	PAIA MANUAL
	MFS RETIREMENT ADVISORY SERVICES herein referred to “MFS”

Governance Area	Technology, Data & Information Governance (as per Governance Framework)	
Policy Name	PAIA Manual	
Policy Owner (FSP) & Version #	MFS Retirement Advisory Service	3
Original & Previous approval	23 March 2022	06 November 2024
Review Frequency & Month	Annually	June
Next Review Date & Month	2027	June
Policy Review Details		
Date of Review	15 June 2026	
Reviewer Name(s)	Dikeledi Lesito	
Summary of Changes		
Reason for Changes	Annual review and update of the PAIA Manual to ensure continued compliance with the Promotion of Access to Information Act, POPIA, Information Regulator requirements, and current MFS contact, governance and operational information	
Approval Status	Approved	
Approved By Signature(s)	Relebohile Mphasane	
Approval Date	24 June 2026	

Date	Change Description	Changed By	Version #
24 June 24, 2026	Reviewed and updated the PAIA Manual for the 2026 annual review cycle, including updates to company information, Information Officer details, request procedures, PAIA/POPIA references, prescribed forms, fees schedule, and general formatting.	Relebohile	

Training & Implementation

Planning	**Responsible Person:**

Confirmation of Training & Implementation

Confirmation	**Responsible Person:**
Date, Time, Attendees, Presentation recorded in the Inhouse Training Register	

PAIA MANUAL

Prepared in terms of section 51 of the Promotion of Access to Information Act 2 of 2000 (as amended)

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1. DEFINITIONS

Client	A natural or juristic person who is an existing MFS Retirement Advisory Services client or a person who provided their personal/special personal information to in the context of a sale of acquiring goods or services.
Data subject	The person to whom personal information relates.
Representative	Any person, including a person employed or mandated by such first-mentioned person, who renders a financial service to a client for or on behalf of a financial services provider, in terms of conditions of employment or any other mandate, but excludes a person rendering clerical, technical, administrative, legal, accounting or other service in a subsidiary or subordinate capacity, which service— (a) does not require judgment on the part of the latter person; or (b) does not lead a client to any specific transaction in respect of a financial product in response to general enquiries;
Key Individual	in relation to an authorised financial services provider, or a representative, carrying on business as— (a) a corporate or unincorporated body, a trust or a partnership, means any natural person responsible for managing or overseeing, either alone or together with other so responsible persons, the activities of the body, trust or partnership relating to the rendering of any financial service; or (b) a corporate body or trust consisting of only one natural person as member, director, shareholder or trustee, means any such natural person;
Personal Information	Information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person.
Special Personal Information	personal information concerning— (a) the religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life or biometric information of a data subject; or (b) the criminal behaviour of a data subject to the extent that such information relates to— (i) the alleged commission by a data subject of any offence; or (ii) any proceedings in respect of any offence allegedly committed by a data subject or the disposal of such proceedings.
Child	A natural person under the age of 18 years who is not legally competent, without the assistance of a competent person, to take any action or decision in respect of any matter concerning him- or herself.
Product Supplier	Any person who issues a financial product.

2. CONTACT DETAILS AND INFORMATION

<table>
<tr><td colspan="2" align="center">MFS Retirement Advisory Services</td></tr>
<tr><td>FSP No.</td><td>4768</td></tr>
<tr><td>Registration No.</td><td>200303153207</td></tr>
<tr><td>Postal Address</td><td>PO BOX 2989 Vereeniging 1930</td></tr>
<tr><td>Physical Address</td><td>38 VICTORIA, VEREENIGING 1930</td></tr>
<tr><td>Fax Number</td><td>N/A</td></tr>
<tr><td>Website</td><td>www.mfs.hodings</td></tr>
<tr><td colspan="2" align="center">Information Officer</td></tr>
<tr><td>Contact Name</td><td>Lindiwe Senong</td></tr>
<tr><td>Telephone</td><td>016 455 1852</td></tr>
<tr><td>Email</td><td>lindiwes@mfs.holdings</td></tr>
<tr><td colspan="2" align="center">Deputy Information Officer</td></tr>
<tr><td>Contact Name</td><td>Relebohile Mphasane</td></tr>
<tr><td>Telephone</td><td>016 455 1852</td></tr>
<tr><td>Email</td><td>Pension@mfs.holdings</td></tr>
<tr><td colspan="2"> Head of Private Body “Head” of, or in relation to, a private Body means –
(a) in the case of a natural person, that natural person or any person duly authorised by that natural person;
(b) in the case of a partnership, any partner of the partnership or any person duly authorised by the partnership;
(c) in the case of a juristic person –
(i) the chief executive officer or equivalent officer of the juristic person or any person duly authorised by that officer; or
(ii) the person who is acting as such or any person duly authorised by such acting person.</td></tr>
<tr><td>Contact Name</td><td>Relebohile Mphasane</td></tr>
<tr><td>Telephone</td><td>082 523 1853</td></tr>
<tr><td>Email</td><td>Pensions@mfs.holdings</td></tr>
</table>

3. GENERAL INFORMATION

3.1. PURPOSE OF PAIA MANUAL

The Promotion of Access to Information Act (PAIA) gives effect to the constitutional right of access to any information in records held by public or private bodies that is required for the exercise or protection of any rights. This PAIA manual provides an outline of the types of records and the personal information (PI) held by MFS Retirem and sets out the procedure to request access to these records and personal information, the requirements which such request must meet, as well as the grounds for refusal or partial refusal of such request.

