

1. INTRODUCTION

Atlas Finance Proprietary Limited (hereinafter referred to as “Atlas”) is a Private Company functioning within the Finance and Insurance space and which collaborates to advance the ambitions of communities through providing affordable financing and certain Insurance Products to the individual.

Section 51 of PAIA requires that Atlas Finance, as a private body, compiles a manual giving information to the public regarding the procedure to be followed in requesting information from us for the purpose of exercising or protecting rights.

This PAIA Manual provides an outline of the type of records and the personal information held by the Company and explains the how to submit requests for access to these records in terms of PAIA. In addition, it explains how to access or object to, personal information held by Atlas Finance, or how to request the correction of personal information held , in terms of sections 23 and 24 of the Protection of Personal Information Act, 2013 (POPIA).

a. Availability of Guide to PAIA

As required under section 10 of PAIA, a guide to PAIA is available from the South African Human Rights Commission containing information reasonably required by a person wishing to exercise or protect any right in terms of PAIA.

Any enquiries about the guide and its contents can be directed to:

South African Human Rights Commission

Promotion of Access to Information Act Unit

Research and Documentation Department

Private Bag 2700, Houghton, Johannesburg, 2041

29 Princess of Wales Terrace corner, York and St Andrews Street, Parktown, Johannesburg, 2193

t: + 27 (0) 11 484 8300

f: + 27 (0) 11 484 7146/7

e: PAIA@sahrc.org.za

www.sahrc.org.za

2. PURPOSE

Atlas is a Private Company functioning within the Finance and Insurance space and which collaborates to advance the ambitions of communities through providing affordable financing and certain Insurance Products to the individual.

a. Company Information

Company Name: Atlas Finance Proprietary Limited

Physical Address (Head Office): 123 Oxford Road, Saxonwold, Johannesburg, 2196, Gauteng, RSA

Postal Address: P.O Box 1468, Saxonwold, 2132, Gauteng, RSA

t: + 27 (0) 87 701 8665

e: privacy@atcorp.co.za;

b. Information Officer

The Executive Director: Risk and Compliance is designated as the Information Officer, therefore responsible for PAIA requirements.

Contact Person: Mr. N. Gopichand

Executive Director: Risk & Compliance

p: + 27 (0) 87 701 8665

e: privacy@atcorp.co.za;

123 Oxford Road, Saxonwold, Johannesburg, 2196, Gauteng, RSA

P.O Box 1468, Saxonwold, 2132, Gauteng, RSA

3. LATEST NOTICE IN TERMS OF SECTION 52(2)

At this stage, a notice on the categories of records that are automatically available without a person having to request access in terms of PAIA has not been published.

4. COMPANY RECORDS – CLASSIFICATION KEY

Classification No.	Access	Classification (PAIA Section)
1.	May be disclosed	Public Access Document
2.	May not be disclosed	Request after commencement of criminal or civil proceedings (s7)
3.	May be disclosed	Subject to copyright
4.	Limited Disclosure	Personal information that belongs to the requester of that information {s61}.
5.	May not be disclosed	Unreasonable disclosure {s63(1)}
6.	May not be disclosed	Likely to harm the commercial or financial interests of third party {s64(a), s64(b)}
7.	May not be disclosed	Likely to harm the Company or third party in contract or other negotiations {s64(c)}
8.	May not be disclosed	Would breach a duty of confidence owed to a third party in terms of an agreement {s65}

9.	May not be disclosed	Likely to compromise the safety of individuals or protection of property {s66}
10.	May not be disclosed	Legally privileged document {s67}}
11.	May not be refused	Environment testing / investigation which reveals public safety/ environment risks {s64(2); s68(2)}
12.	May not be disclosed	Commercial information of a private body {s68}
13.	May not be disclosed	Likely to prejudice research and development information of the Company or a third party {s69}
14.	May not be refused	Disclosure in public interest {s70}

5. COMPANY RECORDS AVAILABILITY

Corporate	Media Releases	1
	Services and Brochures	1
	PAIA Manual	1
	Intellectual Property Records	3, 12
	Public Corporate Records	1
	ISO Policies & Procedures	12, 13
Operations	Brochures	1
	Sales Information	12
	Complaints and Investigations Records	12
	Agreements and Documents	12, 13
	Fields Records	12
Business Health	Training Manual	12
	Owner Manuals	12
	Client Records	12
	Health and Safety Records	4, 5, 9
	Environmental Policy	1
	Environmental Records	11, 14
	Quality Records	12

