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Promotion of Access to Information («PAIA»)

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1 Introduction

The purpose of this Local Policy is intended to ensure that access to information within HBZ Bank Limited (hereinafter, «the Bank») is complied with in accordance with The Promotion of Access to Information Act, No 2 of 2000 (the hereinafter, «PAIA»). This Policy is prepared in terms of section 51 of PAIA. The PAIA was enacted giving effect to the constitutional right of access to any information held by the State and any information that is held by another person and that is required for the exercise or protection of any rights. Where a request is made in terms of the PAIA, the body to which the request is made is obliged to release the information, except where the PAIA expressly provides that the information may or must not be released. The PAIA sets out the requisite procedural issues attached to such request.

This Local Policy is also intended to foster a culture of transparency and accountability within the Banking industry as a whole, by giving effect to the right to information that is required for the exercise or protection of any right and to actively promote a society in which the people of South Africa have effective access to information to enable them to more fully exercise and protect their rights. In order to promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in terms of the PAIA in order for them to exercise their rights in relation to public and private bodies.

Section 9 of the PAIA however recognizes that such right to access to information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

- limitations aimed at the reasonable protection of privacy
- commercial confidentiality
- 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. All references in this Policy to COUNTRY MANAGER means the Chief Executive Officer of the Bank.

2 References

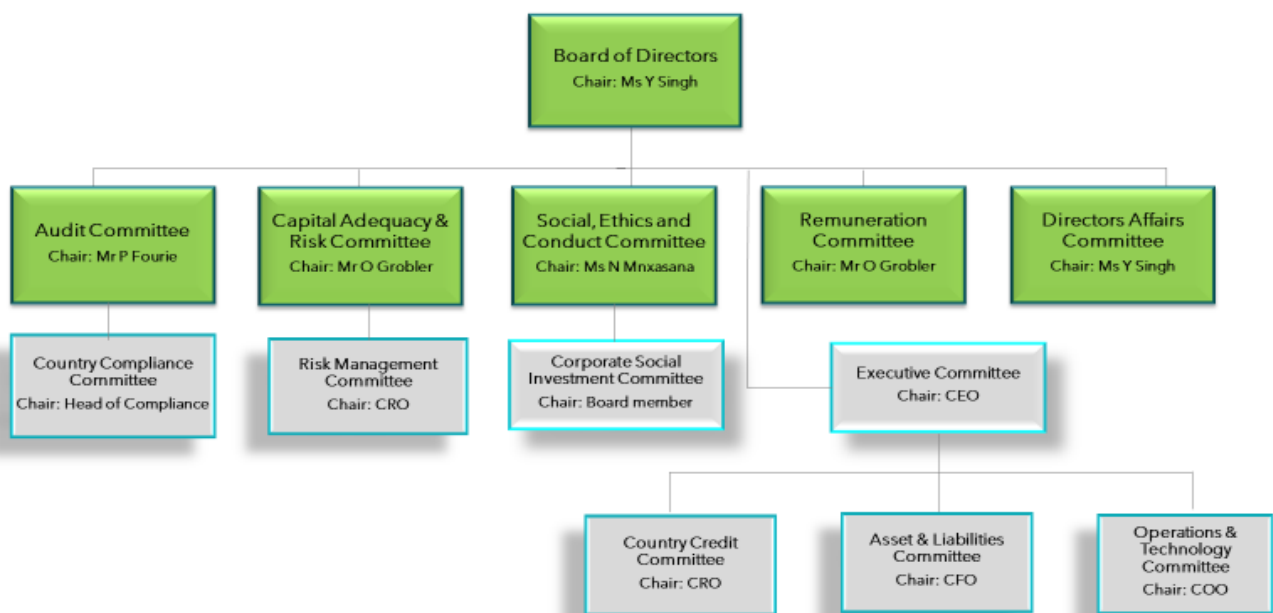
- The Promotion of Access to Information Act («PAIA»), No 2 of 2000
- The Constitution of the Republic of South Africa, 1996- Chapter 2: Bill of Rights
- The Protection of Personal Information Act, No 4 of 2013
- Regulations relating to the Promotion of Access to Information – 27 Aug 2021



3 INFORMATION OFFICER

INFORMATION OFFICER: COUNTRY MANAGER, Mr Ashley Cameron
Deputy INFORMATION OFFICER: Head of COMPLIANCE, Ms Michelle Sewchuran
Postal address: Umhlanga Arch, Level 4, 1 Ncondo Place, Umhlanga Ridge, Durban
Physical Address: Umhlanga Arch, Level 4, 1 Ncondo Place, Umhlanga Ridge, Durban
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E-mail: compliance@hbzbank.co.za

4 BANK STRUCTURE



4.1 Products and Services Offered by the Bank

Business Banking

- Current Accounts
- Call and Time Deposit Accounts
- Foreign Currency Accounts
- Commercial Loan
- Overdraft

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- Forward Exchange Contracts
- Foreign Bank Notes
- Debit Cards

Personal Banking

- Current and Saving Accounts
- Call and Time Deposit Accounts
- Foreign Currency Accounts
- Overdrafts
- Loans
- Foreign Bank Notes
- Debit Cards

Sirat Islamic Banking

- SIRAT Savings Account
- SIRAT Current Account
- SIRAT Murabaha Financing
- SIRAT Islamic Investment
- SIRAT Diminishing Musharakah
- SIRAT Shariah Forward Exchange

Ebanking

- SMS alerts
- Trade finance transaction details on-line
- Bulk EFT payments
- International Outward Payments
- SARS payments

Trade Finance and Services

- Advance Payments
- Open Account Payments
- Letter of Credit
- Bills for Collection
- Discounting of Export Bills
- Trust Receipt

Letters of Guarantee

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Payments

- Cross Border (Inward/Outward)
- Electronic Funds Transfer (EFT)
- Real-time Clearing (RTC)
- SWIFT (Immediate) Payments

Sirat Islamic Banking

- SIRAT Savings Account
- SIRAT Current Account
- SIRAT Premium Call Account
- SIRAT Murabaha Financing
- SIRAT Islamic Investment Certificates
- SIRAT Diminishing Musharakah
- SIRAT Shariah Forward Exchange Contract

eWallets

- Samsung Pay
- Garmin Pay
- Fitbit Pay

5 Guide of the department of justice and constitutional development

The Information Regulator has compiled a guide as contemplated in section 10 of the PAIA. The guide contains such information as may reasonably be required by a person who wishes to exercise any right contemplated in the PAIA. The guide can be obtained from the Information Regulator:

Address: JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001

Website: <https://www.informationregulator.org.za>

E-mail Address: Complaints: PAIAComplaints@infoeregulator.org.za – General enquiries: enquiries@infoeregulator.org.za.

POPIAComplaints@infoeregulator.org.za – should you feel that your personal information has been violated, you may use this e-mail address to lodge a complaint

In addition the guide can be obtained for the Banks INFORMATION OFFICER noted above. The Bank shall not charge a fee for a copy of this guide.