This right of access may not be used to access records under criminal or civil proceedings, or where such proceedings have commenced. This manual informs requesters of procedural and other requirements that a request must meet as prescribed by PAIA and POPIA. A requester has the right to submit a request, after providing adequate proof of identity and after payment of any fee required by law (if applicable) under [ANNEXURE D].

3.2. AVAILABILITY OF THE MANUAL

This manual will be available on MFS Retirement Advisory Services website **www.mfs.holdings** and may be amended from time to time. Alternatively, this manual can be obtained upon request to the information officer. Members of the public can inspect or make copies of the Guide from the offices of MFS Retirement Advisory Services.

3.3. HOW TO OBTAIN ACCESS TO THE GUIDES TO PAIA AND POPIA

The South African Human Rights Commission (SAHRC) has compiled the guide contemplated in Section 10 of PAIA, which contains such information as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA. Copies of PAIA and POPIA, the relevant regulations and guides to these acts, can be obtained from the SAHRC or the information regulator and queries should be directed to:

SAHRC	Information regulator
South African Human Rights Commission Promotion of Access to Information Act Unit Research and Documentation Department Private Bag 2700 Houghton, Johannesburg, 2041	The Information Regulator (South Africa)
Braampark, Forum 3 33 Hoofd Street Braamfontein, Johannesburg , 2001	Woodmead North Office Park 54 Maxwell Drive Woodmead Johannesburg , 2191
Telephone number: (011) 877 3600 Fax number: (011) 484 7146/7 Website: www.sahrc.org.za Email: info@sahrc.org.za	Chrystal Pillay Acting Cheif Executive Officer Tel: 011 877 36 22 Email: ceo@sahrc.org.za

4. RECORDS OF MFS Retirement Advisory Services

4.1. SUBJECT CATEGORIES OF RECORDS HELD

This paragraph serves as a reference to the records that the MFS Retirement Advisory Services holds. It is recorded that the accessibility of the records listed below, may be subject to the grounds of refusal set out hereinafter. The information is classified and grouped according to records relating to the subjects and categories outlined below.

MFS Retirement Advisory Services has identified the various applicable subjects (i.e. finance, hr) and list the category/ types of records that the fsp holds on the subject

4.1.1. HUMAN RESOURCES

- personal records provided by employees;
- records provided by a third party relating to employees;
- conditions of employment and other employee-related contractual and quasi-legal records;
- internal evaluation records and other internal records;
- correspondence relating to employees;
- training schedules and material; and
- records in respect of the company's workforce, employment equity plan and other records relevant to compliance with the Employment Equity Act 55 of 1998;
- Amount of remuneration paid or due by him to the employee;
- The amount of employee's tax deducted or withheld from the remuneration paid or due;
- The income tax reference number of that employee;

4.1.2. MARKETING

- any promotional material for public viewing;
- product information

4.1.3. FINANCE

- Accounting records;
- Financial statements
- Amounts received by that registered micro business during a year of assessment;
- Dividends declared by that registered micro business during a year of assessment;

4.1.4. CLIENT-RELATED

- Full names, physical address, postal address and contact details;
- ID number and registration number;
- Contact details of public officer in case of a juristic person;
- Service rendered;
- Record of advice furnished to the consumer reflecting the basis on which the advice was given;
- The nature of that business relationship or transaction;
- In the case of a transaction, the amount involved and the parties to that transaction;
- All accounts that are involved in the transactions concluded by that accountable institution in the course of that business relationship and that single transaction;
- The name of the person who obtained the identity of the person transacting on behalf of the accountable institution;

- Any document or copy of a document obtained by the accountable institution.
- Known premature cancellations of transactions or financial products of the provider by clients;

4.2. CATEGORIES OF DATA SUBJECTS

MFS Retirement Advisory services has identified the various categories of data subjects (i.e. clients, employees, directors, outsourced third parties) and list the type or categories of personal information processed on each of the identified data subjects]

CATEGORIES OF DATA SUBJECTS	PERSONAL INFORMATION PROCESSED
Shareholders	Shareholder personal information
Directors	Directors' personal information
Clients (includes potential and previous clients)	Client personal information
	Client special personal information
	Client bank details
	Client vehicle registration
	Surveillance records
	Client location information
	Client biometric information
	Client third-party information, such as from credit bureaux and the Companies and Intellectual Property Commission (CIPC).
Product suppliers	Product supplier personal information
	Product supplier contracts
	Product supplier bank details
	Personal information of representatives of product supplier
Job applicants	Personal information of job applicants
	Criminal checks
	Background information
Natural representatives	Personal information on representatives
	Background information
	Criminal checks
	Surveillance records
	Bank details of representatives
Juristic representatives	Bank details
	Personal information (company registration number, contact information)
Key individuals	Background checks
	Criminal checks
	Personal information (e.g. name, ID, ect.)
	Employment history
	Training records
Employees (includes current and former)	Employee personal information (e.g. name, ID, ect.)
	Employee education and psychometrics records
	Employee medical information
	Employee bank details
	Health and safety records

