



KLD CAPITAL HOLDINGS
Gets You Goin'

KLD CAPITAL HOLDINGS (PTY) LTD

REGISTRATION NUMBER 2020/510197/07

("The Company" or "KLD CAPITAL HOLDINGS")

PAIA MANUAL

**Prepared in terms of section 51 of the Promotion
of Access to Information Act 2 of 2000 (as
amended)**

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Managing Director: KL Dawson

KLD Capital Holdings (PTY) LTD · P.O. BOX 21626, HELDERKRUIN, 1733 · +(27) 65 831 4994

hello@kldcapitalholdings.co.za · www.kldcapitalholdings.co.za

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1. LIST OF ACRONYMS AND ABBREVIATIONS

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|-----|-------------|--|
| 1.1 | “MD” | Managing Director |
| 1.2 | “DIO” | Deputy Information Officer; |
| 1.3 | “IO“ | Information Officer; |
| 1.4 | “Minister” | Minister of Justice and Correctional Services; |
| 1.5 | “PAIA” | Promotion of Access to Information Act No. 2 of 2000 (as Amended); |
| 1.6 | “POPIA” | Protection of Personal Information Act No.4 of 2013; |
| 1.7 | “Regulator” | Information Regulator; and |
| 1.8 | “Republic” | Republic of South Africa |

2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to-

- 2.1 check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- 2.2 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;
- 2.3 know the description of the records of the body which are available in accordance with any other legislation;

- 2.4 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;
- 2.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.6 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;
- 2.7 know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.8 know the recipients or categories of recipients to whom the personal information may be supplied;
- 2.9 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
- 2.10 know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF KLD CAPITAL HOLDINGS

3.1. Chief Information Officer

Name: Kevin Dawson
Tel: + 27 (0) 65 831 4994
Email: kevin.dawson@kldcapitalholdings.co.za
Fax number: 086 688 6722

- 3.2. Deputy Information Officer *(NB: if more than one Deputy Information Officer is designated, please provide the details of every Deputy Information Officer of the body designated in terms of section 17 (1) of PAIA.*

Name: Kevin Dawson
Tel: + 27 (0) 65 831 4994
Email: kevin.dawson@kldcapitalholdings.co.za
Fax number: 086 688 6722

3.3 Access to information general contacts

Email: popia@kldcapitalholdings.co.za

3.4 National or Head Office

Postal Address: PO BOX 21626, HELDERKRUIN, ROODEPOORT, 1733
Physical Address: 14 Saturn Avenue, WILRO PARK EXT 8, ROODEPOORT, 1724
Telephone: + 27 (0) 65 831 4994
Email: hello@kldcapitalholdings.co.za
Website: <https://www.kldcapitalholdings.co.za>

4. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

- 4.1. 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.
- 4.2. The Guide is available in English.
- 4.3. The aforesaid Guide contains the description of-
 - 4.3.1. the objects of PAIA and POPIA;
 - 4.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-
 - 4.3.2.1. the Information Officer of every public body, and

- 4.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
- 4.3.3. the manner and form of a request for-
 - 4.3.3.1. access to a record of a public body contemplated in section 11³; and
 - 4.3.3.2. access to a record of a private body contemplated in section 50⁴;
- 4.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;
- 4.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
- 4.3.6. 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-
 - 4.3.6.1. an internal appeal;
 - 4.3.6.2. a complaint to the Regulator; and
 - 4.3.6.3. 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;
- 4.3.7. the provisions of sections 14⁵ and 51⁶ requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
- 4.3.8. the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;

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 11(1) of PAIA- *A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

⁴ Section 50(1) of PAIA- *A requester must be given access to any record of a private body if-*

- a) *that record is required for the exercise or protection of any rights;*
- b) *that person complies with the procedural requirements in PAIA relating to a request for access to that record; and*
- c) *access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

⁵ Section 14(1) of PAIA- *The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.*

⁶ Section 51(1) of PAIA- *The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.*

⁷ Section 15(1) of PAIA- *The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access*

⁸ Section 52(1) of PAIA- *The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access*

- 4.3.9. the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and
- 4.3.10. the regulations made in terms of section 92¹¹.

4.4. 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.

4.5. The Guide can also be obtained-

- 4.5.1. upon request to the Information Officer;
- 4.5.2. from the website of the Regulator (<https://www.justice.gov.za/inforeg/>).

5. CATEGORIES OF RECORDS OF KLD CAPITAL HOLDINGS WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

Category of records	Types of the Record	Available on Website	Available upon request
Privacy Policy / PAIA	Policies	X	X
Website Terms and Conditions	Policies	X	X
Terms and Conditions of Sale and Service	Policies	X	X

6. DESCRIPTION OF THE RECORDS OF KLD CAPITAL HOLDINGS WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

6.1 Records available in terms of other legislation include those in relation to -

- 6.1.1 Basic Conditions of Employment 75 of 1997
- 6.1.2 Companies Act 71 of 2008

⁹ Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹⁰ Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹¹ 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.”

