



Brolink

Promotion of Access to Information Manual

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1. Policy Index Fields

Promotion of Access to Information Manual	
Description	Promotion of Access to Information Manual
Type of Policy:	Compliance
Scope of Policy:	Company
Governance Area Addressed:	Risk
Approving Authority:	BrolinkKIs Owners
Company Exco Sponsor:	Hendrik Heyns
Policy Owner:	Brolink
Other Related Policies / documents:	POPIA Policy Digital Behaviour Policy
Frequency of review or update:	2 Year(s)
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2. Policy Approval

Document Status:	Approved
Approving Authority:	BrolinkKIs Owners
Approvals and approval comments:	<p>Hendrik Heyns responded on 2023-10-31T14:26:05Z with the following outcome: 'Approve' and provided the following comments: 'Happy with the new manual to cater for referencing the updated forms.'</p> <p>Pieter Oberholzer responded on 2023-11-06T09:44:37Z with the following outcome: 'Approve' and provided the following comments: 'Comfortable'</p> <p>Elbe Spies responded on 2023-11-01T05:15:28Z with the following outcome: 'Approve' and provided the following comments: 'Approved'</p>

3. Context

Any private body (business in the private sector) is required to prepare a manual in terms of section 51 of the Promotion of Access to Information Act 2 of 2000 (as amended), for purposes of providing clarity on the records held by such body and the manner of and circumstances under which records will be made available to the public.

4. Purpose & Scope

This PAIA Manual is useful for the public to:

- 4.1 check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- 4.2 have a sufficient understanding of how to make a request for access to a record of the body, by providing a description of the subjects on which the body holds records and the categories of records held on each subject;
- 4.3 know the description of the records of the body which are available in accordance with any other legislation;
- 4.4 access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;
- 4.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 4.6 know if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- 4.7 know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 4.8 know the recipients or categories of recipients to whom the personal information may be supplied;
- 4.9 know if the body has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- 4.10 know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

5. Roles and Responsibilities

The responsibility for PAIA compliance is determined by legislation and therefore the persons as set out in Section 4 and 5 are responsible for ensuring this policy is adhered to. The DIO of Brolink will be responsible for carrying out the responsibilities conferred by this Manual. The CEO will on a regular basis ensure updating of this manual.

6. List Of Acronyms And Abbreviations

“CEO”	Chief Executive Officer
“DIO”	Deputy Information Officer;
“IO”	Information Officer;
“Minister”	Minister of Justice and Correctional Services;
“PAIA”	Promotion of Access to Information Act No. 2 of 2000;

“POPIA”	Protection of Personal Information Act No.4 of 2013;
“Regulator”	Information Regulator; and
“Republic”	Republic of South Africa

7. Key Contact Details for Access to Information of BroLink

7.1. Head of the Private Body

Name: Howard John
Tel: 012 673 0000
Email: howard.john@brolink.co.za

7.2. Chief Information Officer

Name: Hendrik Heyns
Tel: 012 673 0000
Email: hendrik.heyns@brolink.co.za

7.3. Deputy Information Officer

Name: Christoph Fuhrmann
Tel: 012 673 0000
Email: christoph.fuhrmann@brolink.co.za

7.4. Access to information general contacts

Email: paia@brolink.co.za

7.5. National or Head Office

Postal Address: P.O. Box 9346, Centurion, 0046
Physical Address: West End Office Park, 254 Hall Street, Die Hoewes, Centurion, 0157
Telephone: 012 673 0000
Email: brolink@brolink.co.za
Website: www.brolink.co.za

8. Guide on how to use PAIA and how to obtain access to the Guide

- 8.1. The Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the revised Guide on how to use PAIA (“Guide”), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.
- 8.2. The Guide is available in each of the official languages and in braille.
- 8.3. The aforesaid Guide contains the description of-
 - 8.3.1. the objects of PAIA and POPIA;
 - 8.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-
 - 8.3.2.1. the Information Officer of every private body, and

