
	SUMMIT GRP HOLDINGS (PTY) LTD & ITS SUBSIDIARIES	POLICY NUMBER
		SmtGRP-41
		VERSION
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Promotion of Access to Information and Protection of Personal Information Manual

POLICY DETAILS	
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SIGNATURE RECORD

	NAME	DATE	SIGNATURE
REVIEWED BY	[REDACTED]	[REDACTED]	
APPROVED BY	[REDACTED]	[REDACTED]	

BOARD APPROVAL

COMPANY	POLICY VERSION	DATE APPROVED BY THE BOARD	BOARD AUTHORISED SIGNATORY
Summit PE Investment Managers Proprietary Limited	1.0	[REDACTED]	[REDACTED]
Summit GRP Proprietary Limited. This policy has been moved to Group level.	2.0	[REDACTED]	[REDACTED]

VERSION CONTROL

VERSION	DATE	EDITOR	COMMENT
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
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1 Introduction

- The Promotion of Access to Information Act of 2000 ("**PAIA**") gives effect to the constitutional right of access to any information held by a public or private body. If the record is requested from a private body the requester must to prove that the record is required for the exercise or protection of a right.
- In terms of the PAIA, all private bodies (includes any former or existing juristic person) are required to compile a manual (save for those exempt) that provides information on both the types and categories of records held by the private body.
- This document serves as the Information Manual in terms of PAIA ("**Manual**"), to provide a reference as to the records held and the process that needs to be followed to request access to such records. It is important to note that the PAIA recognises certain limitations to the right of access to information, including, but not limited to, limitations aimed at the reasonable protection of privacy, commercial confidentiality, and effective, efficient and good governance, and in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.
- This Manual is prepared and published in terms of Section 51 of the Promotion of Access to Information Act, No. 2 of 2000 ("**PAIA**") and to address the requirements of the Protection of Personal Information Act, 2013 ("**POPI**") for Summit GRP Holdings (Pty) Ltd and its subsidiaries and affiliated entities and in particular:
 - Summit PE Investment Managers Proprietary Limited (registration number 2016/465338/07, FSP Licence No. 48417) ("**PEIM**"); and
 - Summit Infrastructure Investment Managers Proprietary Limited (registration number 2016/465376/07) ("**SIIM**")
 (Collectively or individually, as the context requires, referred to as "**Summit**")

2 Availability and Updating of the Manual

- This Manual is available for inspection, free of charge, at the physical address of Summit and on Summit's website mentioned below.
- Summit will update this Manual at such intervals as may be deemed necessary.

3 Summit Contact Details

- Any person who wishes to request any information from Summit, in order to protect or exercise a right in terms of this Manual, may contact:

Information Officer: Deborah Cooper


Address: 1st Floor, The Ridge @ Discovery, 1 Discovery Place, Cnr Katherine Street and Rivonia Road, Sandton, Johannesburg, South Africa.

Phone: +27 10 210 7676

Email Address: deborah@summitafrica.com **Website:** www.summitafrica.co.za

4 The Section 10 Guide on How to Use the PAIA

- The South African Human Rights Commission ("**SAHRC**") has compiled a Guide as required in terms of Section 10 of PAIA, specifically to assist individuals in exercising their right to information.
- The Guide is available in all South African official languages free of charge and any person may request a copy of the guide or access the guide on the website of the SAHRC or the Information

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Regulator. (The transfer of functions of PAIA from the South African Human Rights Commission to the Information Regulator is effective from 30 June 2021.)

- Any queries regarding the Guide should be directed to the Information Regulator (South Africa):
Physical address: JD House, 27 Siemens Street, Braamfontein, Johannesburg, 2001
Postal address: P.O Box 31533, Braamfontein, Johannesburg, 2017
Email: inforeg@justic.gov.za **Website:** <https://inforegulator.org.za/>

5 Subjects and Categories on Which Records are Held

The following records are available to a requester from Summit, which may be subject to the grounds of refusal set out in this Manual:

5.1 Personnel Records


- 5.1.1 "Personnel" refers to any person who works for or provides services to or on behalf of Summit and receives or is entitled to receive remuneration and any other person who assists in carrying out or conducting the business of Summit and includes, without limitation, directors (executive and non-executive), all permanent, temporary and part-time staff, as well as contract workers.
- 5.1.2 These include but are not limited to the following:
- a) Any personal records provided by personnel;
 - b) Records provided by a third party relating to personnel;
 - c) Conditions of employment and other personnel-related contractual and quasi-legal records;
 - d) Internal evaluation records and other internal records;
 - e) Correspondence relating to personnel;
 - f) Training records.

5.2 Customer Related Records

- 5.2.1 A "customer" includes any natural or juristic entity that receives services from Summit. Customer related information includes but is not limited to the following:
- a) Records provided by a customer to a third party acting for or on behalf of Summit;
 - b) Records provided by a third party; and
 - c) Records generated by or within Summit pertaining to the customer, including transactional records.

5.3 Private Body Records

- a) Financial records
- b) Operational records
- c) Databases;
- d) Information Technology
- e) Marketing records
- f) Internal Correspondence
- g) Product records
- h) Statutory records
- i) Company secretarial records
- j) Internal policies and procedures
- k) Actuarial records

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- l) Treasury-related records;
- m) Securities and equities; and
- n) Records held by officials of Summit.

These records include, but are not limited to, the records which pertain to Summit's own affairs.

5.4 Other Party Records

- a) Personnel, customer of private body records which are held by another party, as opposed to the records held by Summit itself.
- b) Records held by Summit pertaining to other parties, including without limitation, contractors, suppliers, subsidiary/holding companies, joint venture companies, intermediaries and service providers. Alternatively, such other parties may possess records that can be said to belong to Summit.


