

Promotion of Access to Information (PAIA) Manual

Prepared : in accordance with Section 51 of the Promotion of Access to Information Act No. 2 of 2000

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For more information:

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1. INTRODUCTION

The Promotion to Access to Information Act, No 2 of 2000 (“the Act”) gives effect to the constitutional right of access to any information in records held by public (government) or private (non-government) bodies that is required for the exercise of protection of any rights. Where a request is made in terms of the Act, Mergence Investment Managers (Pty) Ltd is obliged to release the information, except where the Act expressly provides that the information may or must not be released.

This manual informs requesters of procedural and other requirements which a request must meet as prescribed by the Act. It is important to note that the Act recognises certain limitations to the right of access to information, including but not limited to, limitations aimed at 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.

2. PART I: PARTICULARS OF THE PRIVATE BODY

(Information required under section 51(1)(a) of the Act):

- a. **Name of the Body**
Mergence Investment Managers (Pty) Ltd
- b. **Head of the Body (Information Officer)**
Mr Andrew John Howard
- c. **Postal Address**
P O Box 8275, Roggebaai, 8012
- d. **Street Address**
Suite 303, 3rd Floor, North Wing, Granger Bay Court, V&A Waterfront, Cape Town, 8005
- e. **Telephone Number**
+27 (0) 21 433 2960
- f. **Fax Number**
+27 (0) 21 433 0675
- g. **Web address**
www.mergence.co.za



h. Contact Details of Information Officer

- i. e-mail : andy@mergence.co.za
- ii. Phone : +27 (0) 21 433 2960
- iii. Fax : +27 (0) 21 433 0675

3. PART II: GUIDE OF SOUTH AFRICAN HUMAN RIGHTS COMMISSION

The South African Human Rights Commission is required in terms of the Act to compile a guide in every official language, in an easily comprehensible form and manner, as may be required by a person who wishes to exercise any right contemplated in the Act.

Any enquiries regarding this guide should be directed to:

Postal Address : The South African Human Rights Commission (PAIA Unit)
The Research and Documentation Department
Private Bag X2700
Houghton
2041

Telephone Number : +27 (0) 11 484 8300

Fax Number : +27 (0) 11 484 0582

E-mail Address : paia@sahrc.org.za

Website : <http://www.sahrc.org.za>

4. PART III: VOLUNTARY DISCLOSURE AND AUTOMATIC AVAILABILITY OF CERTAIN RECORDS

The accessibility of the documents below may be subject to the grounds of refusal set out in this manual:

- Personnel records
- Client related records
- Private body records (Financial and company secretarial)



5. PART IV: RECORDS AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

A requester may also request information that is available in terms of other legislation.

Legislation (Select Acts applicable to your company and tick in the corresponding block)	Tick
1. Administration of Estates Act, No. 66 of 1965	
2. Arbitration Act No. 42 of 1965	
3. Basic Conditions of Employment No. 75 of 1997	x
4. Companies Act No. 61 of 1973	
5. Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993	x
6. Consumer Affairs (Unfair Business Practices) Act No. 71 of 1988	
7. Copyright Act No. 98 of 1978	
8. Credit Agreements Act No. 75 of 1980	
9. Currency and Exchanges Act No. 9 of 1933	
10. Debtor Collectors Act No. 114 of 1998	
11. Employment Equity Act No. 55 of 1998	
12. Finance Act No. 35 of 2000	
13. Financial Services Board Act No. 97 of 1990	x
14. Financial Relations Act No. 65 of 1976	
15. Harmful Business Practices Act No. 23 of 1999	
16. Income Tax Act No. 95 of 1967	x
17. Insolvency Act No. 24 of 1936	
18. Insurance Act No 27 of 1943	x
19. Intellectual Property Laws Amendments Act No. 38 of 1997	
20. Labour Relations Act No. 66 of 1995	x
21. Long Term Insurance Act No. 52 of 1998	
22. Medical Schemes Act No. 131 of 1998	x
23. Occupational Health & Safety Act No. 85 of 1993	x
24. Pension Funds Act No. 24 of 1956	
25. Post Office Act No. 44 of 1958	
26. Protection of Businesses Act No. 99 of 1978	
27. Regional Services Councils Act No. 109 of 1985	
28. SA Reserve Bank Act No. 90 of 1989	
29. Short Term Insurance Act No. 53 of 1998	
30. Skills Development Levies Act No. 9 of 1999	x
31. Skills Development Act No. 97 of 1998	
32. Stamp Duties Act No. 77 of 1968	



Legislation (Select Acts applicable to your company and tick in the corresponding block)	Tick
33. Stock Exchange Control Act No. 1 of 1985	
34. Tax on Retirement Funds Act No. 38 of 1996	x
35. Trade Marks Act No. 194 of 1993	
36. Unemployment Contributions Act No. 4 of 2002	
37. Unemployment Insurance Act No. 63 of 2001	x
38. Usury Act No 73 of 1968	
39. Value Added Tax Act No. 89 of 1991	x

6. PART V: ACCESS TO INFORMATION

Mergence Investment Managers may refuse a request for information in respect of information detailed below:

a. Commercial and Legal

1. Contracts and Agreements
2. Company Confidential – Historical significance
3. Meeting Minutes
4. Shareholders
5. Property Leases and Agreements
6. Trademark
7. Insurance
8. Resolutions – Directors
9. Correspondence

b. Financial

1. Financial Year-end Results
2. Financial Analysis and Reports
3. Budgets
4. Tax and Levies

c. Human Resources

1. Employees Personnel Information
2. Employees History (skills and experience)
3. Educational Background
4. Training and Development
5. Health
6. Salaries and Wages
7. Contracts and Agreements
8. Employment Equity



d. **Marketing**

1. Advertising
2. Contracts with Suppliers
3. Product Ranges and Pricing

e. **Health & Safety**

1. Policies
2. Accidents and Incidents Reports

7. REQUEST PROCEDURE

- 7.1 A requester requiring access to information from Mergence Investment Managers must complete the prescribed Form C.
- 7.2 Submit the completed form to the Information Officer at the postal or physical address, fax number or e-mail address detailed above.
- 7.3 Mergence Investment managers will process the request within 30 days.
- 7.4 The requester will be informed in writing whether or not access has been granted.
- 7.5 The requester must pay the prescribed fee if applicable, before any further processing takes place.

