



PROMOTION OF ACCESS TO INFORMATION POLICY



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1. Introduction

This policy is intended to assist a person wishing to access information in terms of Section 10 of the Promotion of Access to Information Act (PAIA) by the Human Rights Commission.

Should the requester, as contemplated in the Act, require access to any information he or she must contact The ICB on info@saicb.co.za

2. Terms

In this policy:

2.1 terms defined in the act shall have the meaning set out therein;

2.2 reference to sections shall be a reference to sections to the Act;

2.3 the following terms shall have the meaning assigned to them.

2.3.1 “the Act” means the Promotion of Access to Information Act No. 2 of 2000, as amended, together with any regulations published in terms thereof;

2.3.2 “Head” means the Information Officer or CEO

2.3.3 “Policy” means this manual, together with all annexes thereto as amended and made available to the Website from time to time

2.3.4 “SAHRC” means the South African Human Rights Commissioner and

2.3.5 “Website” means the ICB website at www.saicb.co.za

3. Background of the Insurance Crime Bureau NPC

The ICB’s core business purpose is to combat syndicated insurance fraud on behalf of its members

4. Section 51(1) (a) Information

Name of Organisation	The South African Insurance Crime Bureau
Physical Address	1343 Mahai Close, Bekker Street, Midrand, Johannesburg, 1685
Postal Address	P.O. Box 2522, Halfway House, 1685
Contact	Garth De Klerk
Telephone	011 021 1432
E-mail	info@saicb.co.za

5. Section 51(1) (b) Information

5.1 Guide

In terms of section 10 of the Act, the SAHRC has published a guide containing information reasonably required by a person wishing to exercise or protect any right in terms of the Act. This guide is available from the SAHRC offices, the details of which appear below, or on the SAHRC website at:

SAHRC Guide

(<https://www.sahrc.org.za/home/21/files/Section%2010%20guide%202014.pdf>)



Which contains the following information:

- 5.1.1 the objects of the Act;
- 5.1.2 particulars of the information officer of every public body;
- 5.1.3 particulars of every private body are practicable;
- 5.1.4 the manner and form of a request for access to information held by a body;
- 5.1.5 assistance available from both the information officer and the SAHRC in terms of this Act;
- 5.1.6 all remedies in law regarding acts, omissions, rights and duties, including how to lodge an internal appeal and a court application;
- 5.1.7 schedules of fees to be paid in relation to requests for access to information, and
- 5.1.8 regulations made in terms of the Act

5.2 Queries

Any queries regarding the guide should be directed to:

The South African Human Rights Commission, PAIA Unit, the Research and Documentation Department

POSTAL ADDRESS	Private Bag 2700, Houghton, 2041	WEBSITE	www.sahrc.org.za
PHYSICAL ADDRESS	Braampark Forum 3, 33 Hoofd Street, Braamfontein	PHONE	011 877 3600
E-MAIL	PAIA@sahrc.org.za	FAX	011 403 0625

6. Section 51(1) (c) information

The ICB has not published any notice in terms of section 52.

7. Section 51(1) (d) information

- 7.1 The ICB keeps records in accordance with all such legislation as is applicable, which includes but is not limited to, the legislation set out in Schedule 1.
- 7.2 Where records are kept in terms of any of the above legislation and same is of a public nature, these may, in certain circumstances, be available without the requirement of a request in terms of the Act.

