PROMOTION OF ACCESS TO INFORMATION ACT

MANUAL



Éxito

INVESTMENT MANAGERS

We welcome You

ÉXITO INVESTMENT MANAGERS (PTY) LTD

REG NO 2020/432664/07

FSP NO 51399

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1. DEFINITIONS

1.1. **Data Subject** means the person to whom the Personal Information relates;

1.2. **FAIS Act** means the Financial Advisory and Intermediary Services Act, No. 37 of 2002;

1.3. **FSCA** means the Financial Sector Conduct Authority;

1.4. **FSP** means financial services provider;

1.5. **Information Regulator** means the Office of the Information Regulator as established in terms of section 39 of POPIA, to monitor and enforce compliance with both POPIA and PAIA;

1.6. **PAIA** means the Promotion of Access to Information Act No. 2 of 2000, as amended;

1.7. **Personal Information** means any information relating to an identifiable natural person, or to the extent applicable, a juristic person. This includes, but is not limited to information relating to race, gender, sex, pregnancy, marital status, ethnic and social origin, colour, sexual orientation, age, physical or mental health, religion, disability, language, information relating to educational, medical, financial, criminal or employment history, any identifying number, email address, physical address, telephone number, location information, online identifier or biometric Personal Information;

1.8. **PoPIA** means the Protection of Personal Information Act No.4 of 2013;

1.9. **Process or Processing** means any activity concerning Personal Information including the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use, dissemination by means of transmission, distribution or making available in any other form, or merging, linking, as well as restriction, degradation, erasure or destruction of information**;**

1.10. **Record/s** means any recorded information regardless of the from, including, for example, written documents, audio, digital and video materials. A Record requested from a public or private body refers to a Record that is in that body's possession regardless of whether that body created the Record;

1.11. **Responsible Party** 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.

2. INTRODUCTION

2.1. Éxito Investment Managers (Pty) Ltd is an authorised FSP in terms of the FAIS Act and is regulated by the FSCA. The FSP number is 51399

2.2. The company provides fund management services to institutional investors and retail clients

3. PURPOSE OF PAIA MANUAL

3.1. This PAIA Manual may be used by the public to:

3.1.1. check the categories of Records held by the FSP that are available without having to submit a formal PAIA request;

3.1.2. understand how to request access to a Record of the FSP, by describing the subjects on which the FSP holds Records and the categories of Records held on each subject;

3.1.3. know which Records of the FSP are available in accordance with other legislation;

3.1.4. access the relevant contact details of the persons who will assist the public with the Records they intend to access;

3.1.5. know where to access the Information Regulators guide on how to use PAIA;

3.1.6. know whether the FSP will process personal information, for what purpose personal information is processed and the description of the categories of data subjects and of the information or categories of information relating thereto;

3.1.7. know the recipients or categories of recipients to whom the personal information may be supplied;

3.1.8. know if the FSP 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

3.1.9. know whether the FSP has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed

4. COMPANY CONTACT DETAILS

Head Office Physical Address:	2874 Midmar Drive, Waterfall Country Estate, Midrand, 1682
Head Office Postal Address:	2874 Midmar Drive, Waterfall Country Estate, Midrand, 1682
Telephone No.:	+27 (0) 10 541 1839
E-mail:	info@exitoim.co.za
Website:	www.exitoim.co.za
Information Officer:	Walker Naudé
Tel no.:	+27 (0) 10 541 1839
E-mail:	walker@exitoim.co.za

5. ACCESS TO RECORDS

5.1. PAIA grants a requester access to certain Records of a private body if the said Records are required to exercise or protect any rights of the requester. Should a public body lodge such a request, it must be acting in the public interest.

5.2. Any request for information in terms of PAIA, must be made in accordance with the prescribed form and manner, at the rates provided. The prescribed form and manner and the tariff are dealt with in sections 6 and 7.

5.3. The contact details of the Information Regulator are as follows:

Postal Address:	: PO Box 31533, Braamfontein, Johannesburg, 2017
E-mail address	: inforeg@justice.gov.za
Website	: https://inforegulator.org.za/

5.4. The Information Regulator has, in terms of section 10(1) of PAIA, as amended, made available a Guide on how to use PAIA (the Guide), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA. The Guide is available in each of the official languages and in braille, and can be obtained from the Information Regulator's website at https://inforegulator.org.za/paia-guidelines/

If your PAIA request is denied, or there is no response from a public or private body for access to Records, a complaint can be lodged with PAIAComplaints@inforegulator.org.za

6. SCHEDULE OF RECORDS

CATEGORY OF RECORDS	TYPE OF RECORDS	AVAILABLE ON WEBSITE	REQUEST ACCESS
Marketing records	Advertisements, press releases		X
Human Resources	HR Policies, employment records		X
Client Communication records	Fund fact sheets		X
Company Act records	Documents of incorporation, Memorandum and articles of association, records relating to appointment of directors, share register and other statutory registers		X

7. RECORDS AVAILABLE IN TERMS OF SOUTH AFRICAN LEGISLATION

CATEGORY OF RECORD	APPLICABLE LEGISLATION

Memorandum of Incorporation	Companies Act, 71 of 2008
PAIA Manual	Promotion of Access to Information Act 2 of 2002

8. FORM OF A REQUEST FOR INFORMATION

8.1. A requester must use the prescribed Form 2 to request access to the information as per paragraph 6 above

8.2. Form 2 can be accessed at the following URL: https://inforegulator.org.za/paia-forms/

8.3. The request must be addressed to the Information Officer as indicated in clause 4

8.4. The requester must provide sufficient detail on Form 2 to enable the Information Officer of the company to establish who is requesting the said information as well as what information is being requested and in what format

8.5. The requester must provide sufficient detail in respect of his/her contact details and if the requester wishes to be informed of the decision of the company in any manner (in addition to written) the manner and particulars thereof

8.6. Lastly, the right which the requester is seeking to exercise or protect with an explanation of the reason the Record is required to exercise or protect the right.

8.7. After the company has decided on the request, the requester must be notified in the required form.

8.8. 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 hour to search and prepare the Record for disclosure. A Form 3 needs to be completed, which can be accessed at the following URL: https://inforegulator.org.za/paia-forms/

8.9. If the request is refused in terms of either the mandatory or discretionary grounds of refusal, the FSP must notify the requester thereof

9. PRESCRIBED FEES

9.1. A requester who seeks access to a Record containing Personal Information about that requester is not required to pay a request fee

9.2. Every other requester, who is not a personal requester, must pay the required request fee, as prescribed from time to time

9.3. If the preparation of the Record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted).

A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit.

9.4. Records may be withheld until the fees have been paid

9.5. Fees applicable in respect of private bodies are as per Annexure B of the regulations to PAIA

10. PROCESSING OF PERSONAL INFORMATION IN TERMS OF PoPIA

10.1. The FSP may be required to Process Personal Information in terms of PoPIA

10.2. A Data Subject is entitled to access the Personal Information held by a Responsible Party, including information about the identity of all third parties, or categories of third parties, who have, or have had, access to the Personal Information

10.3. To view the FSPs Privacy Policy, contact the Information Officer as per clause 4

11. AVAILABILITY OF THE MANUAL

11.1. This manual is available for inspection at the offices of the company during normal business hours free of charge upon prior arrangement with the Information Officer of the company as per clause 4

11.2. A copy is also made available on the website of the FSP

Name Walker Naudé

Signature 

Designation Director

Signed on this day of 4 December 2023 at Midrand

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