- 6.1.3 Compensation for Occupational Injuries and Health Diseases Act 130 of 1993
- 6.1.4 Copyright Act 98 of 1978
- 6.1.5 Consumer Protection Act 68 of 2008
- 6.1.6 Electronic Communications and Transactions Act 25 of 2002
- 6.1.7 Harmful Business Practices Act 23 of 1999
- 6.1.8 Income Tax Act 95 of 1967
- 6.1.9 Labour Relations Act 66 of 1995
- 6.1.10 Occupational Health & Safety Act 85 of 1993
- 6.1.11 Skills Development Levies Act 9 of 1999
- 6.1.12 Promotion of Access to Information Act 2 of 2000
- 6.1.13 Skills Development Act 97 of 1998
- 6.1.14 Second-Hand Goods Act 6 of 2009
- 6.1.15 Unemployment Contributions Act 4 of 2002
- 6.1.16 Unemployment Insurance Act 63 of 2001
- 6.1.17 Value Added Tax Act 89 of 1991

7. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY KLD CAPITAL HOLDINGS

Subjects on which the body holds records	Categories of records
Statutory records	<ul style="list-style-type: none"> - Company incorporation documents - Share register - Memorandum of Incorporation - Minutes of meetings of the board of directors - Records relating to the appointment of directors, auditors, and other officers
Income tax	<ul style="list-style-type: none"> - Pay-as-you-earn (PAYE) records - Documents issued to employees for income tax purposes - Records of payments made to South African Revenue Services on behalf of employees - All or any statutory compliance - Value Added Tax - Skills development levies

Subjects on which the body holds records	Categories of records
	<ul style="list-style-type: none"> - Unemployment Insurance Fund
Labour relations records	<ul style="list-style-type: none"> - Personnel documents and records - Employment contracts - Medical aid records - Pension Fund records - Disciplinary records - Salary records - Disciplinary code and/or procedures - Leave records - Training records - Training manuals - Address lists - Internal telephone lists
Finance	<ul style="list-style-type: none"> - Receipts and payments - Bank statements - A list of the company's debtors and creditors - Budgets - Management accounts - Asset registers - Invoices - Salaries - Minutes of meetings - Correspondence
Risk and compliance	<ul style="list-style-type: none"> - Contracts - Policies and procedures - Risk assessment - Compliance records
Others	<ul style="list-style-type: none"> - IT usage statistics and equipment details - Supplier lists - Secretarial records - Media releases and public relation events records

8. PROCESSING OF PERSONAL INFORMATION

8.1 Purpose of Processing Personal Information

Subjects	Purpose
For consumers:	<ul style="list-style-type: none"> - Performing duties in terms of any agreement with consumers - Make, or assist in making, credit decisions about consumers - Operate and manage consumers' accounts and manage any application, agreement or correspondence consumers may have with KLD Capital Holdings - Communicating (including direct marketing) with consumers by email, SMS, letter, telephone or in any other way about KLD Capital Holdings' products and services, unless consumers indicate otherwise - To form a view of consumers as individuals and to identify, develop or improve products, that may be of interest to consumers - Carrying out market research, business and statistical analysis - Performing other administrative and operational purposes including the testing of systems - Recovering any debt consumers may owe the KLD Capital Holdings - Complying with the KLD Capital Holdings' regulatory and other obligations - Any other reasonably required purpose relating to the KLD Capital Holdings business
For prospective consumers:	<ul style="list-style-type: none"> - Verifying and updating information - Pre-scoring - Direct marketing - Any other reasonably required purpose relating to the processing of a prospect's personal information reasonably related to KLD Capital Holdings' business.
For employees:	- The same purposes as for consumers (above)

Subjects	Purpose
	<ul style="list-style-type: none"> - Verification of applicant employees' information during recruitment process - General matters relating to employees: <ul style="list-style-type: none"> - Pension - Medical aid - Payroll - Disciplinary action - Training - Any other reasonably required purpose relating to the employment or possible employment relationship.
For vendors /suppliers /other businesses:	<ul style="list-style-type: none"> - Verifying information and performing checks; - Purposes relating to the agreement or business relationship or possible agreement or business relationships between the parties; - Payment of invoices; - Complying with the KLD Capital Holdings' regulatory and other obligations; and - Any other reasonably required purpose relating to KLD Capital Holdings business.

- **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
Customers / Clients	Names; Physical and postal addresses; Date of birth; ID number; Tax related information; Nationality; Gender; Confidential correspondence; Email address; Telephone number; Online identifier or other particular assignment to the person
Juristic Persons (Corporate clients)	Entity name; registration number; tax-related information; contact details for representatives; banking information including account numbers; FICA documentation.