6 Protection of Personal information

The Bank collects and uses certain types of personal information in order to effectively carry out everyday business functions and activities, to provide products and services to its clientele and potential customers, to discharge its legal and regulatory obligations and to operate as a going concern. Such personal data is collected from staff members, clients and suppliers and includes, but is not limited to, names, address, email addresses, dates of birth, IP addresses, tax identification numbers, private / confidential information and some special categories of personal data.

Ensuring and maintaining the security and confidentiality of personal data is a top priority for the Bank and the Bank has in place procedures and controls to ensure compliance with the applicable data protection laws and regulations. The aim of these measures is to minimize the risk of personal data breaches and to uphold the protection of personal data.

The data processing principles embody the spirit of the personal data protection regime. Compliance with these key principles is therefore a fundamental building block for Bank data protection practices. The data processing principles are:

- Lawfulness, fairness and transparency: personal data shall be processed lawfully, fairly and in a transparent manner in relation to the data subject.
- Purpose limitation: personal data shall be collected for specified, explicit and legitimate purpose and not further processed in a manner that is incompatible with those purposes.
- Data minimization: the collection of personal data shall be adequate, relevant and limited to what is necessary in relation to the purposes for which it is processed.
- Accuracy: personal data that has been collected must be accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data which is inaccurate, having regard to the purposes for which it is being processed, is deleted or rectified without delay.
- Storage limitation: personal data must not be kept for longer than necessary for the purposes for which the personal data is processed; once the information is no longer needed, personal data must be deleted.
- Integrity and confidentiality: personal data must be processed in a manner that ensures appropriate security of the personal data, including protection against unauthorized or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organizational measures. To protect and preserve personal data throughout its lifecycle, an information security network shall be implemented, including pseudonymisation and encryption, where applicable.

7 Measures to protect personal information

The Bank shall implement adequate and appropriate governance measures to ensure the safe-guarding of personal data and compliance with data protection laws, including to:

- educate Senior Management and staff members about the requirements of data protection laws and the impacts of non-compliance
- provide a data protection training program for all staff members
- identify key stakeholders to support a data protection compliance program
- allocate responsibility for data protection compliance and ensure that the designated persons have sufficient access, support and resources to perform their roles.



The Bank shall implement adequate measures to ensure the safe-guarding of personal data and compliance with data protection laws, including:

- personal data inventory
- to embed data protection into the design specifications of new systems and technologies
- to implement appropriate technical and organizational measures to ensure that, by default, only personal data necessary for each specific purpose of the processing are processed. The Bank shall therefore take steps to minimise the amount of personal data it collects as well as to exercise greater controls over the extent of its' processing of such data. The Bank shall only process personal data to the extent necessary for the intended and stated purposes.
- wherever possible, personal data should be structured in a commonly used machine-readable and interoperable format to allow the Bank to satisfy the requirement of data portability
- the Bank shall employ appropriate clauses within its legal agreements for its outsourced functions relating to personal information and obtain company documents, certifications, references and ensure that the processor is adequate, appropriate and effective for the respective task.

8 International data transfers

The Bank uses the hPLUS system which stores/ personal information of data subjects on servers in Switzerland that are part of the Groups global IT system.

Inter-Bank transfers – Group Data Transfer Agreement

All relevant legal entities of the Group have entered into the Group Data Transfer Agreement (DTA) in order to ensure that adequate safeguards for personal data are maintained on a Group-wide basis. As a result of the DTA, there are no restrictions to the international transfer of personal data within the Group.

Transfers to third parties

The transfer of personal data to any country outside of South Africa may only take place subject to the following conditions:

- The third party who is the recipient of the information is subject to a law, binding corporate rules or binding agreement which provide an adequate level of protection that:
 - i. effectively upholds principles for reasonable processing of the information that are substantially similar to the conditions for the lawful processing of personal information relating to a data subject in South Africa; and
 - ii. includes provisions, that are substantially similar to this section, relating to the further transfer of personal information from the recipient to third parties who are in a foreign country.
- the data subject consents to the transfer.
- the transfer is for the benefit of the data subject, and:
 - i. it is not reasonably practicable to obtain the consent of the data subject to that transfer; and
 - ii. if it were reasonably practicable to obtain such consent, the data subject would be likely to give it.

In the absence of an adequate level of protection or of appropriate safeguards, a transfer (or set of transfers) of personal data can be done if fits within one of the relevant derogations:

- consent (must be specific and informed)



- the transfer is necessary for the performance of a contract between the data subject and the responsible party, or for the implementation of pre-contractual measures taken in response to the data subject's request.
- the transfer is necessary for the conclusion or performance of a contract concluded in the interest of the data subject between the responsible party and a third party
- substantial public interest (crime prevention, tax collection, etc.)
- legal claims
- vital interest (i.e. life and death)
- public registers (extracts of public registers of directors, shareholders or professional practitioners, etc.)
- in cases where there are not repetitive transfers, a limited number of data subjects, necessary for the purposes of the compelling legitimate interest pursued by the data controller which are not overridden by the interests or rights and freedoms of the data subject, and the data controller has assessed all the circumstances surrounding the data transfer and has provided suitable safeguards. In such cases, the Bank shall inform the Regulator and data subjects of the transfer (including the basis for the compelling legitimate interest).

9 Lodging of complaints regarding access to information

Requesters for information may lodge complaints about accessing information from the Bank with the Information Regulator.

10 Voluntary disclosure and automatic availability of certain records

- The INFORMATION OFFICER shall compile and keep a description of the categories of records that are:
 - Voluntary disclosed, or
 - Automatically available without a requester having to request access thereto.
- This list shall be:
 - Updated as soon as practically possible after any amendment occurs, and
 - Made available:
 - To the Information Regulator,
 - On the Banks website, and
 - For inspection at the Banks Head Office during normal office hours.
- A requester may request a copy of this list and shall be provided with a copy upon payment of a fee for reproduction.
- The INFORMATION OFFICER of the Bank shall at least once each year, submit to the Information Regulator a description of:
 - the categories of records of the Bank that are automatically available without a person having to request access in terms of PAIA, including such categories available:



- for inspection in terms of legislation other than this Act;
- for purchase or copying from the body; and
- from the body free of charge; and
- how to obtain access to such records.

11 Records of the Bank

Information is classified and grouped according to records relating to the following subjects and categories:

11.1 Personnel records

“Personnel” refers to any person who works for, or provides services to or on behalf of the Bank, and receives or is entitled to receive remuneration and any other person who assists in carrying out or conducting the business of the Bank. This includes, without limitation, directors (executive and non-executive), all permanent, temporary and part-time staff members, as well as contract workers. Personnel records include the following:

- personal records provided by personnel
- records provided by a third party relating to personnel
- conditions of employment and other personnel-related contractual and quasi-legal records
- internal evaluation records and other internal records
- correspondence relating to personnel
- training schedules and material.

11.2 Customer related records

“Customer” refers to any natural or juristic entity that receives services from the Bank. Customer related records include the following:

- records provided by a customer to a third party acting for or on behalf of the Bank in the banking industry
- records provided by a third party
- records generated by or within the Bank relating or pertaining to its customers, including transactional records.