Human Resources	Employee Records	4, 5, 9
	Employment Contracts	4, 5
	Policies and Procedures	4
	Apprenticeship Records	4, 5
	Employee Disability Insurance	4, 5
	Physical Security Records (Visitors, Suppliers, Sub Consultancies and Employees)	4, 5
	Employee Provident Fund Records	4, 5
	Payroll Records	4, 5
	Leave Records	4, 5
	Training Records	4, 5
	Recruitment Records	4, 5
	Payroll Records	4, 5
	Employee Medical Records	4, 5, 8
Disciplinary Records	4, 5, 9	
Finance	Financial Statements and Management Accounts	12
	Financial and Tax Records (Atlas Finance and Employees)	12
	Asset Register	12
	Fleet Records	12

6. INFORMATION AVAILABLE IN TERMS OF OTHER LEGISLATION

The Company also retains records and documents in terms of legislation listed below. These records and information may be made available on request, subject to this Manual, unless disclosure is prohibited in terms of legislation, agreement or otherwise.

- a. Basic Conditions of Employment Act, 1997
- b. Labour relations Act, 1995
- c. Employment Equity Act, 55 of 1998
- d. Occupational Health and Safety Act, 1993
- e. Unemployment Insurance Act, 2001
- f. National Credit Act 34 of 2005
- g. Insurance Act 18 of 2017

- h. Companies Act 71 of 2008
- i. Tax Administration Act 28 of 2011
- j. Income Tax Act, 58 of 1962
- k. Value Added Tax Act, 89 of 1991
- l. Protection of Personal Information Act 4 of 2013
- m. Financial Advisory and Intermediary Services Act 37 of 2002

7. PROCESSING OF PERSONAL INFORMATION

a. The Purpose of Processing Personal Information

The Company processes personal information for several reasons, including but not limited to the following:

- to perform services.
- to maintain records.
- for employment purposes.
- for training purposes.
- for health and safety purposes; and
- to assist the Company to detect and prevent fraud and corruption.

b. Categories of Data Subjects and Personal Information Processed by Atlas Finance

Categories of data subjects and personal information processed by the Company include the following:

Categories of Data Subject	Personal Information Processed
Client and Potential Clients	Client personal information
	Client contracts
	Client location information
Suppliers / Sub Consultants	Suppliers / Sub Consultants personal information
	Personal information of supplier / sub consultants' representatives
Employees	Time and attendance records
	Employee personal information
	Employee medical information
	Employee disability information
	Employee contracts
	Employee performance records
	Payroll records
Electronic access records	

	Physical access records
	Surveillance records
	Health and safety records
	Training records
	Employment history
Job Applicants	Curriculum Vitae and Application forms
	Background checks
Visitors	Surveillance records
	Special Personal Information

c. Recipients or Categories of Recipients with whom Personal Information is Shared

The Company may share personal information for any of the purposes outlined in section 7.a, with the following:

- Joint Venture partners, and
- Company service providers, consultants and agents who perform services on behalf of the Company

The Company does not share personal information with third parties, except if:

- The Company is obliged to provide such information for legal or regulatory purposes.
- The Company is required to do so for purposes of existing or future legal proceedings.
- The Company is selling one or more of its units to someone to whom the Company may transfer rights under any customer / client agreement.
- The Company is involved in the prevention of fraud, loss, bribery, or corruption.
- The third party performs services and processes personal information on behalf of the Company.

The Company will only send our data subjects notifications or communications if the Company is obliged by law or required to do so in terms an agreement.

The Company will only disclose personal information to Government authorities if the Company is required to do so by law.

All employees of the Company are required to adhere to data privacy and confidentiality principles and attend to data privacy training.

d. Information Security Measures to Protect Personal Information

Reasonable technical and organisational measures shall be implemented for the protection of personal information processed by the Company.

The Company shall continuously implement and monitor technical and organisational security measures to protect personal information, against unauthorised access, as well as accidental or wilful manipulation, loss or destruction.

The Company shall take steps to ensure that operators that process personal information apply adequate safeguards as outlined above.

Transborder flow of personal information

The Company will only transfer personal information to other countries if required to perform a service or if required in the circumstances. In this case the Company will only do so in accordance with POPI and other relevant legislation, or if the data subject consents to the transfer of personal information to another country.

e. Information Security Measures to Protect Personal Information

If the Company receives personal information from a third party on behalf of a data subject, the Company shall require confirmation that they have written consent from the data subject that they are aware of the contents of this PAIA manual and the Company Privacy Policy, and do not have any objection to the Company processing their information in accordance with this policy.

