 57 of 1988

Usury Act, 73 of 1965

Prevention and Combating of Corrupt Activities Act, 12 of 2004

Securities Services Act, 36 of 2004
Employment Equity Act, 55 of 1998
Collective Investment Schemes Control Act, 45 of 2002
Financial Intelligence Centre Act, 38 of 2001
Prevention of Organised Crime Act, 121 of 1998
Electronic Communications and Transaction Act, 25 of 2002
Income Tax Act, 58 of 1962
Value-Added Tax Act, 89 of 1991
Unemployment Insurance Act, 30 of 1966
Protection of Constitutional Democracy Against Terrorist and Related Activity Act, 33 of 2004
Trade Marks Act, 194 of 1993
Financial Institutions (Protection of Funds) Act, 28 of 2001

(b) Records available without requesting access in terms of the Act

A private body may, on a voluntary and periodic basis, submit to the Minister a description of categories of records, which are automatically available without a person having to request access in terms of the Act. The Minister must publish any description so submitted by notice in the Gazette.

The identified entity has not submitted any such description for publication in the Gazette. Certain records are however freely available on the website at www.sabullion.co.za.

(c) Records available on request

We set out below the subjects and categories of records that are, subject to access being denied as set out in the Act, available for the purposes of the Act:

Records are held on the following subjects:

- Personnel records
- Client-related records
- Private body records
- Records in the possession of or pertaining to other parties

i. Personnel records

Personnel refers to any person who works for or provides services to or on behalf of the private body and receives or is entitled to receive any remuneration and any other person who assists in carrying out or conducting the business of the private body. This includes, without limitation, directors, executives, non-executives, all permanent, temporary and part-time staff as well as contract workers.

Personnel records include the following:

- Any personal records provided to the private body by their personnel;
- Any records a third party has provided to the private body about any of their personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records;
- Internal evaluation records; and
- Other internal records and correspondence.

ii. Client-related records

A client includes any natural or juristic entity, who receives services from the private body. Client-related information includes the following:

- Any records a client has provided to a third party acting for or on behalf of the private body;
- Any records a third party has provided to the private body; and
- Records generated by or within the private body pertaining to the client, including transactional records.

iii. Private body records

The following are considered to include but not be limited to, records which pertain to the private body's own affairs:

- Financial records;
- Operational records;
- Databases;
- Information technology;
- Marketing records;
- Internal correspondence;
- Records relating to products and services;
- Statutory records;
- Internal policies and procedures; and
- Records held by officials of the private body.

iv. Other parties

The private body may possess records pertaining to other parties, including without limitation contractors, suppliers and service providers. Alternatively, such other parties may possess records, which can be said to belong to the private body.

The following records fall under this category:

- Personnel, client or private body records that are held by another party as opposed to being held by the private body; and
- Records held by the private body pertaining to other parties, including without limitation, financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about the contractors / suppliers.

4. Requesting procedures

A person who wants access to the records of any of the identified entities must complete the necessary request form.

The request form can be accessed on www.sabullion.co.za or www.sahrc.org.za. If a person needs assistance to obtain the form or on any other matter, please contact the Managing Director at the telephone number provided in clause 1.

The completed request form must be sent to the address or fax number provided in clause 1 and marked for the attention of the Managing Director.

The Managing Director will process the request and inform the requester of the fees (if any) that are payable and of the different procedures that must be followed until the request is finalised. A copy of the fee structure applicable to private bodies can be accessed on www.sabullion.co.za.

All the pertinent sections must be completed fully, failing which the process will be delayed while the Managing Director requests such additional information.

NOTE: Access to certain records may be or must be denied on the grounds set out in the Act.

Mandatory grounds for refusal include but are not limited to:

- Information for the protection of the privacy of individuals
- Information for the protection of commercial information and confidential information of third parties
- Information privileged from production in legal proceedings
- Commercial or research information of the company

5. Availability of the manual

Copies of this manual are available for inspection, free of charge, at the offices of SA Bullion Fund Management (Pty) Ltd. Copies are also available from the South African Human Rights Commission and on our website (www.sabullion.co.za).