



Lionel Isaacs Insurance Brokers (Pty) Ltd (the "private body")

Financial Services Provider # 13343

MANUAL

In terms of The Promotion of Access to Information Act 2000 and

The Protection of Personal Information Act, 2013 (POPIA)

(the "ACT")



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<u>Approval:</u>	<u>Signature:</u>
<u>Reviewed and approved by:</u>	
Lance Williams (Information Officer)	
Craig Watkins (Deputy Information Officer)	

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1. Introduction

Lionel Isaacs Insurance Brokers (Pty) Ltd (FSP# 13343) is authorized to carry on business as a Financial Services Provider in respect of:

- **Long-term Insurance:** Category A, C
- **Short-term Insurance:** Personal Lines, Commercial Lines.
- **Financial intermediary services** for the above categories.

This manual has been prepared in accordance with **PAIA (Act 2 of 2000)** and **POPIA (Act 4 of 2013)** and is reviewed annually or upon legislative changes.

2. Purpose of the Manual

The manual provides:

- Procedures for requesting access to records
- Procedures for correction, deletion, or objection to processing personal information
- Guidance for staff and requesters on compliance with PAIA and POPIA
- Assurance of transparency, accountability, and protection of personal information

3. Introduction to PAIA

PAIA gives effect to the constitutional right of access to information held by public or private bodies where required for exercising or protecting rights.

Key Points:

- Requests must comply with PAIA procedures and prescribed forms.
- Certain limitations exist, such as protection of **privacy, commercial confidentiality, and governance considerations**.
- Information Officer is responsible for evaluating requests and ensuring compliance.

4. Introduction to POPIA

POPIA protects personal information processed by private and public bodies. It establishes rules for:

- Collection and processing of personal information
- Sharing, storage, and retention of information
- Rights of data subjects (access, correction, deletion, objection, complaint)
- Notification of data breaches
- Special personal information (health, financial, criminal data)

5. Contact Details & Information Officer

- **Information Officer:**
 - Lance Williams -lance.williams@icapital.co.za
- **Deputy Information Officers:**
 - Craig Watkins -cwatkins@liib.co.za
 - Alicia Hoffman -alicia.hoffman@icapital.co.za
- **Physical address:** 1st Floor, 33 Scott Street, Waverley, Johannesburg, 2090
- **Postal address:** PO Box 3436, Johannesburg, 2000
- **Telephone:** 011 483 1802 | **Fax:** 011 728 4350 | **Email:** insurance@liib.co.za

The Information Officers are responsible for:

- Evaluating PAIA and POPIA requests
- Ensuring staff are trained on compliance
- Reporting data breaches to the Information Regulator and affected individuals

6. Decision-Making Process

- Evaluate the request and identify the records sought
- Verify the identity and capacity of the requester
- Determine whether access will be granted or refused based on PAIA and POPIA
- Respond within **30 days**, extendable to **60 days for complex requests**
- Notify requester of decision, grounds for refusal, or fees.

7. Who May Request Information

- Any person (South African or foreign) may request access to records if required to exercise or protect a right.
- PAIA Section 50: private body records are accessible if necessary for exercising/protecting a right.
- Requests must comply with prescribed forms, fees, and procedures.

8. Request for Information About a Third Party

- Must comply with **Sections 71-72 of POPIA** and relevant PAIA sections.
- Written consent from the third party is required unless disclosure is required by law.
- The requester must demonstrate the **reason for access**.

9. Correction, Deletion & Objections

- Section 24 of POPIA: request for correction or deletion of personal information
- **Section 11(3)(a)**: objection to processing personal information
- Response within **30 days**, extendable to 60 days for complex requests
- Must use prescribed **Forms 1 & 2 of POPIA Regulations**

10. Data Subject Rights

- Right of access to personal information
- Right to correction and deletion
- Right to object to processing

- Right to withdraw consent
- Right to lodge a complaint with the **Information Regulator**
- Right to be notified in case of a **data breach**

11. Collection and Sharing of Personal Information

- **Collection Purposes:**
 - Insurance underwriting, claims processing, premium collection, operational purposes
 - Verification of identity and authority
 - Fraud detection and prevention
 - Audit, record-keeping, and regulatory reporting
- **Sharing Purposes**
 - Regulatory authorities and compliance
 - Legal obligations, court orders, or subpoenas
 - With client consent for specific purposes
 - Never sold for marketing without direct consent

12. Information Security Measures

- Allocation of responsibilities, access controls, and ID management
- Incident reporting and management
- Regular staff training
- Encryption of data in transit and at rest
- Backups and disaster recovery measures
- POPIA disclosures in client and operational processes

13. Record Retention Policy

- Retain records in accordance with **PAIA, POPIA, FICA, and other regulatory requirements**
- Records must be securely destroyed once retention period expires
- Includes client files, employee records, financial records, and correspondence

14. Applicable Legislation

- PAIA 2 of 2000
- POPIA 4 of 2013
- FICA 38 of 2001
- FAIS 37 of 2002
- Companies Act 71 of 2008
- ECTA 25 of 2002
- Consumer Protection Act 68 of 2008
- Financial Sector Regulation Act 9 of 2017
- Income Tax Act 58 of 1962, VAT Act 89 of 1991
- Employment-related legislation

15. Schedule of Records

- Company records, minutes, memoranda
- Financial records (PAYE, VAT, payments)
- Client and employee files
- Correspondence, research, and operational documents

16. Form of Request

- Use **PAIA Form 2** for access requests
- Use **PAIA Form 4** for internal appeals
- Must include: requester details, capacity, postal/email address, description of information, purpose, and right being exercised
- Submit electronically or physically

17. Fees

- Personal requester: no charge
- Other requesters: prescribed PAIA fees apply
- Fees for searching, copying, and preparation may be charged

18. Granting or Refusing Requests

- Decision communicated within **30 days** (extendable to 60 days)
- Sufficient explanation provided if refused
- Prescribed fees applicable if request granted

19. Grounds for Refusal

- Frivolous or vexatious requests
- Violates third-party privacy
- Privileged information (legal, commercial)
- Sections 63-69 PAIA and Section 34 POPIA

20. Remedies and Complaints

- Internal appeal within 30 days
- Complaint to **Information Regulator**
- Court recourse if necessary

21. Automated Decision-Making & Profiling

- Explain whether decisions use automated processing
- Rights to review and contest automated decisions

22. Data Breach Notification Procedure

- Notify Information Regulator **as soon as possible**
- Notify affected data subjects
- Follow internal incident response plan

23. Availability of the Manual

- Free inspection at office
- Electronic copy on company website or upon request

24. Review and Training

- Manual reviewed **annually** or upon regulatory change
- Staff trained annually on PAIA and POPIA compliance

25. Annexure A - PAIA/POPIA Request Process Diagram