11.3 Private body records

These records include, but are not limited to, the records which pertain to the Bank’s own affairs:

- financial records
- operational records
- databases

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- information technology
- marketing records
- internal correspondence
- product records
- statutory records
- internal policies and procedures
- treasury related records
- securities and equities
- records held by officials of the Bank.

11.4 Other party records

The Bank may possess records pertaining to other parties, including without limitation contractors, suppliers, subsidiary / holding / sister companies, joint venture companies, and service providers. Alternatively, such other parties may possess records that can be said to belong to the Bank. These include:

- personnel, customer or private body records which are held by another party, as opposed to the records held by the Bank itself
- records held by the Bank pertaining to other parties, including without limitation, financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about the contractors / suppliers.

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

The Bank may supply client information to the following recipients or categories of recipients:

- Any regulatory body
- SAPS
- Law enforcement body or agency
- SARS
- As part of a commission of enquiry
- Subpoenas or warrants

12 Requests for information

12.1 Request procedure

- The requester shall comply with all the procedural requirements contained in the PAIA relating to the request for access to a record.
- The requester shall complete the «Request for Access to Records of Private Body Form» available on the Bank's website www.hbzbank.co.za or obtain a copy from the INFORMATION OFFICER, and submit it, as well as payment of a request fee and a deposit, if applicable, to the INFORMATION OFFICER.



- The «Request for Access to Records of Private Body Form» shall be filled in with enough particularity to at least enable the INFORMATION OFFICER to identify:
 - the record or records requested
 - the identity of the requester
 - which form of access is required, if the request is granted
 - the postal address or fax number of the requester.
- The requester shall state that the information is required in order to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. In addition, the requester shall clearly specify why the record is necessary to exercise or protect such a right.
- The Bank shall process the request within 30 days, unless the requestor has stated special reasons that would satisfy the INFORMATION OFFICER that circumstances dictate that the above time periods not be complied with.
- The requester shall be informed whether access granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, he shall state the manner and the particulars so required.
- If a request is made on behalf of another person, then the requester shall submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the INFORMATION OFFICER.
- If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.
- The requester shall pay the prescribed fee, before any processing can take place.

12.2 Grounds for refusal of a request for access to records

The main grounds for the Bank to refuse a request for information relates to:

- 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 the third party
 - financial, commercial, scientific or technical information which disclosure could cause harm to the financial or commercial interests of the third party
 - information disclosed in confidence by a third party to the Bank, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition.
- mandatory protection of confidential information of third parties if it is protected in terms of any agreement
- 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 commercial activities of the Bank, which may include:
 - trade secrets of the Bank
 - financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of the Bank
 - information which, if disclosed could put the Bank at a disadvantage in negotiations or commercial competition
 - a computer program which is owned by the Bank and which is protected by copyright.



- research information of the Bank or a third party, if its disclosure would disclose the identity of the Bank, 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 vexation, or which involve an unreasonable diversion of resources shall be refused.

12.3 Remedies available when the Bank refuses a request for information

12.3.1 Internal remedies

The Bank has a complaints policy in place which provides for an internal appeal procedures. The requestor shall also have the right to exercise external remedies at their disposal if the request for information is refused, and the requestor is not satisfied with the answer supplied by the INFORMATION OFFICER.

12.3.2 External remedies

- A requestor that is dissatisfied with an INFORMATION OFFICER's refusal to disclose information may within 30 days of notification of the decision, may lodge a complaint with the Information Regulator.
- Likewise, a third party dissatisfied with an INFORMATION OFFICER's decision to grant a request for information, may within 30 days of notification of the decision, may lodge a complaint with the Information Regulator.

12.4 Access to records held by the Bank

Records held by the Bank may be accessed by requests only once the prerequisite requirements for access have been met. A requester is any person making a request for access to a record of the Bank. There are two types of requesters:

Personal requester

- A personal requester is a requester who is seeking access to a record containing personal information about the requester.
- The Bank shall voluntarily provide the requested information, or give access to any record with regard to the requester's personal information. The prescribed fee for reproduction of the information requested shall be charged.

Other requester

This requester (other than a personal requester) is entitled to request access to information on third parties. However, the Bank is not obliged to voluntarily grant access. The requester shall fulfil the prerequisite requirements for access in terms of the PAIA, including the payment of a request and access fee.

12.5 Fees

- The PAIA provides for two types of fees, namely:
 - a Request Fee, which shall be a standard fee
 - an Access Fee, which shall be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.
- When the INFORMATION OFFICER receives the request, he / she shall, by notice, require the requester, other than a personal requester, to pay the prescribed Request Fee (if any), before further processing of the request.



- If the search for the record has been made and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the INFORMATION OFFICER shall notify the requester to pay as a deposit the prescribed portion of the Access Fee which would be payable if the request is granted.
- The INFORMATION OFFICER shall withhold a record until the requester has paid the fees.
- A requester, whose request for access to a record has been granted, shall pay
 - an Access Fee
 - for reproduction
 - for search and preparation
 - for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.
- If a deposit has been paid in respect of a request for access, which is refused, then the INFORMATION OFFICER shall repay the deposit to the requester.
- For further information regarding fees, please refer to the <https://www.sahrc.org.za>.

12.6 Decision

- The Bank shall, within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.
- The 30 day period with which the Bank has to decide whether to grant or refuse the request, may be extended for a further period of not more than thirty days if the request is for a large number of information, or the request requires a search for information held at another office of the Bank and the information cannot reasonably be obtained within the original 30 day period. The Bank shall notify the requester in writing should an extension be sought.

13 Records that cannot be found or do not exist

- If the Bank has taken all reasonable steps to find a record requested and there are reasonable grounds for believing that the record:
 - is in the public body's possession but cannot be found: or
 - does not exist,the INFORMATION OFFICER shall by way of affidavit or affirmation, notify the requester that it is not possible to give access to that record.
- This affidavit or affirmation shall give a full account of all steps taken to find the record in question or to determine whether the record exists, as the case may be, including all communications with every person who conducted the search on behalf of the INFORMATION OFFICER.
- If after notice is given, the record in question is found the requester concerned shall be given access to the record.



14 Access to health or other records

- If the INFORMATION OFFICER who, grants a request for access to a record provided by a health practitioner about the physical or mental health, or well-being of a requester or other requester is of the opinion that the disclosure of the record to the relevant person might cause serious harm to his or her physical or mental health, or well-being, the INFORMATION OFFICER may, before giving access consult with a health practitioner who has been nominated by the requester or other requester.
- If the health practitioner consulted is of the opinion that the disclosure of the record to the requester or other requester would be likely to cause serious harm to his or her physical or mental health, or well-being, the INFORMATION OFFICER may only give access to the record if the requester proves to the satisfaction of the INFORMATION OFFICER that adequate provision is made for such counselling or arrangements as are reasonably practicable before, during or after the disclosure of the record to limit, alleviate or avoid such harm to the relevant person.
- Before access to the record is so given to the requester, the person responsible for such counselling or arrangements shall be given access to the record.