5.5 Publicly available Records

- a) Records of a public nature, typically those disclosed on Summit's website, may be accessed without the need to submit a formal application.
- b) Other non-confidential records, such as statutory records maintained at CIPC, may also be accessed without the need to submit a formal application.

5.6 Records available in terms of other Legislation

Where applicable to its operations, Summit also retains records and documents in terms of the legislation listed below. Unless disclosure is prohibited in terms of legislation, regulations, contractual agreement or otherwise, records that are required to be made available in terms of these acts shall be made available for inspected by interested parties in terms of the requirements and conditions of the PAIA:

- Basic Conditions of Employment Act 75 of 1997
- Broad-Based Black Economic Empowerment act No 75 of 1997
- Companies Act 71 of 2008
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Competition Act 71 of 2008
- Constitution of the Republic of South Africa 2008
- Copyright Act 98 of 1978
- Electronic Communications and Transactions Act 25 of 2002
- Employment Equity Act 55 of 1998
- Financial Advisory and Intermediary Services Act 37 of 2002
- Financial Intelligence Centre Act 38 of 2001
- Income Tax Act 58 of 1962
- Insider Trading Act 135 of 1998
- Insolvency Act 24 of 1936
- Inspection of Financial Institutions Act 80 of 1998
- Intellectual Property Laws Amendment Act No 38 of 1997
- Labour Relations Act 66 of 1995
- National Credit Act 34 of 2005
- Occupational Health and Safety Act 85 of 1993
- Pension Funds Act 24 of 1956


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- Prescription Act 68 of 1969
- Prevention and Combating of Corrupt Activities Act 12 of 2004
- Prevention of Organised Crime Act 121 of 1998
- Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
- Protection of Constitutional Democracy Against Terrorist and related Activities Act 33 of 2004
- Protection of Personal Information Act 4 of 2013
- Skills Development Levies Act 9 of 1999
- South African Qualifications Authority Act 58 of 1995
- Trust Property Control Act 57 of 1988
- Unemployment Contributions Act 63 of 2001
- Unemployment Insurance Act 63 of 2001
- Value-added Tax Act 89 of 1991

This list is not exhaustive. If the requester believes that a right of access to a record exists in terms of any other legislation, they should submit their request to the Information Officer for consideration.

6 The Request Procedure

- A request for access to a record must be made in the prescribed form, [Form 02, Request for Access to Record](#), accessible online from the Information Regulators website. This form must be completed and sent to the Information Officer at the physical address or email address as recorded in paragraph 3 above.
- The requester must specify in relation to which entity the request for access to records is applicable.
- The prescribed form must be filled in with sufficient information to enable the Information Officer to identify:
 - a) The record or records requested; and
 - b) The identity of the requester.
 - c) The right exercised or to be protected and why the record is required to exercise and protect that right.
- The requester should indicate which form of access is required and specific a postal address or fax number of the requester in RSA.
- Where they need to be informed of the decision on the request in any other matter, state the manner and particulars to be so informed.
- If the request is made on behalf of a person, the requester must submit proof of his/her authorisation to so.
- If the requester is unable to complete the prescribed form because of illiteracy or disability, such person may make the request orally.
- The prescribed time periods will not commence until the requester has furnished all the necessary and required information.
- The Information Officer shall sever a record, if possible, and grant only access to that portion requested and which is not prohibited from being disclosed.
- If the request is granted then a further access fee must be paid for the search, reproduction, preparation, and for any time that has exceeded the prescribed hour to search and prepare the record for disclosure.

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7 Fees

- PAIA provides for two types of fees, namely:
 - A request fee, which will be a standard fee; and
 - An access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.
- A requester that wants access to a record containing personal information relating to the requester is not required to pay a request fee. Every other requester must pay the required request fee from time to time.
- If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted).
- A requester may lodge an application with a court against the tender/payment of the request fee and/or deposit or may lodge a complaint with the Information Regulator.
- Records may be withheld until the fees have been paid. The fees payable are defined in [Form 03](#), accessible online from the Information Regulators website.
- When the request is received by Summit, the Information Officer will inform the requester of applicable prescribed request fees (if any), before further processing of the request.
- If a deposit has been paid in respect of a request for access, which is refused, then Summit will repay the deposit to the requester.


8 Decision

- Summit will, within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons to that effect via the prescribed form, [Form 03, Outcome of request and of fees payable](#).
- The 30 day period may be extended for further period of no more than 30 days if the request is for a large amount of information, or the request requires a search for information held at another office within Summit and the information cannot reasonably be obtained within the original 30 days period. Summit will notify the requester in writing should an extension be sought.
- Summit does not have an internal appeal procedure. A requester or a third party, who is dissatisfied with Summit's refusal to disclose information or the disclosed information, may within 30 days of notification of the decision, apply to the Constitutional Court, the High Court or another court of similar status for relief.

9 Grounds for Refusal of Access to Records

Summit may refuse a request for information on the grounds set out in PAIA including the following basis:

- Mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person.
- Mandatory protection 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; and
 - Information disclosed in confidence by a third party to Summit, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition.

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- Mandatory protection of confidential information of third parties if it is protected in terms of any agreement or legislation.
- Mandatory protection of the safety of individuals and the protection of property.
- Mandatory protection of records which would be regarded as privileged in legal proceedings.
- The information relates to the commercial activities of Summit, which may include:
 - Trade secrets of Summit;
 - Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of Summit;
 - Information which, if disclosed, could put Summit at a disadvantage in negotiations or commercial competition;
 - A computer program which is owned by Summit and which is protected by copyright.
- The research information of Summit or a third party, if its disclosure would disclose the identity of the institution, the researcher or the subject matter of the research and would place the research at a serious disadvantage.
- Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources will be refused.