

MANUAL OF THE ACTUARIAL SOCIETY OF SOUTH AFRICA

**PREPARED IN TERMS OF THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF
2000**

A. CONTENTS

Introduction to the Actuarial Society of South Africa

- 1. Overview and objectives of the manual**
- 2. Contact details of head**
- 3. The Guide**
- 4. Records available in terms of other legislation**
- 5. Access to records held by the Actuarial Society of South Africa**
 - (i) Subjects and categories of records**
 - (ii) The request procedures**
- 6. Availability of the manual**
- 7. Prescribed fees and forms for private bodies**

B. PARTICULARS IN TERMS OF THE SECTION 51 MANUAL

Overview and objectives of the manual

The Promotion of Access to Information Act 2 of 2000 ("PAIA") gives effect to section 32 of the Constitution, which provides that everyone has the right to access information held by the State, as well as information held by another person (or private body) when such privately held information is required for the exercise and protection of rights.

More broadly, PAIA aims to underline the importance of access to information in a democratic society by fostering a culture of transparency and accountability. PAIA does this by requiring public (government) and private (non-government) bodies to create both a manual describing the type of records they hold, and procedures for others to access that information. PAIA also sets limits on the types of information that can be accessed.

This manual is compiled in accordance with Section 14 of PAIA and offers an outline of the Actuarial Society of South Africa's information, which is accessible to the public.

Introduction to the Actuarial Society of South Africa

The Actuarial Society of South Africa ("ASSA") is the professional organisation to which actuaries and some actuarial students in South Africa belong. It is not a statutory body. The actuarial profession is self-regulated in South Africa. ASSA is an examining body and awards the designations FASSA (Fellow of the Actuarial Society of South Africa), AMASSA (Associate Member of the Actuarial Society of South Africa) and CERA (Chartered Enterprise Risk

Actuary). From 2016, it will also award the CAA designation (Certified Actuarial Analyst/Assistant). The FASSA and AMASSA designations are recognised in the United Kingdom, Ireland, Australia and Germany. The designations are recognised by the Actuarial Association of Europe, and negotiations on recognition with various other actuarial organisations have reached an advanced stage.

ASSA has 1090 active Fellow members (i.e., fully qualified actuaries), some of whom reside in Europe, Australia, Botswana, Namibia and Zimbabwe. It has 1729 Student members.

The direction and control of ASSA's activities and the management of its affairs are the responsibilities of a Council, comprising 12 Fellow members and 1 Student member. Office-bearers are not remunerated for services rendered to ASSA.

The administrative office of ASSA is in Cape Town. It is staffed by 16 employees. The Chief Executive and four other executive staff members form the executive committee. The President and President-elect attend meetings of the executive committee.

1. Contact details of ASSA

Physical Address: Birkdale 1, Gloucester Road, Mowbray, Cape Town, 7405

Postal Address: P. O. Box 4464, Cape Town, 8000

Telephone: +27 (0) 87 073 8940

E-mail: memberservices@actuarialsociety.org.za

Head of Body: Michael Graham McDougall

2. The Information Officer

In terms of PAIA and the Protection of Personal Information Act 4 of 2013 (POPIA), the **CEO** (ceo@actuarialsociety.org.za) is ASSA's elected Information Officer.

The Information Officer's contact details:

[•]
Postal address : P. O. Box 4464, Cape Town, 8000

Physical address : Birkdale 1, Gloucester Road, Mowbray, Cape Town, 7405

Telephone : +27 (0) 87 073 8952

E-mail : ceo@actuarialsociety.org.za

3. **The Section 10 Guide on how to use PAIA**

The South African Human Rights Commission ("SAHRC") published a Guide as prescribed by Section 10 of PAIA. This Guide will be available from the SAHRC website and office until 30 June 2021, in each of South Africa's official languages. Please direct any queries regarding the Guide to:

The South African Human Rights Commission:

PAIA Unit

The Research and Documentation Department

Postal address : Private Bag 2700
Houghton
2041

Telephone : +27 11 484 8300

Facsimile : +27 11 484 0582

Website : www.sahrc.org.za

E-mail : PAIA@sahrc.org.za

Effective 1 July 2021, the Guide, as updated by the Information Regulator, will be available at the offices of the Information Regulator and on its website as prescribed by Section 10 of PAIA, and in accordance with POPIA. Please direct any queries regarding the Guide to:

Information Regulator:

The Research and Documentation Department

33 Hoofd Street, Forum III, 3rd Floor Braampark

P.O. Box 31533, Braamfontein, Johannesburg, 2017

Telephone Number: 010 023 5200

Website: www.justice.gov.za/inforeg/

Email (complaints): complaints.IR@justice.gov.za

Email (general enquiries): inforeg@justice.gov.za

4. **Records available in terms of other legislation**

A requester may request information which is available in terms of the following legislation, provided that the requester complies with the requirements set out in such legislation, this manual and PAIA:

- 4.1 Basic Conditions of Employment Act, 1997;
- 4.2 Broad-Based Black Economic Empowerment Act, 2003;
- 4.3 Compensation for Occupational Injuries and Diseases Act, 1993;
- 4.4 Income Tax Act, 1962;
- 4.5 Labour Relations Act, 1995;
- 4.6 Occupational Health and Safety Act, 1993;
- 4.7 Promotion of Access to Information Act, 2000;
- 4.8 Protection of Personal Information Act, 2013;
- 4.9 Skills Development Levies Act, 1999;
- 4.10 Unemployment Insurance Act, 2001; and
- 4.11 Value Added Tax Act, 1991.
- 4.12 Companies Act 61 of 1973
- 4.13 Pension Funds Act 24 of 1956
- 4.14 Employment Equity Act 55 of 1998

5. Access to records held by ASSA

(i) Subjects and categories of records held by ASSA

Note: This section of the manual sets out the subject and categories of records held by ASSA. The inclusion of any subject or category of records should not be taken as an indication that records falling within those subjects and/or categories will be made available under the Act. In particular, certain grounds of refusal as set out in the Act may be applicable to a request for such records.

5.1 Constitution of ASSA

- i. Constitutional documents (including incorporation documents, the memorandum of incorporation and the membership agreement).
- ii. Minute books and internal resolutions of ASSA.
- iii. Details concerning the identity of directors.
- iv. Annual Reports.

5.2 **Financial and tax records of ASSA**

- i. Accounting records, books and documents of ASSA.
- ii. Annual financial reports of ASSA.
- iii. Details of auditors of ASSA.
- iv. External auditors' reports in respect of audits conducted on ASSA.
- v. Tax returns of ASSA.
- vi. Other documents and agreements relating to taxation.
- vii. Financial accounting.

5.3 **Banking details of ASSA**

- i. Bank facilities and accounts details.
- ii. Bank statements.

5.4 **Human resources / employment records**

- i. List of employees.
- ii. Contracts of employment with employees of ASSA.
- iii. Personnel files.
- iv. HR policies and procedures.
- v. Staff records.
- vi. Leave records.
- vii. Sick leave records.
- viii. Disciplinary records and documentation pertaining to disciplinary proceedings.
- ix. Performance management.
- x. Training and skills development records.

5.5 **Intellectual Property**

- i. Trademarks, patents, copyrights, designs held by ASSA.
- ii. Licences relating to intellectual property rights.

- iii. Other agreements relating to intellectual property rights.
- iv. Education an examination material and records.

5.6 **Permits**

- i. Licences, material permits, consents, approvals, authorisations and certificates.
- ii. Applications for permits and licences.
- iii. Registrations and declarations of permits.

5.7 **Insurance records**

- i. Insurance policies taken out for the benefit of ASSA and its employees.

5.8 **Immovable and movable property**

- i. Other agreements for the purchase, ordinary sale, conditional sale, or hire of assets.

5.9 **Information technology**

- ii. Computer software support and maintenance agreements.
- iii. Web site development, support and maintenance agreements.
- iv. Computer software licence agreements.
- v. Agreements in respect of computer hardware used by ASSA.
- vi. Agreements with Internet Service Providers, and other telecommunications entities.
- vii. Leased line agreements.
- viii. Other documentation pertaining to computer systems and computer programs held by ASSA.

