



CURO Fund Services (Pty) Ltd

PROMOTION OF ACCESS TO INFORMATION ACT MANUAL

Reg. No. 1999/024400/07

Approved: April 2023



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1. INTRODUCTION

- 1.1. Curo Fund Services (Pty) Ltd (“Curo”) is an authorised Financial Services Provider (FSP) in terms of the Financial Advisory & Intermediary Service Act, No. 37 of 2002 (“FAIS”) and regulated by the Financial Sector Conduct Authority (“FSCA”). As an authorized FSP, with FSP number 42790, Curo complies with the requirements prescribed under FAIS.
- 1.2. Curo is committed to ensuring that all business is conducted in accordance with good business practice and relevant legislation. In order to promote effective governance, it is necessary to ensure that all affected parties are educated and empowered to understand and access their rights in terms of Promotion of Access to Information Act, No. 2 of 2000 as Amended (“PAIA”), where applicable.

2. PURPOSE

- 2.1. Section 32(1)(a) of the Constitution of the Republic of South Africa provides that everyone has a right of access to information held by the state and any other person that is required for the exercise or protection of any rights.
- 2.2. Section 50 of PAIA gives effect to the constitutional right of access to any information held by a private body that is required for the exercise of protection of any rights. This manual has been prepared, as required by section 51 of PAIA for Curo.
- 2.3. This PAIA Manual is useful for the public to -
 - a) check the categories of records held by Curo which are available without a person having to submit a formal PAIA request;
 - b) have a sufficient understanding of how to make a request for access to a record of Curo, by providing a description of the subjects on which Curo holds records and the categories of records held on each subject;
 - c) know the description of the records of Curo which are available in accordance with any other legislation;
 - d) access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;
 - e) know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
 - f) know if Curo will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
 - g) know the description of the categories of data subjects and of the information or categories of information relating thereto;

- h) know the recipients or categories of recipients to whom the personal information may be supplied;
 - i) know if Curo has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
 - j) know whether Curo has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.
- 2.4. Where a request is made in terms of PAIA, Curo is obliged to release the information, except where PAIA expressly provides that the information may or must not be released.
- 2.5. The objective of this PAIA Manual is to outline a suitable approach and response to requests to access information and the essential procedural requirements attached to such requests. This PAIA Manual should be read in conjunction with the Protection of Personal Information Act 4 of 2013 (“POPIA”) and Curo’s Privacy Policy in respect of Personal Information requests.
- 2.6. This PAIA Manual informs requesters of procedural and other requirements, as prescribed by PAIA. It is important to note that section 9 of PAIA recognises certain limitations to the right of access to information, including, but not limited to:
- Limitations aimed at the reasonable protection of privacy;
 - Commercial confidentiality; and
 - Effective, efficient, and good governance.

Further to this, PAIA recognises the act of balancing a right to request information with any other right, including such rights as contained in the Bill of Rights¹.

¹ The Constitution of the Republic of South Africa, 1996 - Chapter 2: Bill of Rights.

3. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF CURO

All requests for information in terms of Curo's PAIA Manual must be directed to:

3.1. Information Officer:

Name: Lionel Vice
Telephone Number: 0219444723
Email: Lionel.Vice@curofund.com
Designation: Chief Operations Officer

3.2. Deputy Information Officer:

Name: Mandla Dlova
Telephone Number: 0219444706
Email: Mandla.Dlova@curofund.com
Designation: Human Resources Executive

3.3. Access to information general contacts:

Email address: GRC.RISK@curofund.com;
legal.compliance@curofund.com

3.4. Curo Head Office

Postal Address: Private Bag X4, Tyger Valley, 7536
Physical Address: Mispel Street, Parc Du Cap,
Building 2, Bellville, 7530
Telephone: 021 944 4000
Website: <https://www.curofund.com/>
Email: CuroCommunication@curofund.com

4. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

- 4.1. The Information Regulator has updated and made available a useful guide in terms of section 10(1) of PAIA, as amended, containing valuable information for the purposes of exercising any right in terms of PAIA and POPIA.
- 4.2. The revised Guide is made available in all official languages on the website of the Information Regulator at the following URL: https://inforegulator.org.za/wp-content/uploads/2020/07/PAIA-Guide-English_20210905.pdf as well as in braille.
- 4.3. The aforesaid Guide contains the description of –
- a) the objects of PAIA and POPIA;
 - b) the postal and street address, phone and fax number and, if available, electronic mail address of
 - the Information Officer (IO) of every public body, and
 - every Deputy Information Officer (DIO) of every public and private body designated in terms of section 17(1) of PAIA² and section 56 of POPIA.³
 - c) the manner and form of a request for
 - access to a record of a public body contemplated in section 11⁴ ; and
 - access to a record of a private body contemplated in section 50.⁵ ;
 - d) the assistance available from the IO of a public body in terms of PAIA and POPIA;
 - e) the assistance available from the Information Regulator in terms of PAIA and POPIA;
 - f) all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging
 - an internal appeal;
 - a complaint to the Information Regulator; and

² Section 17(1) of PAIA - For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.

³ Section 56(a) of POPIA - Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.

⁴ Section 11(1) of PAIA- A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.

⁵ Section 50(1) of PAIA- A requester must be given access to any record of a private body if a) that record is required for the exercise or protection of any rights; b) that person complies with the procedural requirements in PAIA relating to a request for access to that record; and c) access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.

- an application with a court against a decision by the IO of a public body, a decision on internal appeal or a decision by the Information Regulator or a decision of the head of a private body;
 - g) the provisions of sections 14⁶ and 51⁷ requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
 - h) the provisions of sections 15⁸ and 52⁹ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
 - i) the notices issued in terms of sections 22¹⁰ and 54¹¹ regarding fees to be paid in relation to requests for access; and
 - j) the regulations made in terms of section 92.¹²
- 4.4. Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.
- 4.5. The Guide can also be obtained -
- upon request to the IO, and
 - from the website of the Regulator (<https://inforegulator.org.za/paia-guidelines/>).
- 4.6. A copy of the Guide is also available in the following two official languages, for public inspection during normal office hours:
- English
 - Afrikaans
- 4.7. The prescribed forms to be used to request access to records from a public or private body can be accessed on the website of the Regulator:

⁶ Section 14(1) of PAIA- The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.

⁷ Section 51(1) of PAIA- The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.

⁸ Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access.

⁹ Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access.

¹⁰ Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹¹ Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹² Section 92(1) of PAIA provides that –“The Minister may, by notice in the Gazette, make regulations regarding-
(a) any matter which is required or permitted by this Act to be prescribed;
(b) any matter relating to the fees contemplated in sections 22 and 54;
(c) any notice required by this Act;
(d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and
(e) any administrative or procedural matter necessary to give effect to the provisions of this Act.”

- **Form 02: Request for Access to Record** <https://infoeregulator.org.za/wp-content/uploads/2020/07/InfoRegSA-PAIA-Form02-Reg7.pdf> (infoeregulator.org.za) [Regulation 7] - Public & Private Bodies.
- **Form 03: Outcome of Request and of Fees Payable** <https://infoeregulator.org.za/wp-content/uploads/2020/07/Form-3-PAIA.pdf> [Regulation 8] - Public & Private Bodies.

5. CATEGORIES OF RECORDS OF CURO WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

Category of Records	Types of Records	Available on Website	Available upon Request
Public facing policies and notices	PAIA Manual, Privacy Policy, Cookie Policy, Terms and Conditions, Code of Conduct	x	
Curo Certification	BBB-EE Certificate	x	X
Website	Site Privacy Policy, Non-confidential Company information	x	X
Marketing Material/Brochures/Pamphlets	Service Offering		X

6. DESCRIPTION OF THE RECORDS OF CURO WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

Category of Records	Applicable Legislation
Memorandum of Incorporation	Companies Act 71 of 2008
Company registration documents	Companies Act 71 of 2008

