

Bateleur Capital

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Manual prepared to the Promotion of Access to Information Act





PAIA Manual

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A. Introduction

Bateleur Capital (Pty) Ltd ("Bateleur") is an approved Discretionary Financial Services Provider (FSP No. 18123) with the Financial Sector Conduct Authority ("FSCA") in terms of the Financial Advisory and Intermediary Services Act, 2002.

Bateleur does not form part of a group of companies.

The legal and compliance department has been authorised by the CEO to attend to the requests as provided for in this Manual and in accordance with the Promotion of Access to Information Act 2 of 2000 ("Act").

B. Particulars to Section 51

The manual has been compiled in compliance with the Act and applies to Bateleur.

1. Contact Details

For all requests for information: Attention: Legal and Compliance Officer

email: legal@bateleurcapital.com

telephone: 021 681 5060

Postnet Suite 130	SG 109 Great Westerford Building
Private Bag X1005	240 Main Road
Claremont	Rondebosch
Cape Town	Cape Town
7735	7700

2. Section 10 guide to on use of the Manual

Should you require greater clarity on or assistance with the Act, we refer you to the Guide that has been published by the South African Human Rights Commission ('SAHRC') in terms of section 10 of the Act. It includes:

- what the objects of this Act are;
- 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 get access to the manual of a private body;
- all the remedies available in law to you; and
- details on prescribed fees payable in respect of requests for information.

This Guide will be made available in such official language as may reasonably be required by a person who wishes to exercise any right contemplated in the Act.

Please direct any queries to:
The South African Human Rights Commission PAIA Unit
The Research and Documentation Department
Postal address: Private Bag X2700
Houghton 2041
Telephone: +27 11 877 3803
Fax: +27 11 403 0625

Website: www.sahrc.org.za

E-mail: paia@sahrc.org.za

3. Types of Records

Records available in terms of any other legislation

All records kept and made available in terms of legislation applicable to any of the entities listed in this manual and the financial services industry in general, as it applies to the specific environment in which the entity operates, are available in accordance with said legislation.

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 entities have not submitted any such description for publication in the Gazette. Certain records are however freely available on the Internet at www.bateleurlcapital.com

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 upon request for the purposes of the Act:

Records are held on the following subjects:

- a. Personnel records;
- b. Client-related records;
- c. Private body records; and
- d. Records in the possession of or pertaining to other parties.

a. 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.

b. 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.

c. Private body records

A private body's records relate to the body's own affairs and are considered to include, but not limited to:

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

d. Other parties

The private body may possess records pertaining to other parties, including without limitation contractors, suppliers, subsidiary/holding/sister companies, joint venture companies, service providers.

The following records fall under this category:

Personnel, client or private body records which 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. Request process

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

The request form can be accessed on our website www.bateleurcapital.com or at www.sahrc.org.za. If any assistance is required to obtain the form or on any other matter, please contact us by means of any of the contact details referred to in paragraph 1.

The completed request form must be sent to the any of the above detailed contact details provided in paragraph 1 and marked for the attention of the Information Officer.

We will process the request and notify you of the fees (if any) that are payable and of the different procedures that must be followed until the request is finalised. The breakdown of fees for private bodies is details in Section C below.

All the relevant sections of the request form must be completed fully, failing which could result in a delay.

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 information of the company; and
- Research information.

5. Availability of the manual

Copies of this manual are available for inspection, free of charge, at our office.

Copies are also available from the South African Human Rights Commission and on our website www.bateleurcapital.com

C. Fees – Private Body

Reproduction Fees:

Where a private body has voluntarily provided the Minister with a list of categories of records that will automatically be made available to any person requesting access thereto, the only charge that may be levied for obtaining such records, will be a fee for reproduction of the record in question.

The applicable fees for reproduction as referred to above are:	R
For every photocopy of an A4-size page or part thereof	1.10
For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine- readable form	0.75
For a copy in a computer-readable form on - stifty disc - compact disc	7.50 70.00
For a transcription of visual images, for an A4-size page or part thereof For a copy of visual images	40.00 60.00
For a transcription of an audio record, for an A4-size page or part thereof For a copy of an audio record	20.00 30.00

Request Fees:

Where a requester submits a request for access to information held by a private body on a person other than the requester himself/herself, a request fee in the amount of R 50.00 is payable up-front before the private body will further process the request received.

Access Fees:

An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specifically excluded in terms of the Act or an exclusion is determined by the Minister in terms of section 54(8).

The applicable access which will be payable are:	R
For every photocopy of an A4-size page or part thereof	1.10
For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine- readable form	0.75
For a copy in a computer-readable form on - stifty disc - compact disc	7.50 70.00
For a transcription of visual images, for an A4-size page or part thereof For a copy of visual images	40.00 60.00
For a transcription of an audio record, for an A4-size page or part thereof For a copy of an audio record	20.00 30.00
To search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation	
Where a copy of a record needs to be posted the actual postage fee is payable	

Deposits:

Where a private body receives a request for access to information held on a person other than the requester himself/herself and the information officer upon receipt of the request is of the opinion that the preparation of the required record for disclosure will take more than 6 (six) hours, a deposit is payable by the requester.

The amount of the deposit is equal to one-third of the amount of the applicable access fee.

Bateleur Capital (Pty) Ltd

Authorised financial services provider
FSP no 18123

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SG 109, Great Westerford
240 Main Road, Rondebosch
7735

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T +27 (0)21 681 5060

F +27 (0)86 649 1794

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E funds@bateleurcapital.com

W bateleurcapital.com