- 8.3.2.2. every Deputy Information Officer of every private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
- 8.3.3. the manner and form of a request for access to a record of a private body contemplated in section 50²;
- 8.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;
- 8.3.5. all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-
 - 8.3.5.1. an internal appeal;
 - 8.3.5.2. a complaint to the Regulator; and
 - 8.3.5.3. an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;
- 8.3.6. the provisions of section 51 requiring a private body to compile a manual, and how to obtain access to a manual;
- 8.3.7. the provisions of section 52 providing for the voluntary disclosure of categories of records by a private body;
- 8.3.8. the notices issued in terms of section 54 regarding fees to be paid in relation to requests for access; and
- 8.3.9. the regulations made in terms of section 92³.
- 8.4. Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours. Copies may be downloaded from the website of the Regulator (<https://info regulator.org.za>).

¹ Section 17(1) of PAIA- *For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.*

² Section 56(a) of POPIA- *Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.*

³ Section 92(1) of PAIA provides that –*“The Minister may, by notice in the Gazette, make regulations regarding-*
 (a) *any matter which is required or permitted by this Act to be prescribed;*
 (b) *any matter relating to the fees contemplated in sections 22 and 54;*
 (c) *any notice required by this Act;*
 (d) *uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and*
 (e) *any administrative or procedural matter necessary to give effect to the provisions of this Act.”*

9. Form and Manner of Access

- 9.1. Access to the Guide
 - 9.1.1. The Guide is available for inspection in English and Sesotho at the office of Brolink during normal working hours.
 - 9.1.2. The Guide can also be obtained in electronic format upon request from the Information Officer or Deputy Information Officer.
- 9.2. Access to information in terms of PAIA
 - 9.2.1. A requester must complete **Form 2** (available for download from the Brolink website) and submit such form to the Information Officer or Deputy Information Officer for consideration of providing the information. The form must be completed in full, and the information sought must be clearly specified. Reasons for the request to access the information must be provided.
 - 9.2.2. A requester should also download **Form 3** (available from the Brolink website) as guidance on the process that will be followed pursuant to an information access request, as well as the costs involved should an access request be granted.

10. Availability of the Manual

- 10.1. A copy of the Manual is available –
 - 10.1.1. On the Brolink Website;
 - 10.1.2. Head office of Brolink for public inspection during normal business hours;
 - 10.1.3. To any person upon request and upon the payment of a reasonable prescribed fee;And
 - 10.1.4. To the information Regulator (upon request).
- 10.2. A fee for a copy of the Manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made.

11. Categories of records of Brolink which are available without a person having to request access

- 11.1. Employees can make a request for his or her personal employee record through the Information Officer if the Employee is unable to access such record through the Human Resources Department.
- 11.1 The general public and all employees may request through the Information Officer at the contact details listed at section B of this manual:
 - 11.1.1. Memorandum of Incorporation;
 - 11.1.2. Marketing brochures;
 - 11.1.3. Media releases; and
 - 11.1.4. This manual.

12. Description of the records of Brolink which are available in accordance with other legislation

[Note – a request for this type of information may be refused on legal grounds as being restricted or subject to Governing Legislation]