Minutes of Board of Directors meetings	Companies Act 71 of 2008
Records relating to the appointment of directors, auditors, company secretary, public officer and/or other officers	Companies Act 71 of 2008
Share Register and other statutory registers	Companies Act 71 of 2008
Annual Financial Statements	Companies Act 71 of 2008
VAT Returns	Value Added Tax Act, No. 89 of 1991
PAYE Records	Income Tax Act, No. 95 of 1967
Documents issued to employees for income tax purposes	Income Tax Act, No. 95 of 1967
Records of payments made to SARS on behalf of employees	Income Tax Act, No. 95 of 1967
Skills Development Levies	Skills Development Act, No. 9 of 1999
UIF	Unemployment Insurance Act, No. 63 of 2001
Employment contracts	Labour Relations Act, No. 66 of 1995
Employment Equity Plan	Employment Equity Act, No. 55 of 1998
Pension Fund records	Pension Funds Act No. 24 of 1956
Disciplinary records	Labour Relations Act, No. 66 of 1995
Employment Contracts, Pay slip records	Basic Conditions of Employment Act, No. 66 of 1995
Training Manuals	Basic Conditions of Employment Act, No. 75 of 1997
Private Body records	Companies Act, No. 71 of 2008

Client related records	Financial Intelligence Centre Act, No. 38 of 2001
Commercial activities of Curo	Financial Advisory and Intermediary Services Act, No. 37 of 2002
Records of Personal Information	Protection of Personal Information Act, No. 4 of 2013
PAIA Manual	Promotion of Access to Information Act, No. 2 of 2000

7. DESCRIPTION OF THE SUBJECTS ON WHICH CURO HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY CURO

Subjects On Which the Body Holds Records	Categories Of Records
Strategic Documents, Plans, Proposals Annual Reports,	Strategic Plan, Annual Performance Plan
Human Resources	HR policies and procedures - Advertised posts - Employees records <ul style="list-style-type: none"> • Staff management and payroll administration • Taxes (Pay-As-You-Earn) information
Financial Services and Facilities	<ul style="list-style-type: none"> • Payments and proof of payments • Invoices • Vendor contracts • Payroll, Salary information • Vendor and Client personal information • Employment History
Operations	<ul style="list-style-type: none"> • Includes Portfolio Related Static Data, that is related to: Trade Accounts and Fund Account Information such as Fund

	Codes, Security Codes, BIC Codes, Scrip Account information, Portfolio information, the client's investments information; Cash Bank entry information, Bank Accounts, (Fund) Income information
Client Services	<p>Client records that are not in the public domain</p> <ul style="list-style-type: none"> • Passports/ID Documents • Investment Administration Agreements and fee schedules relating to a Client's Service Level Agreements • Authorised signatory lists • Complaints letters • Ad hoc items that are client specific • Holding Reports • Intellectual capital belonging to client • Meeting minutes, confidential incident reporting
Risk and Compliance	<ul style="list-style-type: none"> • Vendor Due diligences and KYC (and Recertification)
IT	<ul style="list-style-type: none"> • System Administrator information • Personal Information stored on Project Atlas, HiPortfolio and Connex

8. PROCESSING OF PERSONAL INFORMATION

8.1 Purpose of Processing Personal Information

Personal Information forms part of Curo's requirements when establishing a business relationship with Data Subjects to facilitate the relevant business activities. Certain Personal Information is also required in terms of the Financial Intelligence Centre Act, 38 of 2001 and Curo's Risk Management and Compliance Programme. Curo further needs certain Personal

Information as it pertains to Data Subjects to provide such Data Subjects (where applicable) with the following services:

- (a) To establish a legal relationship with the Data Subject;
- (b) The necessity for the performance of a contract;
- (c) Protecting vital interests of the employee or another natural person;
- (d) The necessity for the performance of a task carried out in the public interest;
- (e) To ensure investment administration services are effectively and efficiently provided to clients; and
- (f) Compliance with legal and regulatory requirements.