8. Section 51(1) (e) information

This part of the Manual sets out a description of the subjects on which the ICB holds records and the categories of records held on each subject. These include operational records of the ICB, which it may utilise in the day to day running and administration of its business, including:

- accounting information
- internal phone lists
- policies
- directives
- minutes of meetings; and
- administrative information



8.1 Records that may be requested subject to the provisions of the Act and paragraph 8.2, the ICB retains the following records:

8.1.1 Operational information

Such information as relates to the operational, commercial and financial interests, including (without limitation):

- accounting records;
- membership contracts;
- company secretarial information, including, documents of incorporation, memorandum of incorporation, minutes of board of director's meetings, records relating to the appointment of directors/auditors/secretary/public officer and other officers and other statutory registers;
- employment contracts;
- human resource information (including internal policies and procedures; training records and manuals business employee records; and personal information relating to past, present and prospective employees and directors);
- information relating to the ICB's marketing, business plans, systems and procedures;
- insurance policies;
- internal phone lists;
- internal policies and procedures; and
- records relating to information technology (hardware, software and data collection and storage).

8.1.2 Communications

Internal and external correspondence of the ICB directors, its staff and members, including letters, faxes, memos, emails and the like, to the extent that same are not covered by the records described in paragraph 8.1.1.

8.1.3 Website

The ICB's website address is www.saicb.co.za and is accessible via the Internet. The website contains various categories of information relating to the ICB, including a description of the services provided, a background to the business of the ICB, amongst others.

8.2 The Request Procedures

It should be noted that any and all records, whether specifically listed herein or not, shall only be made available subject to the provisions of the Act.

8.2.1 Form of request

Internal and external correspondence of the ICB directors, its staff and members, including letters, faxes, memos, emails and the like, to the extent that same are not covered by the records described in paragraph 4.

- A requester must use the form set out in Schedule 2 to make a request for access to a record. This form must be submitted to the Head. This request may be made to any of the contact details set out in paragraph 4.



- The requester must provide sufficient detail on the request form to enable the Head to identify the record and the requester. The requester should also indicate which form of access is required and specify a postal address in the Republic of South Africa. The requester should also indicate if, in addition to a written reply, any other manner is to be used to inform the requester and state the necessary particulars to be so informed.
- The requester must identify the right that is sought to be exercised or protected and provide an explanation of why the requested record is required for the exercise or protection of that right.
- 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 satisfaction of the Head.

8.2.2 Fees

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee:

- the Information Officer will by written notice require each requester (other than a personal requester) to pay the prescribed request fee (if any) before further processing any request;
- the fee that the requester must pay to a private body is R50, provided that the requester may lodge an application to the court against the tender or payment of the request fee;
- after the Information Officer has made a decision on the request, the requester will be notified in the required form. If the request is granted, then a further access fee must be paid for reproduction and for search and preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure. The current fees are set out in Schedule 3.

9. Availability of manual

9.1 This Manual is available for inspection by the general public upon request, during office hours and free of charge, at the offices of the ICB. Copies of the Manual may be made, subject to the prescribed fees.

9.2 The Manual is also posted on the ICB'S website referred to in paragraph 8.1.3.



SCHEDULE 1:

LEGISLATION OF GENERAL APPLICATION

Basic Conditions of Employment Act 75 of 1997
Companies Act 71 of 2008
Compensation for Occupational Injuries and Diseases Act 130 of 1993
Competition Act 89 of 1998
Consumer Protection Act 68 of 2008
Electronic Communications and Transactions Act 25 of 2002
Employment Equity Act 55 of 1998
Income Tax Act 58 of 1962
Labour Relations Act 66 of 1995
National Credit Act 34 of 2005
Non Profit Organisations Act 71 of 1997
Occupational Health and Safety Act 85 of 1993
Prevention of Organised Crime Act 121 of 1998
Prevention and Combating of Corrupt Activities Act 12 of 2004
Protection of Personal Information No 4 of 2013
Protection of Businesses Act 99 of 1978
Skills Development Act 97 of 1998
Skills Development Levies Act 9 of 1999
Tobacco Products Control Act 83 of 1993
Unemployment Insurance Act 63 of 2001
Unemployment Insurance Contributions Act 4 of 2002
Value Added Tax Act 89 of 1991



SCHEDULE 2:

Request form

A. Particulars of private body

The Head: The South African Insurance Crime Bureau NPC
P.O. Box 2522, Midrand, 1685

B. Particulars of person requesting access to the record

- a) *The particulars of the person who requests access to the record must be recorded below.*
b) *Furnish an address in the Republic to which information must be sent.*
c) *Proof of the capacity in which the request is made, if applicable, must be attached.*

Full names and Surname	
Identity number	
Postal address	
Telephone number	
E-mail address	
Capacity in which request is made, when made on behalf of another person	

C. Particulars of person on whose behalf request is made

This section must be completed only if a request for information is made on behalf of another person.