- Basic Conditions of Employment Act, No. 75 of 1997;
- Broad-Based Black Economic Empowerment Act, 2003 (Act 53 of 2003);
- Companies Act, No. 71 of 2008;
- Compensation for Occupational Injuries and Diseases Act, No. 130 of 1993;
- Electronic Communications and Transactions Act, no. 25 of 2002;
- Electronic Communications Act, 2005 (Act 36 of 2005);
- Employment Equity Act, No. 55 of 1998;
- Income Tax Act, No. 58 of 1962;
- Labour Relations Act, No. 66 of 1995;
- National Payment System Act, No. 78 of 1998;
- Protection of Personal information Act, No. 4 of 2013;
- Protected Disclosures Act, No. 26 of 2000;
- Occupational Health and Safety Act, No. 85 of 1993;
- Skills Development Act, No. 97 of 1998;
- Skills Development Levies Act, No. 9 of 1999;
- Trademarks Act No. 194 of 1993;
- Unemployment Contributions Act, No. 4 of 2002;
- Unemployment Insurance Act, No. 63 of 2001;
- Value-Added Tax Act, No. 89 of 1991;
- Financial Advisory and Intermediary Services Act, 2002 (Act 37 of 2002);
- Prevention of Organised Crime Act (121 of 1998);
- Financial Intelligence Centre Act (38 of 2001);
- Protection of the Constitutional Democracy against Terrorism Act (33 Of 2004);
- Short-term Insurance Act, No. 53 of 1998;
- Long-term Insurance Act, No. 52 of 1998;
- Pension Funds Act, No. 24 of 1956;
- The Financial Sector Regulation Act, No. 9 of 2017;
- The Insurance Act, No. 18 of 2017.

13. Description of the subjects on which the Body holds records and categories of records held by Brolink

Subjects on which the body holds records	Categories of records
Strategic Documents, Plans, Proposals	Annual Reports, Strategic Plan, Business Continuity Management Plan, Annual Performance Plan.
Risk and Compliance	Various governance policies and frameworks, including a comprehensive risk plan. Brolink holds various risk policies, drafted in pursuance of governance of risk. The department is responsible for statutory returns to the FSCA and FIC.
Operations	Records of policyholders <ul style="list-style-type: none"> - Client information - Underwriting records - Claims records - Repudiation and complaints records - Marketing and advertising - Credit scores and credit records
Information Technology	Various technology-related risk policies and a comprehensive risk framework. Brolink IT owns the intellectual property as it relates to processes and source

Subjects on which the body holds records	Categories of records
	code. Brolink processes data of 100 000+ policyholders on its systems. <ul style="list-style-type: none"> - IT logs - Databases - Data collected - Backups
Finance	<ul style="list-style-type: none"> - Tax records - Vendor/insurer/supplier data - Payment records
Legal	<ul style="list-style-type: none"> - Contracts - Litigation
Human Resources	<ul style="list-style-type: none"> - HR policies and procedures - Advertised posts - Employee records (current and former) - Salary and deduction records

14. Processing of personal information

14.1 Purpose of Processing Personal Information

Brolink will mainly process personal information of owners of short-term insurance policies administered through Brolink's Websure system. Brolink will also, incidental to its operations, process personal information of persons Brolink contracts with, which includes employees, brokers, service providers and insurer functionaries.

14.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto

Categories of Data Subjects	Personal Information that may be processed
Personal lines policyholders	Name, address, gender, age, identity numbers of insured and family, assets insured, credit information and bank details
Commercial lines policyholders	Name, address, registration numbers, VAT number, assets insured, turnover, financial position and bank details
Service Providers	Name, registration number, VAT number, address, B-BBEE status and bank details
Brokers	Name, address, registration details, VAT number, B-BBEE status, bank details and details of employees.
Employees	Address, qualifications, earnings, health information, gender and race.

14.3 The recipients or categories of recipients to whom the personal information may be supplied

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Identity number and names, for criminal checks	South African Police Services
Qualifications, for qualification verifications	South African Qualifications Authority
Credit and payment history, for credit information	Credit Bureaus

14.4 Planned transborder flows of personal information

Brolink does not, as required by the insurers it deals with, store or process any information outside the borders of South Africa. Brolink may, for purposes of technology development, process dummy / de-identified information in India.

14.5 **General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity, and availability of the information**

Brolink has advanced technological systems and security safeguards in place, as required by financial sector legislation. A description of the data protection safeguards is available from the Deputy Information Officer. As data protection safeguards carry intellectual property of Brolink, and disclosure of such information poses a risk to Brolink's data security, details of Brolink's risk management protocols and security architecture will not be disclosed.