15 Reports to human rights commission

The INFORMATION OFFICER shall annually submit to the human rights commission a report stating:

- the number of requests for access received;
- the number of requests for access granted in full;
- the number of requests for access granted in terms of section:
- the number of requests for access refused in full and refused partially and the number of times each provision of this act was relied on to refuse access in full or partial;
- the number of cases in which the periods were extended in terms of section 26(1);
- the number of internal appeals lodged with the relevant authority and the number of cases in which, as a result of an internal appeal, access was given to a record;
- the number of internal appeals which were lodged on the ground that a request for access was regarded as having been refused in terms of section 27;
- the number of applications to a court which were lodged on the ground that an internal appeal was regarded as having been dismissed in terms of section 77(7).

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16 Availability

This Local Policy is available on the Banks website.

17 Sanctions

Failure to follow this Local Policy or any other approved Governance Documents shall result in disciplinary action, which may include termination of employment.

* * *

HBZ BANK LIMITED

Issuer & Approval Authority

HABIB BANK AG ZURICH

Notified Member of General Management

Ashley Cameron

COUNTRY MANAGER

Anjum Iqbal

Member of General Management

This Local Policy was approved by the Board of Directors on 7 December 2022.



Revision History

Revision History		
Date	Author/s	Description
October 2009	C Harvey	Created manual
June 2015	C Harvey	<ol style="list-style-type: none"> 1. Added Revision History 2. Re-formatted text and headings 3. Added relatives, and Individuals having a close relationship into Section 3.2 Relevant Persons 4. Added Section 9 Directors
April 2017	J Shaikh and C Harvey	Re-formatted text and headings in line with GROUP standard
August 2020	C Harvey	Added into the References section The Protection of Personal Information Act, No 4 of 2013
June 2021	C Harvey	Changed the custodian of PAIA from the South African Human Rights Commission to the Information Regulator in section 4.
August 2021	C Harvey	<ul style="list-style-type: none"> ▪ Changed section 4 relating to the access to the Guide from the South African Human Rights Commission to the Information Regulator. ▪ Included in section 4 that the Guide can also be obtained from the Bank's INFORMATION OFFICER and that a no fee for copy shall be charged. ▪ Added the following sections to meet the new PAIA Regulations: <ul style="list-style-type: none"> ▪ 5. Lodging of complaints re access to information ▪ 6 Voluntary disclosure and automatic availability of certain records ▪ 9. Records that cannot be found or do not exist ▪ 10. Access to health or other records ▪ 11. Reports to Human Rights Commission
November 2021	C Harvey	Re-formatted text and headings in line with GROUP standard
November 2022	M Sewchuran	<ul style="list-style-type: none"> ▪ Updated section 3 to include details of IO and Deputy IO ▪ Added in new para 4 on Banks structure ▪ Added in new para 4.1 on banks products and services ▪ Updated para 5 on information regulators details ▪ Added in para 6 on protection of personal information on how and why the bank processes personal info ▪ Added in para 7 on measures the bank has implemented to protect personal information ▪ Added in para 8 on international data transfers ▪ Added in para 11.5 on recipients or categories of recipients to whom personal information may be supplied

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Appendix – 3

Table of Legislation

Legislation	Specific Section/ regulation	Description of Documents	Person (If limited)
Administration of Estates Act 66 of 1965	Section 28(5)	Banks must keep information of a cheque account or savings account that has been opened by an executive in the name of the estate and all information relating to vouchers in relation to the cheque or savings account.	The Master or any surety of the executor have the same rights to this information
Deeds Registries Act 47 of 1937.	Section 27	The bank must produce a copy of the bond together with written consent to the petitions and substitution of land.	The Registrar
	Section 82	For the registration of a notarial bond specially hypothecating a registered lease or sub-lease the deed of lease or sub-lease must be produced	The Registrar
The Credit Agreements Act 75 of 1980	Section 4	Any prospective credit granter or employee shall before entering into a credit agreement at a place not being his business premises in writing draw the attention of a prospective credit receiver to the provisions of section 13. In terms of section 13 when any credit agreement is signed by any credit receiver at a place other than the business premises where the credit granter conducts business the credit receiver may within 5 days after the date of the credit agreement terminate the agreement in writing and by tendering the return of any goods delivered to him i.t.o. the credit agreement	Credit receiver

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	Section 26	The inspector furnished with inspection authority in writing by the Director General of Trade and Industry may conduct an investigation to gather information that the Director General or official may require to determine whether the provisions of this Act are being or have been complied with and may for that purpose at all reasonable times enter any place and order any person to produce to him any book or record or other document in the possession or under the control of such person.	Inspector
Debt Collectors' Act No. 114 of 1998	Section 19(4)	A debt collector shall deliver to a debtor, upon request and against payment of a prescribed fee a settlement account containing a complete exposition of all debits and credits in connection with a specific collection provided that a debtor shall be entitled to request a settlement account free of charge once in every six months	Debtor
	Section 20(4)	A debt collector is required to keep proper accounting records in respect of all monies received, held or paid by him or her on behalf of or to any other person. The council of debt collectors may itself or through its nominee examine the accounting records of a debt collector in order to satisfy itself that the provisions of this section are complied with	Council of Debt Collectors or its nominees
The Criminal Procedures Act No. 51 of 1977	Section 236	The entries in the accounting records of a bank and any document which is in the possession of any bank and which refers to the said entries or to any business transaction of the bank can be proved in criminal proceedings by producing an affidavit made by any person working for the bank any party to the criminal proceedings against whom the evidence is intended to be adduced. The accused may upon the order of the court before which the proceedings are pending inspect the original of the document or entry in question and any accounting record in which such entry appears or of which such entry forms part and may make copies of such documents or entries.	Accused Person
The Labour Relations Act 66 of 1995	Section 13(5)	With each monthly remittance the employer must give (a) A List of the names of every member from whose register employer has made the deductions that are included in the remittance (b) Details of the amounts deducted and remitted and the period to which the deductions relate and (c) A copy of every notice of revocation.	Representative Trade Union