Full names and Surname	
Identity number	

D. Particulars of record

- a) *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.*
b) *If the provided space is inadequate please continue on a separate folio and attach it to this form. The requester must sign all the additional folios*

Description of record or relevant part of the record	
Reference number if available	
Any further particulars of record	

E. Fees

- a) *A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.*
b) *You will be notified of the amount required to be paid as the request fee.*



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 thereof

Reason for exemption from payment of fees	
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F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability	
Form in which record is required	

Mark the appropriate box with an "X". NOTES: (a) Your indication as to the required form of access depends on the form in which the record is available. (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form. (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

1. If the record is in written or printed form			
	copy of record		inspection of record

2. If record consists of visual images			
	(this includes photographs, slides, video recordings, computer	generated images, sketches, etc.) view the images copy of the images	transcription of the images

3. If record consists of recorded words or information which can be reproduced in sound			
	listen to the soundtrack (audio cassette) transcription of soundtrack		(written or printed document)

4. If record is held on computer or in an electronic or machine-readable form			
	printed copy of record	printed copy of information derived from the record	copy in computer readable form

if you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? A postal fee is payable.	YES	NO
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G. Particulars of right to be exercised or protected

If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.



Indicate which right is to be exercised or protected	
Explain why the requested record is required for the exercising or protection of the aforementioned right	

H. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved/denied. If you wish to be informed thereof in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at this day _____ of _____ 20__

SIGNATURE OF REQUESTER / PERSON ON WHO'S BEHALF REQUEST IS MADE



Schedule 3:

	ITEM	BASIS	FEE
1.		Copy of the Manual as contemplated in regulation 9(2)(	
		Per photocopy of an A4-size page or part thereof.	R1.10
2.		Reproduction referred to in regulation 11(1)	
	a)	Per photocopy of an A4-size page or part thereof.	R 1.10
	b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine- readable form	R 0.75
	c)	For a copy in a computer-readable form on –	
		(i) stiffy disc	R 7.50
		(ii) compact disc	R70.00
	d)	(i) For a transcription of visual images, for an A4-size page or part thereof	R40.00
		(ii) For a copy of visual images	R60.00
	e)	(i) For a transcription of an audio record, for an A4-size page or part thereof	R20.00
		(ii) For a copy of an audio record	R30.00
3.		Request fee payable by a requester, other than a personal requester, referred to in regulation 11(2).	R50.00
4.		The access fees payable by a requester referred to in regulation 11(3) are as follows:	
4.1	a)	For every photocopy of an A4-size page or part thereof	R 1.10
	b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine- readable form	R 0,75
	c)	For a copy in a computer-readable form on	
		i) stiffy disc	R 7,50
		ii) compact disc	R70.00
	d)	i) For a transcription of visual images, for an A4-size page or part thereof	R40.00
		ii) For a copy of visual images	R60.00
	e)	i) For a transcription of an audio record, for an A4-size page or part thereof	R20.00
		ii) For a copy of an audio record	R30.00
	f)	To search for and prepare the record for disclosure, for each hour or part of an hour reasonably required for such search and preparation	R30.00
4.2		For purposes of section 54(2) of the Act, the following applies:	
	a)	Six hours as the hours to be exceeded before a deposit is payable; and	
	b)	one third of the access fee is payable as a deposit by the requester	
5.		The actual postage is payable when a copy of a record must be posted to a requester	