8. PRESCRIBED REQUEST FORMS AND FEES

A person who wants access to the records must complete the necessary request form, as set out below, and the completed form must be sent to the address or fax number provided in section 3 of this Manual, and marked for the attention of the Executive Director, Risk and Compliance.

a. Form of Request

To facilitate the processing of a request, the requester must:

- Use the prescribed form on the Company's website.
- Address the request to the Executive Director, Risk and Compliance.
- Provide sufficient detail to enable the Company to identify:

- i. The requestor (and, if an agent is lodging the request, proof of capacity).
- ii. The records requested.

- iii. The South African postal address, email address or fax number of the requestor.
- iv. The form of access required.
- v. If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof.
- vi. The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

b. Prescribed Fees

B1 – REQUEST FEES

Where the requester, other than a personal requester, requests information held by the Company, the requester shall be required to pay the prescribed fee of R50.00 before a request will be processed.

B2 – ACCESS FEES

An access fee is payable in all instances where a request for access to information is granted which include fees associated with the search for, preparation of and reproduction of a record, 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 22(8). The fee for search and preparation of the record is R30.00 per hour or part thereof, excluding the first hour, reasonably required for the search and preparation.

A requester requesting copies of all records that are publicly available, does not pay the request fee, but shall pay the prescribed access fee for reproduction.

For every photocopy of an A4-size page or part thereof	R1.80
For every printed copy of an A4-size page or part thereof	R0.80
Compact disc (CD-ROM)	R200.00
A transcription of visual images, for an A4-size page or part thereof	R50.00
For a copy of visual images	R70.00
A transcription of an audio record; for an A4-size page or part thereof	R25.00
For a copy of an audio record	R40.00
Postal fee	Actual Fee

c. Access to Prescribed Forms and Fees

Prescribed forms and fees are published on the Company website or, alternatively, copies can be requested from the Executive Director, Risk and Compliance (see contact details in section 3).

d. Applicable Time Periods

- The Company will inform the requester within 30 days after receipt of the request of its decision whether to grant the request.
- The 30-day period may be extended by a further period of not more than 30 days if 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 the Company or the records are not in the possession of the Company, or consultations amongst divisions and/or subsidiaries of the Company or another private body are required.

e. The Outcome of a Request (Granting or Refusing)

- Should the request be granted, the notice will state the access fee (if any) to be paid upon access, the form in which access will be given and further 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 such application.
- Should the request be refused, the notice will state adequate reasons for the refusal, including the provisions of the Act relied upon; and that the requester may lodge an application with a Court against the refusal of the request, and the procedure (including the time period) for lodging the application.

f. Grounds for Refusal of Access to Records

Apart from Section 7 of the Act, and subject to Section 70 of the Act, the main grounds for Atlas Finance to refuse a request for information as contemplated by the Act relates to:

- Protection of the privacy of a third party, if that third party is a natural person, which would involve the unreasonable disclosure of personal information of that natural person Section 63(1))
- Protection of commercial information of a third party as defined by the Act, if the record contains: trade secrets of that third party; financial, commercial, scientific or technical information other than trade secrets of a third party, the disclosure of which would be likely to cause harm to the commercial or financial interests of that third party; information disclosed in confidence to Atlas Finance by a third party, the disclosure of which could put that third party at a disadvantage in contractual or other negotiations or would prejudice that third party in commercial competition (Section 64).
- Protection of confidential information if the disclosure would constitute a breach of a duty or confidence to a third party in terms of an agreement (Section 65).
- Protection of safety of individuals and protection of property (Section 66).

- Protection of records which would be regarded as privileged in any legal proceedings, unless the person so entitled to privilege, waived the privilege (Section 67).
- Protection of commercial activities of the Company, which includes: trade secrets of Atlas Finance; financial, commercial, scientific or technical information, disclosure of which could cause harm to the financial or commercial interests of Atlas Finance; information which, if disclosed, could put Atlas Finance at a disadvantage in negotiations or commercial competition; a computer programme owned by Atlas Finance, and which is protected by copyright (Section 68);
- The research information of the Company or a third party on behalf of the Company if the disclosure would expose the third party, the Company, the researcher or the subject matter of the research to serious disadvantage (Section 69).

The requester must pay the prescribed fee (if applicable) before any further processing can take place.

g. Remedies

The Company does not have internal appeal procedures regarding PAIA requests. As a result, a decision made by the Executive Director, Risk and Compliance is final.

If a request is denied, the requestor is entitled to approach the court, or the Information Regulator, for relief.

9. PRESCRIBED FORMS

Form A - Request for access to record of Atlas Finance (Pty) Ltd