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	Section 16(2)	An employer must disclose to a trade union representative all relevant information that will allow the trade union representative to perform effectively the following functions to (a) assist and represent the employee in grievance and disciplinary proceedings (b) to monitor the employer's compliance with the workplace related provisions of the Labour Relations Act, any law regulating terms and conditions of employment and any collective agreement binding on the employer. (c) To report any alleged contravention of the workplace related provisions of this act, any law regulating terms and conditions of employment and any collective agreement binding on the employer to (i) The employer (ii) The representative trade union and(iii) any responsible authority or agency and (d) to perform any other function agreed to between the representative trade union and the employer	Trade Union Representative
	Section 21(10)	The employer must make available to the commissioner any information and facilities that are reasonable necessary for the commissioner to determine the membership or support of the registered trade union	Commissioner
	Section 89(1)	An employer must disclose to the workplace forum all relevant information that will allow the workplace forum to engage effectively in consultation and joint decision making. In terms of section 90(1) any documented information that is required to be disclosed by the employer i.t.o. Section 89 must be made available on request to the members of the workplace forum for inspection. The employer must provide copies of the documentation on request to the members of the workplace forum.	Workplace Forum
	Section 189(3)	The employer must disclose in writing all relevant information related to dismissals based on operational requirements including but not limited to (a) The reasons for the proposed dismissals (b) The alternatives that the employer considered before proposing the dismissals, and the reasons for rejecting each of those alternatives. (c) The number of employees likely to be affected and the job categories of which they are employed. (d) The proposed method for selecting which employees to dismiss. (e) The time when, or the period during which the dismissals are likely to take effect. (f) The severance pay proposed. (g) Any assistance that the employer proposes to offer to the employees likely to be dismissed. (h) The possibility of the future employment of the employees who are dismissed. (i) The number of employees employed with the employer and (j) The number of employees that the employer has dismissed for reasons based on its operational requirements in the preceding 12 months	Trade Union or representatives of the employees or employees
	Section 197(b)	An employer that applies to be wound up or sequestrated whether i.t.o. The Insolvency Act 1936 or any other law must at the time of making application provide (a) Any person whom the employer is required to consult in terms of a collective agreement (b) If there is no collective agreement that requires consultation a workplace forum if the employees likely to be affected by the proposed dismissals are employed in a workplace of which forum and (b) Any registered trade union whose members are likely to be affected by the proposed dismissals. (c) If there is no	Employees or workplace forum or registered Trade

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		<p>workplace forum in the workplace in which the employee is likely to be affected by the proposed dismissals are employed, any registered trade union whose members are likely to be affected by the proposed dismissals or (d) If there is no trade union the employees likely to be affected by the proposed dismissals or their representatives nominated for that purpose with a copy of the applications. In terms of section 197(2)(b) an employer that receives an application for its winding up or sequestration must supply a copy of the application to any consulting party within two days of receipt or if the proceedings are urgent within 12 hours. to the Registrar of Labour Relations.</p>	union
	Section 205	<p>Every employer must keep the records that an employer is required to keep in compliance with any applicable (a) Collective Agreement (b) Arbitration Award (c) determination made i.t.o. the Wage Act. The employer must retain the records for 3 years from the date of the event or end of the period to which they relate, submit the records in response to a demand made at any reasonable time to any agent of a bargaining council, commissioner or any person whose functions i.t.o. this Act includes the resolution of disputes. In terms of section 205(3) an employer must keep a record of the prescribed details of any strike, lockout or protest action involving its employees. The records must be submitted in the prescribed manner</p>	Bargaining Council or Commissioner or person who functions i.t.o. the act in the resolution of disputes
Employment Equity Act No. 55 of 1998	Section 18(1)	<p>When a designated employer engages in consultation i.t.o. this Act the employer must disclose to the consulting parties all relevant information that will allow those parties to consult effectively.</p>	Consulting parties
	Section 25(1), (2) & (3)	<p>An employer must display at the workplace where it can be read by employees a notice in the prescribed form informing them about the provisions of the Employment Equity Act. In terms of sub-section 25(2) a designated employer must in each of its workplaces, place in prominent places that are accessible to all employees (a) the most recent reports submitted by that employer to the Director General (b) Any compliance order, arbitration award or order of the Labour Court concerning the provisions of this Act in relation to that employer and (c) any other document concerning this Act as may be prescribed. In terms of section 25(3) an employer who has an employment equity plan must make a copy of the plan available to its employees for copying and consultation.</p>	Employees

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	Section 26	An employer must establish and for the prescribed period maintain records i.r.o. its workforce, its employment equity plan and any other records relevant to its compliance with this Act.	Employees
The Basic Conditions of Employment Act	Section 29(1)	An employer must supply an employee when the employee commences employment with particulars of work. In terms of sub-section 2 when any matter changes the written particulars must be revised to reflect the change and the employee must be supplied with a copy of the document reflecting the change. In terms of section 29(4) the written particulars must be kept by the employer for a period of 3 years after termination of employment	Employee
	Section 31(1)	Every employer must keep a record containing at least the following information: (a) the employee's name and occupation (b) the time worked by each employee (c) the remuneration paid to each employee (d) the date of birth of any employee under 18 years of age and (e) any other prescribed information. The record must be kept by the employer for a period of 3 years from the date of the last entry in the record.	Employee
	Section 33(1)	An employer must give an employee the following information in writing on each day the employee is paid (a) the employer's name and address (b) the employee's name and occupation (c) the period for which the payment is made (d) the employee's remuneration in money (e) the amount in purpose of any deduction made from the remuneration (f) the actual amount paid to the employee.	Employee
	Section 66(1)	In order to monitor or enforce compliance with any employment law a labour inspector may require a person to disclose information either orally or in writing and either alone or in the presence of witnesses on any matter to which an employment law relates and require that disclosure be made under oath, copy any record or document to which an employment law relates.	Labour Inspector
Formalities in respect of Leases of Land Act 18 of 1969	Section 11(1)	(1) An owner who intends to evict a person i.t.o. the provisions of this chapter shall give the Labour Tenant and the Director General no less than two calendar months written notice of his or her intention to obtain an order for eviction	Labour Tenant or Director General

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	Section 17	Section 2 – on receiving an application for the acquisition of land and servitudes the Director General shall (a) forthwith give notice of receipt of the application to the owner of the land and the holder of any other security in the land in question (d) call upon the owner by written request to furnish him or her within 30 days (I) with the names and addresses of the holders of all unregistered rights in the land in question, together with a copy of any document in which such rights are contained, or if such rights are not contained in any document, full particulars thereof, (ii) with any documents or information i.r.o. the land in question and the rights in such land as the Director General may reasonably require.	Director General
Identification Act 68 of 1997	12	The Director General may (a) request any person to furnish the Director General with proof of the correctness of any particulars which have been furnished i.r.o. such person in any document i.t.o. this act and (b) investigate or cause to be investigated any matter i.r.o. which particulars are required to be recorded in the Population Register	Director General of Home Affairs
Insider Trading Act 135 of 1998	Section 11(2)	In addition to its powers i.t.o. the Financial Services Board Act, the Financial Services Board may summon any person who is believed to be able to furnish any information on the subject of any investigation or to have in his or her possession or under his or her control any book, document or other object which has bearing upon that subject, to note such book, document or other object with the Financial Services Board, or to appear at any time and place specified in the summons, to be interrogated or to produce such book, document or other object	Financial Services Board
Inspection of Financial Institutions Act 18 of 1998	Section 4	<p>4(1) In clearing out an inspection of the affairs of an institution under section 3 an inspector may, at any time without prior notice enter and search any premises occupied by the institution and require the production of any document relating to the affairs of that institution.</p> <p>Open any strong room, safe or other container in which he or she suspects any document of the institution is kept.</p> <p>Examine and make extracts from the copies of any document of the institution or against the issue of a receipt remove such document temporarily for that purposes.</p> <p>Against the issue of a receipt, seize any document of the institution which in his or her opinion may afford evidence of an offence or irregularity.</p> <p>Retain any seized document for as long as it may be required for any criminal or other proceedings</p>	Inspector