	Employee beneficiary information
	Employee beneficiary information
	Employee pension and provident fund information
Outsourced service providers	Bank details
	Personal information (company registration number, contact number)

4.3. RECORDS HELD IN TERMS OF SOUTH AFRICAN LEGISLATION

Applicable Legislation
Arbitration Act, 1965 (Act 42 of 1965)
Basic Conditions of Employment Act, 1997 (Act 75 of 1997)
Broad-Based Black Economic Empowerment Act, 2003 (Act 53 of 2003)
Code of Advertising Practice of the Advertising Standards Authority (ASA)
Codes, standards and guidelines of the Association for Savings and Investment (ASISA) for member organisations
Collective Investment Schemes Control Act, 2002 (Act 45 of 2002)
Companies Act, 2008 (Act 71 of 2008)
Compensation for Occupational Injuries and Diseases Act, 1993 (Act 130 of 1993)
Competition Act, 1998 (Act 89 of 1998)
Conduct of Financial Institutions Bill - COFI
Consumer Protection Act (Act 68 of 2008)
Copyright Act, 1975 (Act 98 of 1978)
Disaster Management Act (Act 57 of 2002)
Electronic Communications & Transactions Act, 2002 (Act 25 of 2002)
Electronic Communications Act, 2005 (Act 36 of 2005)
Employment Equity Act, 1998 (Act 55 of 1998)
Employment Equity Amendment Bill
Financial Advisory and Intermediary Services Act, 2002 (Act 37 of 2002)
Financial Institutions (Protection of Funds) Act
Financial Institutions (Protection of Funds) Act, 2001 (Act 28 of 2001)
Financial Intelligence Centre Act, 2001 (Act 38 of 2001)
Financial Markets Act, 2012 (Act 19 of 2012)
Financial Sector Regulation Act, 2017
Income Tax Act, 1962 (Act 58 of 1962)
Insolvency Act, 1936 (Act 24 of 1936)

Inspection of Financial Institutions Act, 1998 (Act 80 of 1998)
King Report and Code on Corporate Governance in South Africa (King III), 2009 / King IV on Corporate Governance in South Africa (2016)
Labour Relations Act, 1995 (Act 66 of 1995)
Long-term Insurance Act, 1998 (Act 52 of 1998)
Medical Schemes Act 131 of 1998
Medical Schemes Act Amendment Bill
Occupational Health and Safety Act, 1993 (Act 85 of 1993)
Pension Funds Act, 1956 (Act 24 of 1956)
Policy Holder Protection Rules: Long-term Insurance, 2017 (As amended 2018)
Policy Holder Protection Rules: Short-Term Insurance, 2017 (As amended 2018)
Prevention and Combating of Corrupt Activities Act, 2004 (Act 12 of 2004)
Prevention of Organised Crime Act, 1998 (Act 121 of 1998)
Promotion of Access to Information Act, 2000 (Act 2 of 2000)
Promotion of Administrative Justice Act, 2000 (Act 3 of 2000)
Promotion of Equality & Prevention of Unfair Discrimination Act, 2000 (Act 4 of 2000)
Protected Disclosures Act, 2000 (Act 26 of 2000)
Protection of Constitutional Democracy against Terrorist and Related Activities Act, 2004 (Act 33 of 2004)
Protection of Personal Information Act (POPIA), (Act 4 of 2013)
Public Holidays Act, 1994 (Act 36 of 1994)
Short-term Insurance Act, 1998 (Act 53 of 1998)
Skills Development Act, 1998 (Act 97 of 1998)
Skills Development Levies Act, 1999 (Act 9 of 1999)
Tax Administration Act, 2011 (Act 28 of 2011)
Unemployment Insurance Act, 2001 (Act 63 of 2001)
Unemployment Insurance Contributions Act, 2002 (Act 4 of 2002)
Value-Added Tax Act, 1991 (Act 89 of 1991)

5. REQUESTS TO ACCESS RECORD

5.1. TYPES OF REQUESTERS

A requester is any person making a request for access to a record held by MFS Retirement Advisory Services. There are two types of requesters:
(1) Personal requester; and
(2) Other requester.

5.1.1. PERSONAL REQUESTER

A personal requester is a requester who is seeking access to a record that relates to their personal information (as defined in PAIA and POPIA).

Subject to the provisions of this manual, PAIA, POPIA and other applicable laws, MFS Retirement Advisory Services will provide the requested information or give access to any record regarding the requester's personal information. The prescribed fee for reproduction of the information requested will be charged as indicated in ANNEXURE D.

5.1.2. OTHER REQUESTER

This requester (other than a personal requester) is entitled to *request* access to information on third parties. The requester must fulfil the prerequisite requirements for access in terms of PAIA, including the payment of a request and access fee. If a public body lodges a request, the public body must be acting in the public interest and provide details of the public interest that it is seeking to protect/rely on.

5.2. REQUEST PROCEDURE

5.2.1. SUBMITTING A REQUEST TO ACCESS A RECORD

The following procedural requirements serve as guidelines for requesters. The requester must comply with all the procedural requirements contained in PAIA relating to the request for access to a record.

The requester must submit:

(1) the prescribed form enclosed in ANNEXURE A – FORM 2;
(2) proof of identity of the requester;
(3) proof of capacity in which the requester is making the request and proof of authorisation to make that request (if applicable); and
(4) payment of request fee and deposit.