5.10 **Specific agreements relating to the business activities of ASSA**

- i. Indemnity, confidentiality and non-disclosure agreements.
- ii. Regulatory agreements.
- iii. Agreements relating to transactions.
- iv. Presentations to clients.

v. Research information.

5.11 **Policy documents**

5.12 **Miscellaneous agreements of ASSA**

i. Loans from third parties (including banks).

ii. Loans to third parties.

iii. Suretyship agreements.

iv. Agreements restricting the trading activities of people related to ASSA.

v. Agency, management and distribution agreements.

vi. Royalty agreements.

vii. Agreements in terms of which ASSA is a member of a joint venture, consortium, partnership, incorporated or unincorporated association, and shareholders' agreements of another entity which ASSA is a party to.

viii. Any other agreements.

5.13 **Correspondence**

i. Correspondence of ASSA, including internal and external memoranda.

5.14 **Information relating to legal proceedings**

i. Records relating to legal proceedings involving ASSA.

5.15 **Overseas interests and Investments of ASSA**

i. Agreements with foreign entities.

Data subject categories and their personal information

| Subject | Category |
|--|--|
| Data subject categories and their personal information | Members: record of member life cycle Employees: record of employee life cycle General public: general enquiries and viewing the company website; name, e-mail address Industry and related bodies: membership records |

| | |
|---|--|
| | <p>Media: records of media interactions</p> <p>Service providers: record of service provider details and service life cycle</p> |
| Recipients of personal information | <p>Employee pension and risk fund schemes</p> <p>Industry and related bodies</p> <p>Law enforcement</p> <p>Third-Party operators (service providers)</p> <p>Statutory authorities</p> |
| Expected transnational transfer of personal information | Transfer of personal information to and from operators |
| Security measures to protect personal information | <p>We use reasonable security methods to protect data that is provided to us and resides on our servers. Our security measures include:</p> <ul style="list-style-type: none"> • Access control measures • Internal security measures • Cyber security measures • Anti-virus measures • Installing security firewalls • Password control and protection • Training programmes on information security • Information security audits • IT-related company policies |

(ii) The request procedures

Form of request:

- A request for information must be made in the prescribed form, a copy of which is annexed hereto as **Annexe A**, must be addressed to the head of the ASSA and must be submitted with the prescribed fee.
- The prescribed request form and details regarding the prescribed fees are available from the South African Human Rights Commission (until 31 June 2021, after which these will be available at the offices and the official website of the Information Regulator), whose contact details are set out above.
- The requester must use the prescribed form to make the request for access to a record. This must be made to the head of ASSA. This request must be made to the address, fax number or electronic mail address of the head of ASSA.
- The requester must provide sufficient detail on the request form to enable the head of ASSA to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also indicate if he or she wishes to be informed in any other manner and state the necessary particulars to be so informed.

- The requester must identify the right that he or she is seeking to exercise or protect and provide an explanation as to why the requested record is required for the exercise or protection of that right.
- If a request is made on behalf of a person, the requester must submit proof of the capacity in which the requester is making the request to the satisfaction of the head of ASSA.

Fees:

- The head of ASSA must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee, if any, before further processing the request. A personal requester does not pay such fee.
- The requester may lodge an internal appeal or an application to the court against the tender or payment of the request fee.
- The head of ASSA will then decide on the request and notify the requester in the required form.
- If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that had exceeded the prescribed hours to search and prepare the record for disclosure.
- The prescribed fees are available from the head of ASSA and from the SAHRC (if the request is before 1 July 2021) or the Information Regulator (if the request is after 1 July 2021), whose contact details are set out above.

6. Grounds for refusal of access to records as stipulated in section 63 to 69 of PAIA and POPIA:

ASSA may deny access to certain records based on the grounds set out in PAIA. These include:

- mandatory protection of the privacy of a third party who is a natural person, including a deceased individual;
- mandatory protection of commercial information of a third party;
- mandatory protection of certain confidential information, special personal information and confidential information of a third party;
- mandatory protection of the safety of individuals and protection of property;
- mandatory protection of records privileged from production in legal proceedings; or
- mandatory protection of research information of a third party.