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Alienation of Land Act 68 of 1981	Section 7(1)	If the land sold i.t.o. a contract is encumbered by one or more than one mortgage bond, the seller shall within 30 days after the conclusion of the contract hand to the purchaser or send to him by registered post a certificate drawn up and dated not more than 4 months before the conclusion of the contract, by each mortgagee in which is indicated the amount the mortgagee requires to be paid i.t.o. section 9 for the discharge of his mortgage bond or for the release of land from his mortgage bond, as the case may be as well as the rate or rates at which interest shall be levied as from the date of the certificate	Purchaser
	Section 10	(a) A remote purchaser may, by written notice, require the owner or any intermediary who alienated the land in question prior to the date the contract concerned was concluded, to furnish him with the particulars of the outstanding balance under the deed of alienation i.t.o. which the owner of that intermediary alienated the land and with particulars as to any amount which in terms of the deed of alienation is due and unpaid.	Purchaser
	Section 10(2)	10(2) Any owner or intermediary receiving a written notice referred to in sub-section 1 shall, within 30 days of the date of that notice, furnish the remote purchaser concerned with the outstanding balance and the particulars referred to in that sub-section, but shall not be obliged to do so more often than three times in one calendar year	Purchaser
	Section 10(3)	(3). The owner of land alienated i.t.o. a contract and any intermediary who has alienated that land shall furnish any subsequent intermediary or remote purchaser as the case may be: (a) in regard to any intermediary who alienated the land prior to him with the information regarding content of a contract (b) in regard to the deed of alienation under which he alienated the land with (i) the certificate bearing a date when the land was sold (ii) the certificate referred to in sub-section 1 of this section (iii) information relating to the amount, if any, owing at the end of the period i.t.o. any alienation of the land in question before the time the contract was concluded.	Intermediary or Purchaser
	Section 16	Section 16(1) – While a contract is in force, the seller shall free of charge hand to the purchaser a statement of account or send such statement by registered post to him at his address no later than 12 months from the date of the contract and thereafter within 30 days at the end of each successive period of 12 months following on the date of the first statement of account.	Purchaser
Legislation Attorneys 53 of 1979	Section 71(2)(a)(i)	For the purposes of an enquiry the council may under the hand of the President or the Secretary of its society summon any person who in the opinion of the council may be able to give material information concerning the subject matter of the enquiry or who is believed by the council to have in his possession or custody or under his control any books, documents, records or thing which has any bearing on the subject matter of the enquiry, to appear before it at a time and place specified in the summons, to be interrogated or to produce that book, document, record or thing, and may retain for inspection any book, document, record or thing so produced.	council

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	Section 78(13)	Any banking institution or building society at which a practitioner keeps his trust account or any separate account forming part of his trust account, shall if so directed by the council of the society of the province in which such practitioner is practising furnish the council with a signed certificate which indicates the balance of such account at the date or dates stated by the council	Council
Compensation for Occupational Injuries and Diseases Act 130 of 1993	Section 6(1)(a)	1(a) The Director General may subpoena any person who in his opinion is able to give information concerning the subject of any enquiry i.t.o. this Act or who is suspected to have in the opinion of the Director General has in his possession or custody or under his control any book, document or thing which has a bearing on the enquiry, to appear before him at a time and place specified in the subpoena, to be interrogated or to produce such book, document or thing, and the Director General may retain such book, document or thing for further investigation	Director General
	Section 7	3 An authorised person may question any person who is or was on the premises either alone or in the presence of any other person or any matter to which this act relates, (c) Order any person who has control over or custody of any book, document or thing or in those premises to produce to him forthwith, or at such time and place as may be determined by him, such book, document or thing. (d) At any time and place order any person who has the possession or custody of or is in control of a book, document or thing relating to the business of an employer or previous employer, to produce forthwith or at such time and place as may be determined by him, such book, document or thing seize any book, document or thing which in his opinion may serve as evidence in any matter i.t.o. this Act or cause to be examined any book, document or thing produced to him or seized by him, and make extracts therefrom or copies thereof and order any person who, in his opinion, is qualified thereto to explain entry therein	Authorised Person
	Section 40	2 An employee or employer shall at the request of the Director General furnish such further particulars regarding the accident and injuries concerned a the Director General may require	Director General
	Section 18	Employer to register with Director General and to furnish him with particulars.	
	Section 1	1 An employer carrying on business in the Republic shall within the prescribed period and in the prescribed manner register with the Commissioner and shall furnish the Commissioner with the prescribed particulars of its business and shall within a period determined by the Commissioner furnish such particulars as the Commissioner may require.	Commissioner

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	Section 81	An employer shall keep a register or other record of the earnings and other prescribed particulars of all employees and shall at all reasonable times produce such register or record or a micro film or other micro form reproduction thereof on demand to an authorised person referred to in section 7 for inspection. (2) An employer shall retain the register, record or reproduction referred to in sub-section 1 for a period of at least 4 years after the date of the last entry in that register or record.	Authorised Person
	Section 82	1 An employer shall not later than the 31 st day of March in each year furnish the Commissioner with a return in the prescribed form, certified by him, her or it as correct showing (a) the amount of earnings up to the maximum paid by him, it, its employees during the period with effect from the 1 st day of March of the immediately preceding year up to and including the last day of February of the following year and (b) such further information as may be prescribed that it now may require.	Director General
	Section 32A	(1) Any inspector furnished with inspection authority in writing by the Board may conduct an investigation to determine whether the provisions of the Act are being or have been complied with and may, subject to sub-section 5 for that purpose without giving prior notice at all reasonable times (a)(iii) enter any place i.r.o. which he has reason to believe that there are books, records, documents to which the provisions of this Act are applicable.	Inspector or the manager
Competition Act 89 of 1998	Section 49A	1 At any time during an investigation i.t.o. the Act the Commissioner may summon any person who is believed to be able to furnish any information on the subject of the investigation, or to have possession or control of any book, document or other object that has a bearing on that subject (a) to appear before the Commissioner or a person authorised by the Commissioner, to be interrogated at a time and place specified in the summons or (b) at a time and place specified in the summons, to deliver or produce to the Commissioner, or a person authorised by the Commissioner, any book, document or other object specified in the summons	Commissioner
	Section 54	The member of the Competition Tribunal presiding at the hearing may (a) direct or summon any person to appear at any specified time and place (b) question any person under oath or affirmation (c) summon or order any person (i) to produce any book, document or item necessary for the purpose of the hearing	Member of the Competition Tribunal
	Section 56	3 The Competition Tribunal may order a person to answer any question, or to produce any article or document, even if it is self-incriminating to do so	Competition Tribunal