The prescribed form must be completed with sufficient detail to at least enable the information officer to identify –

- the record requested and the requester;
- which form of access is required;
- a postal address or email address of the requester in the Republic;
- the right the requester is seeking to exercise or protect and the reason why the requested record is required for the exercise or protection of that right; and
- the manner in which the requester wishes to be notified of the request.

If a request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the information officer.

The requester must state the nature of the right for which access to the requested records is required. The courts have indicated that access to the records must be “necessary” for the exercise or protection of the right so stated. This right of access may not be used to access records under criminal or civil proceedings, or where such proceedings have commenced. This right of access only applies to records in existence at the time of request.

If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally, which must then be reduced into writing by the person assisting the requester.

5.2.2. PAYMENT OF PRESCRIBED FEES

There are two types of fees in terms of PAIA:

(1) a request fee, which will be a standard fee; and
(2) an access fee, which must be calculated by considering reproduction costs, search and preparation time and cost, as well as postal costs.

When the request is received by the information officer, the information officer shall by notice require the requester (other than a personal requester) to pay the prescribed request fee (if any) before further processing of the request.

If the search for the record has been made and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations of PAIA for this purpose, the information officer shall notify the requester to pay as a deposit the prescribed portion of the access fee which would be payable if the request is granted.

The information officer shall withhold a record until the requester has paid the fees as indicated in ANNEXURE D.

A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required more than the prescribed hours to search for and prepare the record for disclosure including planning to make it available in the request form.

If a deposit has been paid in respect of a request for access, which is refused, then the information officer concerned will repay the deposit to the requester.

5.2.2. NOTIFICATION OF DECISION REGARDING REQUEST TO ACCESS RECORDS

MFS Retirement Advisory Services will, within 30 business days (excludes weekends and public holidays), but not less than 21 days, after receipt of the request and payment of the prescribed fee, decide whether to grant or decline the request and notify the requester in the manner indicated by the requester in ANNEXURE A – FORM 2.

Subject to the provisions in PAIA, in respect of extensions, MFS Retirement Advisory Services will process the request within 30 days from when the request is received and the fee is paid, or within any extension timeline, unless the requester has stated special reasons which would satisfy the information officer that circumstances dictate that the above time periods could not be complied with. Only in exceptional circumstances can this timeline be less than 21 days. MFS Retirement Advisory Services cannot decide to shorten the period of 21 days where a requester (other than a personal requester) has requested access to information on a third party.

5.3. DUTIES OF INFORMATION OFFICER REGARDING REQUESTS

5.3.1. DUTY TO RENDER REASONABLE ASSISTANCE

Information Officer of MFS Retirement Advisory Services will be expected to render such reasonable assistance, free of charge, as is necessary to enable the requester or data subject to comply with the prescribed process for submitting a request.

5.3.2. REFUSAL OF REQUESTS DUE TO NON-COMPLIANCE

If a requester or data subject has made any request that does not comply with the requirements of PAIA or POPIA, the Information Officer concerned may not refuse the request because of that non-compliance, unless the Information Officer has –

(a) notified the data subject or requester of his/her intention to refuse the request and stated in the notice, the reasons for the contemplated refusal, as well as his/her availability to assist that requester or data subject to remove the grounds for refusal;
(b) given the requester or data subject a reasonable opportunity to seek such assistance;
(c) as far as reasonably possible, furnished the requester or data subject with any information that would assist the making of the request in the prescribed form; and
(d) given the requester a reasonable opportunity to confirm the request or alter it to comply with section 18 of PAIA or 24 of POPIA.

5.3.3. REQUESTS TO ACCESS HEALTH RECORDS

In the case of health records, if the Information Officer is of the opinion that the disclosure of the record to the relevant person would be likely to cause serious harm to their physical or mental health, or well-being, the Information Officer may only give access to the record if the requester proves to the satisfaction of the information officer that adequate provision is made for such counselling or arrangements as are reasonably practicable before, during or after the disclosure of the record to limit, alleviate or avoid such harm to the relevant person.

5.3.4. ANNUAL REPORTS ON REQUESTS TO ACCESS RECORDS

The Regulator may, annually, request an Information Officer of MFS Retirement Advisory Services, in terms of section 83 (4) of PAIA, to furnish to the Regulator with information about requests for access to records of that body.

5.4. EXTENSION OF PERIOD TO DEAL WITH REQUEST BY MFS RETIREMENT ADVISORY SERVICES

MFS Retirement Advisory Services may extend the time period to notify the requester of its decision to grant or refuse the request to access if –
(a) the request is for a large number of records or requires a search through a large number of records and compliance with the original period would unreasonably interfere with the activities of MFS Retirement Advisory Services;
(b) the request requires a search for records in, or collection thereof from, an office of MFS Retirement Advisory Services not situated in the same town or city as the office of the head that cannot reasonably be completed within the original period;
(c) consultation among divisions of MFS Retirement Advisory Services or with another private body is necessary or desirable to decide upon the request that cannot reasonably be completed within the original period;
(d) more than one of the circumstances contemplated in paragraphs (a), (b) and (c) exist in respect of the request making compliance with the original period not reasonably possible; or

(e) the requester consents in writing to such extension.