ASSA may deny access to commercial information if the record:

- contains trade secrets of a third party;
- contains financial, commercial, scientific or technical information, the disclosure of which would be likely to harm the commercial or financial interests of a third party's company; or
- contains information, the disclosure of which would reasonably be expected to put a third party's company at a disadvantage in contractual or other negotiations, or to prejudice the company in commercial competition.

ASSA must refuse a request for access to a record if its disclosure would constitute an action for breach of a duty of confidence owed to a third party in terms of an agreement.

7. Availability of the manual

The manual is available for inspection at the offices of ASSA free of charge and on the ASSA web site, available at www.actuarialsociety.org.za. Copies are also available with the SAHRC until 30 of June 2021.

8. Prescribed fees and forms in respect of private bodies

The prescribed forms and fees for requests to private bodies, are available on the website of the Department of Justice and Constitutional Development: www.doj.gov.za as well as the Information Regulators website: <https://www.justice.gov.za/inforeg/index.html>.

Updated on [●] June 2021

[●]
CHIEF EXECUTIVE OFFICER

Annexe A

Request for access to record

Particulars of [the company]

Name of [the company]:
Registration number: *[insert]*

The Head:

Physical Address:

Postal Address:

Telephone:

Telefacsimile:

E-mail:

Particulars of person requesting access to the record

The full particulars of the person who requests access to the record must be given below.

The address and/or fax number in the Republic to which the information is to be sent must be given.

Proof of the capacity in which the request is made, if applicable, must be attached.

Full names and surname: _____

Identity Number: _____

Postal Address:

Fax Number: _____ **Telephone Number:** _____

E-mail address: _____

**Capacity in which
request is made
when made on behalf
of another person:** _____

Particulars of person on whose behalf request is made

This section must be completed ONLY if a request for information is made on behalf of another person.

Full names and surname: _____

Identity Number: _____

Particulars of record

Provide full particulars of the record to which access is requested, including the reference number, if that is known to you, to enable the record to be located.

If the space is inadequate, please continue on a separate folio and attach it to this form. **The requester must sign all the additional folios.**

Description of record or relevant part of the record:

Reference number, if available:

Any further particulars of record:

Fees

A request for access to a record, other than a record containing personal information about yourself, will be processed only after a **request fee** has been paid.

You will be notified of the amount required to be paid as the request fee.

The **fee payable for access** to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.

If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

Form of access to record

If you are prevented by an impediment or disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

| | | | |
|--|--|--|--|
| Disability: _____ _____ _____ | | Form in which record is required: _____ _____ _____ | |
|--|--|--|--|

Mark the appropriate box with an "X":

NOTES:

6.1 Compliance with your request in the specified form may depend on the form in which the record is available.

6.2 Access in the form requested may be refused in certain circumstances. In such case, you will be informed if access will be granted in another form.

6.3 The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

| | | | |
|---|-----------------|--|------------------------------|
| 1. If the record is in written or printed form: | | | |
| | Copy of record* | | Inspection of record |
| 2. If the record consists of visual images | | | |
| (This includes photographs, slides, video recordings, computer-generated images, sketches, etc.): | | | |
| | View the images | | Copy of the images* |
| | | | Transcription of the images* |

| | | | | | |
|---|--|--|---|------------|-----------|
| 3. If the record consists of recorded words or information which can be reproduced in sound: | | | | | |
| | Listen to the soundtrack (audio cassette) | | Transcription of soundtrack (written or printed document) * | | |
| 4. If the record is held on computer or in an electronic or machine-readable form: | | | | | |
| | Printed copy of record* | | Printed copy of information derived from the record* | | |
| | | | Copy in computer readable form* (stiffy or compact disc) | | |
| *If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable. | | | <table border="1"> <tr> <td>YES</td> <td>NO</td> </tr> </table> | YES | NO |
| YES | NO | | | | |

8. Particulars of the right to be exercised or protected

If the provided space is inadequate, please continue on a separate folio and attach it to this form. **The requester must sign all the additional folios.**

Indicate which right is to be exercised or protected:

Explain why the record requested is required for the exercise or protection of the aforementioned right:

Notice of decision regarding request for access

You will be notified in writing whether your request has been approved / denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at _____ this _____ day of _____ 20__.

SIGNATURE OF REQUESTER/PERSON ON
WHOSE BEHALF REQUEST IS MADE