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Insolvency Act 24 of 1936	Section 21	7 Before awarding any creditor a share in the proceeds, the trustee may require the creditor to lodge with him, within a period to be determined by the Master, an affidavit, supported by such evidence as may be available, setting forth the result of such excursion and disclosing the balance of his claim which remains unpaid	Trustee
	Section 44	4 Every claim shall be proved by affidavit which may be made by the creditor or by any person fully cognisant of the claim. The said affidavit or a copy thereof and any documents submitted in support of the claim shall be delivered at the office of the officer who is to preside at a meeting of creditors	Officer who is to preside at a meeting of creditors
	Section 152	If at any time after the sequestration of the estate of a debtor and before his rehabilitation, the Master is of the opinion that the insolvent or the trustee of that estate or any other person is able to give any information which the Master considers desirable to obtain concerning the insolvent or concerning his estate or the administration of the estate or concerning any claim or demand made against the estate he may by notice in writing deliver to such other person summon him to appear before the Master or before a magistrate or an officer in the public service mentioned in such notice at a place and on a date and hour stated in such notice and to furnish the Master or other officer before him he is summoned to appear with all the information within his knowledge concerning the insolvent or concerning the insolvent's estate or the administration of the estate	The Master or magistrate or an officer in the public service
Constitution of SA Act No. 108 of 1996	Section 32	1(b) Everyone has the right to access to any information that is held by another person and that is required for the exercise or protection of any rights. The rights in terms of the constitution are limited in terms of sec 36.	Any member of the public
Companies Act No. 61 of 1973	Section 140A	3 Where securities of an issuer are registered in the name of a person and that person is not the holder of the beneficial interest in all the securities held by the registered shareholder, the registered shareholder shall, at the end of every three month period after 30.06.1999, disclose to the issuer the identity of its person on whose behalf the registered shareholder holds securities and the number and class of securities issued by that issuer held on behalf of each such person	Issuer
		8A All issuers of securities shall establish and maintain a register of their disclosures made i.t.o. this section and shall publish in the annual financial statements a list of the persons who hold the beneficial interest equal to or in excess of 5% of the total number of securities of that class issued by the issuer together with the extent of those beneficial interests. Such register shall be open to inspection by any member of the company or his duly authorised agent or any person.	A person on whose behalf the registered shareholder holds securities

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	Section 281	An auditor of the company shall have the right of access at all times to the accounting records and all books and documents of the company and be entitled to require from the directors or officers of the company such information and explanations as he thinks necessary for the performance of his duties as auditor	Auditor
	Section 284	Every company shall keep in one of the official languages of the Republic such accounting records that are necessary to present the state of affairs and business of the company and to explain the transactions and financial position of the trade or business of the company (showing the assets and liabilities of the company. A register of fixed assets, records containing entries, records of all goods sold and purchased, statements of annual stocktaking	Directors of a company
	Section 309	1 Any member or holder of debentures of a company shall be entitled to be furnished on demand without charge with a copy of the last annual financial statements (including group annual financial statements) and provisional unknown financial statements and of the last interim report of the company.	A member or holder of debentures
	Section 92	Every liquidator shall give the Master such information and such access to and facilities for inspecting the books and documents of the company and generally such aid as may be requested for enabling an officer to perform his duties under this Act	Liquidator
Unemployment Insurance Act 63 of 2001	Section 56	(1) Every employer must, as soon as it commences activities as an employer provide information regarding its employees to the commissioner	Unemployment Insurance Commissioner

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The Banks Act	Act 94 of 1990 Sections 7, 53, 58, 59, 67 and 75.	<p>(a) The Act provides for the regulation and supervision of the business of public companies taking deposits from the public; and for matters connected therewith. (1) Section 7 of the Act provides that the Registrar may by notice direct a bank to furnish such information as may be specified in the notice and as the Registrar may reasonably require. Section 7 does not specify what records and/or information the Registrar shall require. (2) Section 53 contemplates that the Banks shall have the following records and/or information, which shall be made available to the Registrar on request: - Particulars relating to its shareholding or other interest in its subsidiaries; any joint venture within or outside the Republic if the investment results in the bank being exposed to an amount representing more than five per cent of its capital and reserves. - Particulars relating to the acquisition of an interest in any undertaking having its registered office or principal place of business outside the Republic. - Any trust or financial or other business undertaking contemplated in section 52 of the Act. - Section 58 requires banks and every controlling company to furnish the Registrar with a copy of its register of directors and officers referred to in section 215 of the Companies Act 61 of 1973. The Companies Act 61 of 1973 requires companies to keep this register at their registered address. - Section 59 requires banks to furnish the Registrar with a return regarding its shareholders. The Companies Act 61 of 1973 requires companies to keep these records at their registered address. - Section 67 provides that in the case of an individual shareholder in a bank who holds more than 25% of all the issued shares in that bank to which voting rights are attached, the sum of the amounts of such bank's investments with or loans or advances or other exposures to such individual shareholder exceeds the total nominal value of the said shares so held by that individual shareholder, the bank shall in its financial statements mention the name of such individual shareholder. - Section 75 requires banks to furnish returns to the Registrar. The return contemplated in section 75 includes, but are not limited to return relating to the extent and management of risk exposures in the conduct of the bank's business.</p>	Registrar of Banks
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Financial Intelligence Centre	Act 38 of 2001 Section 22	(a) The objective of the Act is to combat money laundering activities and in this regard impose certain duties on institutions and other persons who might be used for money laundering purposes. (b) In terms of section 22 banks and insurance companies shall keep the following information relating to the clients with whom they conclude transactions or with whom they have established a business relationship: - The identity of the client. (1) Where the client is acting on behalf of another person – (1.1) The identity of that other person; (1.2) The client's authority to establish the business relationship or to conclude the single transaction on behalf of that other person. (2) If another person is acting on behalf of the client - (2.1)the identity of that other person; (2.2) that other person's authority to act on behalf of the client. (2.3) The manner in which the identity of the client or the other person was established. (3) In the case of a transaction - (3.1) The amount involved, (3.2) The parties involved. (4) All accounts that are involved in - (4.1) Transactions concluded by that bank or insurance company in the course of that business relationship; and (4.2) That single transaction. (4.2.1) The name of the person who obtained the information on behalf of the bank or insurance company. (4.2.2) Any document or copy of a document obtained by the bank or insurance company in order to verify a person's identity. (c) The records to be kept in terms of section 22 shall be kept for at least five years from the date on which the business relationship is terminated and five years from the date on which the transaction is concluded.	Financial Intelligence Centre
South African Reserve Bank	Act 90 of 1989	(a) The Act consolidates the laws relating to the South African Reserve Bank and matters connected therewith. (b) Section 10A (11) provides that a Bank shall, in order to enable the Governor to determine whether the bank is complying with the provisions of section 10A, furnish the Registrar of banks with a return on the prescribed form and in respect of the prescribed period. The return contemplated in section 10A (11) shall be prepared in conformity with generally accepted accounting practice. (c) The Act would not appear to require banks and insurance companies to keep any specific records	Governor
Stamp Duties	Act 77 of 1968 Section 31	(a) The Act consolidates and amends the law relating to stamp duties. (b) Section 31A provides that the Commissioner, or any officer may, for the purposes of the administration of the Act in relation to any person liable for the duty, require such person or any other person to furnish such information, documents or things as the Commissioner or such officer may require (to inspect, audit, examine or obtain). (c) The Act would not appear to require banks and insurance companies to keep any specific records.	Commissioner for South African Revenue Service.