If a period is extended by MFS Retirement Advisory Services, the information officer will, as soon as reasonably possible, but in any event within 30 days business days (excludes weekends and public holidays), after receipt of request notify the requester of that extension. The notification of extension will state the period of the extension and the reasons for the extension.

5.5. REQUESTS TO ACCESS INFORMATION ON A THIRD-PARTY

Where a requester (other than a personal requester) has requested access to information on a third party, PAIA provides that the third party whose information is requested must be given 21 days in which to make representations to refuse access or give written consent for the disclosure of the record to the requester. It may not always be possible for MFS Retirement Advisory Services to comply with all refuse representations. For example, when a court order had been served for the access. MFS Retirement Advisory Services cannot decide to shorten the period of 21 days where a requester (other than a personal requester) has requested access to information on a third party.

5.6. RECORDS THAT CANNOT BE FOUND OR DO NOT EXIST

If all reasonable steps have been taken to find a record and such record cannot be found or the record does not exist, then the group shall notify the requester, by way of an affidavit or affirmation, that it is not possible to give access to the requested record.

The affidavit or affirmation shall provide a full account of all the steps taken to find the record or determine its existence, including details of all communications by the group with every person who conducted the search.

Notification of record cannot be found or the record does not exist shall be regarded as a decision to refuse a request for access to the record concerned for purposes of PAIA.

If the record in question is later found, the requester shall be given access to the record in the manner stipulated by the requester in ANNEXURE A – FORM 2, unless access is refused by MFS Retirement Advisory Services as set out in this manual and/or in accordance with PAIA.

5.7. ACCESS TO HEALTH RECORDS

If MFS Retirement Advisory Services grants a request for access to a record provided by a health practitioner about the physical or mental health, or well-being of the requester or of the person to whom the record relates, and MFS Retirement Advisory Services is of the opinion that the disclosure of the record to the relevant person might cause serious harm to his or her physical or mental health, or well-being, the information officer may, before giving access consult with a health practitioner who has been nominated by the relevant person.

If the relevant person is —

(a) under the age of 16 years, a person having parental responsibilities for the relevant person must make the nomination; or
(b) incapable of managing his or her affairs, a person appointed by the court to manage those affairs must make that nomination.

If, after being given access to the record concerned, the health practitioner consulted is of the opinion that the disclosure of the record to the relevant person, would be likely to cause serious harm to his or her physical or mental health, or well-being MFS Retirement Advisory Services may only give access to the record if the requester proves to the satisfaction of the Information Officer that adequate provision is made for such counselling or arrangements as are reasonably practicable before, during or after the disclosure of the record to limit, alleviate or avoid such harm to the relevant person.

Before access to the record is so given to the requester, the person responsible for such counselling or arrangements must be given access to the record.

5.8. DECISION REGARDING REQUEST TO ACCESS

5.8.1. DECISION TO GRANT ACCESS

If the request for access is granted the notice of decision to grant access must state –

- the access fee (if any);
- the form in which access will be given; and
- that the requester may lodge an application with a court against the access fee to be paid or the form of access granted, and the procedure for lodging the application.

5.8.2. DECISION TO REFUSE ACCESS

If the request for access is refused the notice of decision to refuse access must –

- state adequate reasons for the refusal, including the provisions of any Act relied on;
- exclude, from any such reasons, any reference to the content of the record; and
- state that the requester may lodge an application with a court against the refusal of the request, and the procedure (including the period) for lodging the application.

The main grounds for MFS Retirement Advisory Services to refuse a request for records relates to the mandatory protection –

- of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of PI of that natural person;
- of the commercial information of a third party, if the record contains –
  - trade secrets of that third party;
  - financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;
  - information disclosed in confidence by a third party to MFS Retirement Advisory Services, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
- of confidential information of third parties if disclosing such would or could constitute a breach of the duty of confidence owed to a third party in terms of any agreement;
- of the safety of individuals and the protection of property;
- of records which would be regarded as privileged in legal proceedings;
- of the commercial activities of the group, which may include –
  - trade secrets of MFS Retirement Advisory Services;
  - financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of MFS Retirement Advisory Services;
  - information which, if disclosed, could put MFS Retirement Advisory Services at a disadvantage in negotiations or commercial competition;
  - a computer programme which is owned by the group, and which is protected by copyright. ·

- of the research information of MFS Retirement Advisory Services or a third party, if its disclosure would disclose the identity of MFS Retirement Advisory Services, the researcher or the subject matter of the research and would place the research at a serious disadvantage.

5.8.3. PARTIAL REFUSAL OF REQUEST

MFS Retirement Advisory Services will disclose every party of the record which does not contain and can be reasonably severed from any part that contains information which may or must be refused in terms of PAIA and this manual.

The part of the record that is disclosed to the requester is subject to the provisions in PAIA and this manual that applies to requests where access is granted, for example the payment of prescribed access fees. The part of the record that is not disclosed to the requester is subject to the provisions in PAIA and this manual that applies to requests where access is refused, for example the MFS Retirement Advisory Services must notify the reasons for refusal.

5.8.4. DEEMED REFUSAL OF REQUEST

If MFS Retirement Advisory Services fails to give the decision on a request for access to the requester concerned within 30 business days from when the request is received and the fee is paid, or within the extended timeline, it will be regarded as a decision to refuse the request.