Categories of Data Subjects	Personal Information that may be processed
Service Providers	names; registration number; vat numbers; address; trade secrets and bank details
Employees, potential employees, or new recruitments	Name; surname; South African identity number or other identifying number; contact details; physical and postal address; date of birth; age; marital status; race; disability; information; employment history; criminal background checks; CVs; education history; banking details; income tax reference number; remuneration and benefit information; health information; details related to employee performance; disciplinary procedure information; CCTV images; biometric data
Service providers, including outsourced or hosted services, auditors, etc.	Company registration details; identity numbers; BEE certificates; tax clearance; income tax and VAT registration details; payment information including bank account numbers; invoices; contractual agreements; addresses; contact details; CCTV images.

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

8.2.1 Auditors

8.2.2 Banks and other financial institutions.

8.2.3 Collection agencies

8.2.4 Credit reference agencies

8.2.5 Debt collection and tracing agencies

8.2.6 Educators and examining bodies

8.2.7 Employees of the organisation

8.2.8 Employment and recruitment agencies

8.2.9 Family, associates, and representatives of the person whose personal information is processed

8.2.10 Healthcare, social and welfare organisations

8.2.11 Ombudsman and regulatory authorities

8.2.12 Patient associated healthcare facilities and professionals

- 8.2.13 Police / courts where necessary
- 8.2.14 Private investigators
- 8.2.15 Regulatory, statutory and government bodies
- 8.2.16 Security organisations
- 8.2.17 Suppliers, service providers, vendors, agents, and representatives of such entities
- 8.2.18 Third party verification agencies and credit bureau
- 8.2.19 Trade unions

8.3 Planned transborder flows of personal information

- 8.3.1 Storing information electronically; and
- 8.3.2 Making use of third-party service providers to fulfil a business function on behalf of the KLD CAPITAL HOLDINGS.

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

- 8.4.1 *Acceptable usage of personal information*
- 8.4.2 *Access control to personal information*
- 8.4.3 *Computer and network security including Firewalls, Virus protection software and update protocols*
- 8.4.4 *Information security and HR policies including Bring Your Own Device (BYOD) policies*
- 8.4.5 *Internal process to report security breach or anticipated security breach*
- 8.4.6 *Training of staff members*

9. AVAILABILITY OF THE MANUAL

9.1 A copy of the Manual is available-

- 9.1.1 on www.kldcapitalholdings.co.za;
- 9.1.2 head office of KLD CAPITAL HOLDINGS for public inspection during normal business hours;
- 9.1.3 to any person upon request and upon the payment of a reasonable prescribed fee; and

9.1.4 to the Information Regulator upon request.

9.2 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.

10. UPDATING OF THE MANUAL

The head of KLD CAPITAL HOLDINGS will on a regular basis update this manual.

Issued by

Kevin Dawson

Managing Director (Information Officer)

FORM C: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

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.

1. Description of record or relevant part of the record:

2. Reference number, if available:

3. 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 for exemption.

Reason for exemption from payment of fees:

FORM C: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

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 below, state your disability and indicate in which form the record is required.

<p>Disability: Mark the appropriate box with an X. NOTES: (a) Compliance with your request for access in the specified form may depend 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.</p>	<p>Form in which record is required:</p>
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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* (compact disc)

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.

1. Indicate which right is to be exercised or protected:

2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

FORM C: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

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 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?

YOU MUST

- 1. Complete all necessary spaces
- 2. Sign the access request form Sign
- 3. Sign additional folios completed

SEND WITH THIS APPLICATION

- 1. The request fee
- 2. Any additional folios completed
- 3. Copy of Identity Document

Signed at _____ . this day _____ of _____ year _____ .

SIGNATURE OF REQUESTER /
PERSON ON WHOSE BEHALF REQUEST IS MADE

ANNEXURE B

Prescribed Fees

Description		Rand
1	The fee for a copy of the manual as contemplated in regulation 9(2)(c) - for every photocopy of an A4-size page or part thereof.	1.10
2	The fees for reproduction referred to in regulation 11(1) are as follows:	
(a)	For every photocopy of an A4-size page or part thereof	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	0.75
(c)	For a copy in a computer-readable form on -	
(ii)	compact disc	70.00
(d)(i)	For a transcription of visual images, for an A4-size page or part thereof	40.00
(ii)	For a copy of visual images	60.00
(e)(i)	For a transcription of an audio record, for an A4-size page or part thereof	20.00
(ii)	For a copy of an audio record	30.00
3	The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2)	50.00
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	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	0.75
(c)	For a copy in a computer-readable form on -	
(ii)	compact disc	70.00
(d)(i)	For a transcription of visual images, for an A4-size page or part thereof	40.00
(ii)	For a copy of visual images	60.00
(e)(i)	For a transcription of an audio record, for an A4-size page or part thereof	20.00
(ii)	For a copy of an audio record	30.00
(f)	To search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation.	
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	
4.3	The actual postage is payable when a copy of a record must be posted to a requester	