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Value Added Tax	Act 89 of 1991 Sections 55 and 57A	(a) The Act provides for taxation in respect of the supply of goods and services and the importation of goods and matters connected therewith. (b) Section 55 provides that every vendor shall keep such books of account or other records as may enable him to observe the requirements of the Act and enable the Commissioner to satisfy himself that the vendor has observed such requirements, and every vendor shall, in particular keep the following records and documents - (1) a record of all goods and services supplied by or to the vendor showing the goods and services, the rate of tax applicable to the supply and the suppliers or their agents, in sufficient detail to enable the goods and services, the rate of tax, the suppliers or the agents to be readily identified by the Commissioner, and all invoices, tax invoices, credit notes, debit notes, bank statements, deposit slips, stock lists and paid cheques relating thereto: Provided that a vendor's records do not have to show the rate of tax where the vendor has been authorised by the Commissioner to calculate the tax payable by him in accordance with a method prescribed by regulation, as contemplated in section 16 (1); (2) a record of all importations of goods and documents relating thereto as contemplated in section 16 (2) (d); (3) the charts and codes of account, the accounting instruction manuals and the system and programme documentation which describe the accounting system used in each tax period in the supply of goods and services; (4) any list required to be prepared in accordance with section 15 (9); and (5) any documentary proof required to be obtained and retained in accordance with section 11 (3). (c) Section 57A provides that the Commissioner or any officer may require a vendor or any other person to furnish such information, documents or things as the Commissioner or such officer may require (to inspect, audit, examine or obtain).	Commissioner for South African Revenue Service.
Skills Development Levies	Act 9 of 1999	(a) The Act provides for the imposition of a skills development levy and for matters connected therewith. (b) The Act contemplates that an employer shall keep records and/or information to which the Act relates. In the case of any employer, these records and/or information would appear to be those relating to registration for payment of the levy imposed by the Act and the payment of the levy. (c) The Act would not appear to require banks and insurance companies to keep any specific records.	Inspectors.
The Usury Act	Act 79 of 1968 Sections 3 and	The Act provides for the limitation and disclosure of finance charges levied in respect of money lending transactions and for matters incidental thereto. (b) Section 3 (1) provides that a moneylender carrying on the business of money lending or his authorized representative shall, on demand before the conclusion of any money lending transaction in connection with which finance charges are or will be payable, furnish separately, distinctly and in writing	Credit receiver

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	10	to the prospective borrower, and, whether or not any such demand is made, shall set out separately and distinctly in every instrument of debt executed in respect of any such transaction, in so far as the same may be known and determinable, the following particulars: (1) the cash amount in money actually received by or on behalf of the borrower or which will be received by or on behalf of the borrower or prospective borrower; (2) all other charges, shown separately, forming part or which will form part of the principal debt; (3) the principal debt, that is, the sum of the amounts referred to in paragraphs (a) and (b) (of this subsection); (4) the amount in rand and cents of the finance charges calculated at the annual finance charge rate mentioned in paragraph (e) (of this subsection); (5) the annual finance charge rate; and (6) as the case may be, the date upon which or the number of instalments in which the principal debt together with the finance charges must be paid, the amount of each instalment and the date upon which each instalment must be paid or the manner in which that date is determined. (c) Section 3 (2A) provides that a lessor who transacts leasing transactions in the normal course of his business or his authorized representative shall, on demand before the conclusion of any leasing transaction, furnish separately, distinctly, and in writing to the prospective lessee and, whether or not any such demand is made, shall set out separately and distinctly in every instrument of debt executed in connection with any such transaction, the following particulars: (1) The cash price at which the movable property leased or to be leased is normally sold by the lessor on the date on which such transaction is concluded or, where the lessor is not a trader normally selling any such movable property, the market value of such movable property or, when applicable, the money value determined in terms of section 6K in respect of such movable property; (2) the cash amount in money or the reasonable value of property deducted or to be deducted at the conclusion of the transaction from the cash price, market value or money value referred to above; (3) the present value of the book value of the leased property deducted or to be deducted at the conclusion of the transaction from the cash price, market value or money value referred to above; (4) the book value of the leased property; (5) in so far as the same is known and determinable- (5.1) all other charges forming part or which will form part of the principal debt; (5.2) the principal debt, that is, the sum of the amounts referred to above less the sum of the amounts referred to above; (5.3) the amount in rand and cents of the finance charges calculated at the annual finance charge rate stated above; (5.4) the annual finance charge rate; (5.5) The date with effect from which finance charges are to be paid by the lessee; and (5.6) as the case may be, the date upon which or the number of instalments in which the principal debt together with the finance charges must be paid, the amount of each instalment and the due date of each instalment or the manner in which the date is determined. (d) Section 10 provides that a credit grantor or lessor shall furnish a credit receiver or lessee with a copy of an instrument of debt which must contain certain information.	
Pension Funds	Act 24 of 1956	(a) The Act provides for the registration, incorporation, regulation and dissolution of pension funds and for matters incidental thereto. (b) Section 15	Registrar of pension

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	Sections 15 and 35	<p>provides that every registered fund shall within six months as from the expiration of every financial year furnish to the registrar such statements in regard to its revenue, expenditure and financial position as may be prescribed by regulation, duly audited and reported on by the auditor of the fund.</p> <p>(c) Section 35 (1) provides that every registered fund shall deliver to any member on demand by such member, and on payment of such sum as may be determined by the rules of the fund, a copy of any of the following documents, that is to say- (1) the rules of the fund; (2) The last revenue account and the last balance sheet prepared in terms of sub-section (1) of section fifteen. (d) Section 35 (2) provides that any member shall be entitled to inspect without charge at the registered office of a registered fund, a copy of any of the following documents and make extracts therefrom, that is to say- (1) the documents referred to in sub-section (1); (2) the last report (if any) by a valuator prepared in terms of section sixteen; (3) the last statement (if any) and report thereon prepared in terms of section seventeen; (4) any scheme which is being carried out by the fund in accordance with the provisions of section eighteen.</p>	<p>funds</p> <p>Members of pension funds.</p>
Income Tax	Act 58 of 1962 Sections 70, 71 and 73B	<p>(a) The Act consolidates the law relating to the taxation of incomes and donations and matters related thereto. (b) Section 70 provides that where, during any period of twelve months ending on the last day of February in any year, any interest has become due by any company upon or in respect of debentures, debenture stock, loans or advances, the company shall, within a 30 days after the end of such period or within such further period as the Commissioner may allow, furnish the Commissioner with a return giving - (1) the full name and address; and (2) in the case of - (2.1) any natural person, his or her identification number: Provided that where he or she is not in possession of a South African identity document, any other form of identification; or (2.2) any person other than a natural person, the registration number, (2.3) of each person to whom such interest became due and the amount of such interest. (c) Section 71 provides that every bank carrying on business in the Republic or company dealing in or negotiating bearer warrants shall keep a record of all payments in respect of interest or dividends made to any person by means of bearer warrants, and shall in such manner and form and at such times as may be prescribed or as the Commissioner may require, furnish particulars of such payments. (d) Section 73B provides that a person shall retain all records required to determine the taxable capital gain or assessed capital loss of that person for a period of four years from the date on which the return for that year of assessment was received by the Commissioner.</p>	<p>Commissioner for South African Revenue Service.</p>

Local Policy

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