5.9. REMEDIES AVALIABLE TO REQUESTER

5.9.1. INTERNAL REMEDIES

MFS Retirement Advisory Services does not have internal appeal procedures. As such, the decision made by the information officer is final, and requesters will have to exercise such external remedies at their disposal if a requester is not satisfied by a decision made by the information officer, for example for refusing access, for imposing access fees, or for extending the time period in which the response is due.

5.9.2. EXTERNAL REMEDIES

Subject to the provisions of PAIA, a requester that is dissatisfied with an information officer’s refusal to disclose information, may within 180 days of notification of the decision, apply to a court or to the information regulator for relief.

Likewise, a third party dissatisfied with an information officer’s decision to grant a request for information, may within 180 days of notification of the decision, apply to the information regulator or to a court with appropriate jurisdiction for relief.

Notice of Appeal, Form B, in terms of Section 75 of PAIA [Regulation 8], can be found on the website of the information regulator under the “Documents” section (www.justice.gov.za/inforeg/)

ANNEXURE A

FORM 2

REQUEST FOR ACCESS TO RECORD

[Regulation 7]

FORM 2

REQUEST FOR ACCESS TO RECORD

[Regulation 7]

NOTE:

1.Proof of identity must be attached by the requester.
2.If requests made on behalf of another person, proof of such authorisation, must be attached to this form.

TO: The Information Officer

____

____

____

_____________________ *(Address)*

E-mail address: _______________________________

Fax number: _______________________________

Mark with an ***"X"***

☐ Request is made in my own name ☐ Request is made on behalf of another person.

PERSONAL INFORMATION				
Full Names				
Identity Number				
Capacity in which request is made *(when made on behalf of another person)*				
Postal Address				
Street Address				
E-mail Address				
Contact Numbers	Tel. (B):		Facsimile:	
	Cellular:			
Full names of person on whose behalf request is made *(if applicable):*				
Identity Number				
Postal Address				
Street Address				
E-mail Address				
Contact Numbers	Tel. (B)		Facsimile	
	Cellular			

PARTICULARS OF RECORD REQUESTED	
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 provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)	
Description of record or relevant part of the record:	
Reference number, if available	
Any further particulars of record	

TYPE OF RECORD *(Mark the applicable box with an "**X**")*	
Record is in written or printed form	
Record comprises virtual images *(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)*	
Record consists of recorded words or information which can be reproduced in sound	

Record is held on a computer or in an electronic, or machine-readable form	

FORM OF ACCESS *(Mark the applicable box with an "**X**")*	
Printed copy of record *(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)*	
Written or printed transcription of virtual images *(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)*	
Transcription of soundtrack *(written or printed document)*	
Copy of record on flash drive *(including virtual images and soundtracks)*	
Copy of record on compact disc drive *(including virtual images and soundtracks)*	
Copy of record saved on cloud storage server	

MANNER OF ACCESS *(Mark the applicable box with an "**X**")*	
Personal inspection of record at registered address of public/private body *(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)*	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format *(including transcriptions)*	
E-mail of information *(including soundtracks if possible)*	
Cloud share/file transfer	
Preferred language *(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)*	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED *If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.*	
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:	

FEES	
a) A request fee must be paid before the request will be considered. *b) You will be notified of the amount of the access fee to be paid.* *c) 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.* *d) If you qualify for exemption of the payment of any fee, please state the reason for exemption*	
Reason	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Facsimile	Electronic communication *(Please specify)*

Signed at ____________________ this ___________ day of ________________ 20 _________

____

Signature of Requester / person on whose behalf request is made

----

FOR OFFICIAL USE

Reference number:	
Request received by: (State Rank, Name And Surname of Information Officer)	
Date received:	
Access fees:	
Deposit (if any):	

____________________________ ***Signature of Information Officer***

ANNEXURE B

FORM 3

OUTCOME OF REQUEST & FEES PAYABLE

[Regulation 8]

FORM 3

OUTCOME OF REQUEST AND OF FEES PAYABLE

[Regulation 8] *Note:*

1. *If your request is granted the—*
   (a) amount of the deposit, (if any), is payable before your request is processed; and
   (b) requested record/portion of the record will only be released once proof of full payment is received.
2. *Please use the reference number hereunder in all future correspondence.*

Reference number: ________________________

TO: ______________________________

____

____

____

Your request dated ______________, refers.

1. You requested:

Personal inspection of information at registered address of public/private body *(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)* is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you will be liable for the fees prescribed in Annexure B.	

OR

2. You requested:

Printed copies of the information *(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)*	
Written or printed transcription of virtual images *(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)*	
Transcription of soundtrack *(written or printed document)*	
Copy of information on flash drive *(including virtual images and soundtracks)*	
Copy of information on compact disc drive *(including virtual images and soundtracks)*	
Copy of record saved on cloud storage server	

3. To be submitted:

Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format *(including transcriptions)*	
E-mail of information *(including soundtracks if possible)*	
Cloud share/file transfer	
Preferred language: *(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)*	

Kindly note that your request has been:

☐ Approved

☐

Denied, for the following reasons:

4. **Fees payable with regards to your request:**

Item	Cost per A4-size page or part thereof/item	Number of pages/items	Total
Photocopy			
Printed copy			
For a copy in a computer-readable form on: (i) Flash drive • To be provided by requester (ii) Compact disc • If provided by requester • If provided to the requester	 R40.00 R40.00 R60.00		
For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on the quotation of the service provider		
Copy of visual images			
Transcription of an audio record, per A4-size	R24.00		
Copy of an audio record (i) Flash drive • To be provided by requester (ii) Compact disc • If provided by requester • If provided to the requester	 R40.00 R40.00 R60. 00		
Postage, e-mail or any other electronic transfer:	Actual costs		
TOTAL:			

5. **Deposit payable (if search exceeds six hours):**

☐ Yes ☐ No

Hours of search		Amount of deposit *(calculated on one third of total amount per request)*	

The amount must be paid into the following Bank account:

Name of Bank: ______________________________________

Name of account holder: ______________________________________

Type of account: ______________________________________

Account number: ______________________________________

Branch Code: ______________________________________

Reference Nr: ______________________________________

Submit proof of payment to: ______________________________________

Signed at _____________________ this ___________ day of _________________ 20 _________

____

Information officer

ANNEXURE C

FORM 5

COMPLAINT FORM

[Regulation 10]

Address: JD House, 27 Stiemens Street
Braamfontein, Johannesburg, 2001
P.O.
Box

31533

Braamfontein, Johannesburg, 2017

Tel: 010 023 5200

Email:PAIAComplaints@infoRegulator.org.za

COMPLAINT FORM

FORM 5

[Regulation 10]

NOTE:

1.This form is designed to assist the Requester or Third Party (hereinafter referred to as "the Complainant") in requesting a review of a Public or Private Body's response or non-response to a request for access to records under the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) ("PAIA"). Please fill out this form and send it to the following email address: **PAIAComplaints@infoRegulator.org.za** or complete online complaint form available at **https://www.justice.gov.za/inforeg/**.

2.PAIA gives a member of the public a right to file a complaint with the Information Regulator about any of the nature of complaints detailed in part F of this complaint form.

3.It is the policy of the Information Regulator to defer investigating or to reject a complaint if the Complainant has not first given the public or private body (herein after referred to as "the Body") an opportunity to respond to and attempt to resolve the issue. To help the Body address your concerns prior to approaching the Information Regulator, you are required to complete the prescribed **PAIA Form 2** and submit it to the Body.

4.A copy of this Form will be provided to the Body that is the subject of your complaint. The information you provide on this form, attached to this form or that you supply later, will only be used to attempt to resolve your dispute, unless otherwise stated herein.

5.The Information Regulator will only accept your complaint once you confirm having complied with the prerequisites below.

6.**Please attach copies of the following documents, if you have them**:

a. Copy of the form to the Body requesting access to records;
b. The Body's response to your complaint or access request;
c. Any other correspondence between you and the Body regarding your request;
d. Copy of the appeal form, if your compliant relate to a public body;
e. The Body's response to your appeal;
f. Any other correspondence between you and the Body regarding your appeal;
g. Documentation authorizing you to act on behalf of another person (if applicable);
h. Court Order or Court documents relevant to your complaint, if any.

7.If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.

CAPACITY OF PERSON/PARTY LODGING A COMPLAINT

(Mark with an "X")

☐ Complainant Personally

☐ Representative of Complainant

☐ Third Party

PREREQUISITES				
Did you submit request (PAIA form) for access to record of a public/private body?	Yes		No	
Has 30 days lapsed from the date on which you submitted your PAIA form?	Yes		No	
Did you exhaust all the internal appeal procedure against a decision of the Information officer of a public body?	Yes		No	
Have you applied to Court for appropriate relief regarding this matter?	Yes		No	

FOR INFORMATION REGULATOR'S USE ONLY				
Received by: (Full names)				
Position				
Signature				
Complaint accepted	*Yes*		*No*	
Reference Number				
Date stamp				

Postal address	Facsimile	Other electronic communication *(Please specify)*

PART A **PERSONAL INFORMATION OF COMPLAINANT**				
Full Names				
Identity Number				
Postal Address				
Street Address				
E-Mail Address				
Contact numbers	Tel. (B)		Facsimile	
	Cellular			

PART B **REPRESENTATIVE INFORMATION** *(Complete only if you will be represented. A Power of Attorney must be attached if complainant is represented, failing which the complaint will be rejected)*	
Full Names of Representative	

Nature of representation				
Identity Number / Registration Number				
Postal Address				
Street Address				
E-mail Address				
Contact Numbers	Tel. (B)		Facsimile	
	Cellular			

PART C
THIRD PARTY INFORMATION
(Please attach letter of authorisation)

Type of Body	Private		Public	
Name of Public / Private Body				
Registration Number (if any)				
Name, Surname and Title of person authorised to lodge a complaint				
Postal Address				
Street Address				
E-mail Address				

Contact Numbers	Tel. (B):		Facsimile	
	Cellular			

PART D
BODY AGAINST WHICH THE COMPLAINT IS LODGED

Type of body	Private		Public	
Name of public / private body				
Registration number (if any)				
Name, surname and title of person you dealt with at the public or private body to try to resolve your complaint or request for access to information				
Postal Address				
Street Address				

E-mail Address					
Contact Numbers	Tel. (B):		Facsimile		
	Cellular				
Reference Number given *(if any)*					

PART E **COMPLAINT** *Tell us about the steps you have taken to try to resolve your complaint (Complaints should first be submitted directly to the public or private body for response and possible resolution)*

Date on which request for access to records submitted.				
Please specify the nature of the right(s) to be exercised or protected, if a compliant is against a private body.				
Have you attempted to resolve the matter with the organisation?	Yes		No	
If yes, when did you receive it? (Please attach the letter to this application.)				
Did you appeal against a decision of the information officer of the public body?	Yes		No	
If yes, when did you lodge an appeal?				
Have you applied to Court for appropriate relief regarding this matter?	Yes		No	
If yes, please indicate when was the matter adjudicated by the Court? Please attach Court Order, if there is any.				