8.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto

Categories of Data Subjects	Personal Information that may be processed
Investment Administration Clients	name, address, registration numbers or identity numbers, employment status and bank details
Vendors and independent contractors	names, registration number, vat numbers, address, trade secrets and bank details
Employees	address, qualifications, gender and race
Curo Website visitors	cookie information, IP address
Curo office building visitors	names, signature, health-check information, company name

8.3 The recipients or categories of recipients to whom the personal information may be supplied

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Employee Qualifications, for qualification verifications	South African Qualifications Authority
BBB-EE information	BBB-EE certification Vendor
Employee Names and ID numbers	Employee Verification Service Providers
Tax Records	South African Revenue Services
Employee Pension Fund Contribution Information	Pension Funds
Client Personal, financial and transactional information	Regulators and Relevant Law Enforcement Agents
Client Due Diligence	Financial Intelligence Centre/Financial Sector Conduct Authority
Data Breach Reports	Information Regulator
Trade Information	Client Custodians
Address and contact information	Courier Service Providers
Company Financial Records/Statements	Auditors

8.4 Planned transborder flows of personal information

Curo takes reasonable measures including the conclusion of Operator Schedules, to ensure security safeguards are maintained for transborder flows of personal information e.g., where Curo vendors maintain servers and facilities outside of the Republic of South Africa.

8.5 General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information

Access to Personal Information is restricted to authorised personnel, only to the extent necessary to properly execute their function. Where a service provider has been acquired to provide data processing services, e.g., physical or cloud-based storage facilities, Curo acquires assurance of POPIA compliance and/or has concluded a POPIA agreement with such service provider to delineate rights and obligations, especially security safeguards, in line with POPIA. Curo uses use best endeavours to employ and implement appropriate security standards, practices,

controls, policies and procedures in relation to its data security, network and related infrastructures. Should any other party be granted access the infrastructure of Curo, that party shall be required to comply with the security standards, practices, controls, policies, and procedures prescribed by Curo.

9. AVAILABILITY OF THE MANUAL

9.1 A copy of the Manual is available -

9.1.1 on Curo's website at <https://www.curofund.com/>

9.1.2 at the office of Curo for public inspection during normal business hours;

9.1.3 to any person upon request and upon the payment of a reasonable prescribed fee;

and

9.1.4 to the Information Regulator upon request.

9.2 A fee for a copy of the Manual, as contemplated in Appendix 1 of this manual (annexure B of the PAIA Regulations), shall be payable per each A4-size photocopy made.

10. UPDATING OF THE MANUAL

The Policy Administrator of this manual shall update this manual on a regular basis.



Lionel Vice

Managing Director and Chief Executive Officer

Policy Administrator

Contact Person	Shihaam Croeser
Designation	Executive: Governance, Risk and Compliance
Department	Governance, Risk and Compliance
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Version information

Version	Date	Description of changes	Author / Editor
1.0	November 2020	Initial draft	Prelene Naicker
1.1.	December 2020	Review	Shihaam Croeser
1.2.	November 2022	Edits	Jodie Brown
2.0	November 2022	Update/Review	Thembelihle Ngubane
2.1.	September 2022	Update	Thembelihle Ngubane

Review

Frequency of review	Next review date	Last review date
Every 2 years or as required	April 2025	April 2023

Appendix 1

PRESCRIBED FEES

No.	Description	Amount
1	The request fee payable by every requestor	R140.00
2	Photocopy printed black/white copy of A4 size page	R2.00 per page or part thereof
3	Printed copy of A4-size page	R2.00 per page or part thereof
4	For a copy in a computer-readable form on –	
	(i) Flash Drive (to be provided by the requestor)	R40.00
	(ii) Compact Disc	
	- If provided by the requestor	R40.00
	- If provided to the requestor	R60.00
5	For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on quotation from service provider.
6	Copy of visual images	
7	Transcription of an audio record per A4-size page	R24,00
8	For a copy of an audio record on –	
	(i) Flash Drive (to be provided by the requestor)	R40.00
	(ii) Compact Disc	
	- If provided by the requestor	R40.00
	- If provided to the requestor	R60.00
9	To search 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.	R145.00
	To not exceed the total cost of	R435.00

10	Deposit: If search exceeds 6 hours	One third of amount per request calculated in terms of 2 and 8
11	Postage, e-mail or any other electronic transfer	Actual expense, if any.