PART F **DETAILED TYPE OF ACCESS TO RECORDS** *(Please select one or more of the following to describe your complaint to the Information Regulator)*		
Unsuccessful appeal (Section 77A(2)*(a)* or section 77A(3)*(a)* of PAIA)	*I have appealed against the decision of the public body and the appeal is unsuccessful.*	
Unsuccessful application for condonation (Sections 77A(2)*(b)* and 75(2) of PAIA)	*I filed my appeal against the decision of the public body late and applied for condonation. The condonation application was dismissed.*	

PART G
EXPECTED OUTCOME

How do you think the Information Regulator can assist you? Describe the result or outcome that you seek.

PART H
AGREEMENTS

The legal basis for the following agreements is explained in the Privacy Notice on how to file your complaint document. In order for the Information Regulator to process your complaint, you need to check each one of the checkboxes below to show your agreement:

☐ *I agree that the Information Regulator may use the information provided in my complaint to assist it in researching issues relating to the promotion of the right of access to information as well as the protection of the right to privacy in South Africa. I understand that the Information Regulator will never include my personal or other identifying information in any public report, and that my personal information is still protected by the Protection of Personal Information Act, 2013 (Act No. 4 of 2013). I understand that if I do not agree, the Information Regulator will still process my complaint.*

☐ *The information in this Complaint Form is true to the best of my knowledge and belief.*

☐ *I authorize the Information Regulator to collect my personal complaint information (such as the information about me in this complaint form) and use it to process my human rights complaint relating to the right of access to information and / or the protection of the right to privacy.*

☐ *I authorise anyone (such as an employer, service provider, witness) who has information needed to process my complaint to share it with the Information Regulator. The Information Regulator can obtain this information by talking to witnesses or asking for written records. Depending on the nature of the complaint, these records could include personnel files or employer data, medical or hospital records, and financial or taxpayer information.*

☐ *If any of my contact information changes during the complaint process, it is my responsibility to inform the Information Regulator; otherwise my complaint could experience a delay or even be closed.*

Signed at ____________________ this ___________ day of ________________ 20 _________

____

Complainant/Representative/Authorised person of Third party

ANNEXURE D

PAIA FEES SCHEDULE

(in accordance with Promotion of Access to Information Act, 2000 (Act No. 2 of 2000): Regulations Relating to the Promotion of Access to Information, 2021)

REPRODUCTION FEES	
Photocopy/printed black & white copy of A4-size page	R2.00 per page or part thereof
Printed copy of A4-size page	R2.00 per page or part thereof
For a copy in a computer-readable form on: (i) Flash drive (provided by requester) (ii) Compact Disc • If provided by requester • If provided to requester	 R40.00 R40.00 R60.00
For a transcription of visual images per A4-Size page	Service to be outsourced. Will depend on quotation from Service provider
Copy of visual images	
Transcription of an audio record, per A4-size page	R24.00
Copy of an audio record on: (i) Flash drive (to be provided by requester) (ii) Compact disc • If provided by requester • If provided to requester	 R40.00 R40.00 R60.00

To search for 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. To not exceed the total cost of	R145 R435.00
Postage, email or any electronic transfer	Actual expense, if any
REQUEST FEES: Where a requester submits a request for access to personal information held by the MFS Retirement Advisory Services on a person other than the requester himself/herself, a request fee in the amount of R140.00 is payable upfront before MFS Retirement Advisory Services 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 specially excluded in terms of PAIA or an exclusion is determined by the Minister in terms of Section 54 (8). The applicable access fees which will be payable are:	
Photocopy/printed black & white copy of A4-size page	R2.00 per page or part thereof
Printed copy of A4-size page	R2.00 per page or part thereof
For a copy in a computer-readable form on: (iii) Flash drive (provided by requester) (iv) Compact Disc • If provided by requester If provided to requester	 R40.00 R40.00 R60.00
For a transcription of visual images per A4-Size page	Service to be outsourced. Will depend on quotation from Service provider
Copy of visual images	R60.00
Transcription of an audio record, per A4-size page	R24.00

Copy of an audio record on: (iii) Flash drive (to be provided by requester) (iv) Compact disc • If provided by requester If provided to requester	 R40.00 R40.00 R60.00
To search for 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. To not exceed the total cost of	R145 R435.00
Postage, email or any electronic transfer	Actual expense, if any

DEPOSITS:

Where MFS Retirement Advisory Services 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 believes the preparation of the required record of 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.

NOTE:

In terms of Regulation 8, Value Added Tax (VAT) must be added to all fees prescribed in terms of the Regulations if private body is a VAT vendor.

ANNEXURE E

REQUEST FOR A COPY OF THE GUIDE