

FLEDGE CAPITAL GROUP**PAIA Manual in terms of section 51 of the Promotion of Access to Information Act,
2 of 2000 (as amended)**

NO	ITEM	PAGE NO
1.	List Of Acronyms and Abbreviations	3
2.	Purpose of PAIA Manual	3
3.	Key Contact Details of The Information Regulator	4
4.	Company Overview	5
5.	Key Contact Details for Access to Information of Fledge	5
6.	Guide On How to Use Paia and How to Obtain Access to The Guide	6
7.	Grounds For Refusal of Access to Records (Chapter 4 of PAIA)	6
8.	Categories of Records of Fledge Which Are Available Without a Person Having to Request Access	8
9.	Description of the Records of Fledge which are Available in Accordance with Any Other Legislation	9
10.	Description of the Subjects on Which the Body Holds Records and Categories of Records Held on Each Subject by Fledge	9
11.	Processing Of Personal Information	11
12.	Information We Hold to Comply with The Law	13
13.	How Much Will It Cost You?	14
14.	Availability of the Manual	14
15.	Updating of the Manual	14
ANNEXURES		
Annexure A: Form 2: Request for Access to Record		15
Annexure B: Form 3: Outcome of Request and Of Fees Payable		19

1. LIST OF ACRONYMS AND ABBREVIATIONS

“CEO”	Chief Executive Officer
“IO”	Information Officer
“DIO”	Deputy Information Officer
“Minister”	Minister of Justice and Correctional Services
“PAIA”	Promotion of Access to Information Act, 2 of 2000 and regulations as amended;
“POPIA”	Protection of Personal Information Act, 4 of 2013 and regulations as amended.
“Regulator”	Information Regulator
“Republic”	Republic of South Africa
“Fledge” or “Fledge Capital Group”	Fledge Capital (Pty) Ltd and its direct and indirect subsidiaries

2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to:

- Check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- 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;
- Know the description of the records of the body which are available in accordance with any other legislation;
- 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;
- Know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 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;

- Know the description of the categories of data subjects and of the information or categories of information relating thereto;
- Know the recipients or categories of recipients to whom the personal information may be supplied;
- 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
- Know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is processed.

3. KEY CONTACT DETAILS OF THE INFORMATION REGULATOR

3.1. Information Regulator

The Information Regulator has taken over the function to regulate PAIA from the South African Human Rights Commission from the 30th of June 2021. The Information Regulator also regulates POPIA.

Contact details of the Information Regulator:

Postal Address	PO Box 3153, Braamfontein, Johannesburg, 2017
Physical Address	JD House, 27 Stiemens Street, Braamfontein, Johannesburg 2001
Telephone	+27 (0) 10 023 5200
Email	enquiries@inforegulator.org.za
Website	www.inforegulator.org.za

4. COMPANY OVERVIEW

The Group holding company operates through several subsidiary and associate companies that are divided into different divisions.

The divisions, subsidiaries and associate companies in the Fledge Property Group operate in a decentralized manner, while being accountable to the Group holding company. This Manual applies to the subsidiaries and associate companies of the Fledge Property Group operating in South Africa, unless any subsidiary or associate business has their own PAIA Manual on their corporate website which applies to their business.

Should you have a PAIA Request for Access to a record held by any of our subsidiaries or associate companies, kindly follow the procedures as set out in this Manual and the Request for Access will be directed to the Information Officer of the relevant entity.

5. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF FLEDGE

Name of Private Body	Fledge Capital Group
Head of Private Body	Konrad Fleischhauer
Information Officer of Private Body	Anlia du Plessis
Deputy Information Officer	N/A
Physical Address	Ground Floor, Die Klubhuis Cnr 18th Street & Pinaster Avenue Hazelwood Pretoria 0081
Postal Address	Ground Floor, Die Klubhuis Cnr 18th Street & Pinaster Avenue Hazelwood Pretoria 0081
Telephone number	N/A
Email	anlia@fledge.co.za
Website	Fledge.co.za

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

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.

The Guide is available in each of the official languages and can be obtained upon request to the Information Officer or from the website of the Regulator (<https://info regulator.org.za/paia-guidelines/>).

7. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS (CHAPTER 4 OF PAIA)

Subject to sections 7 and 70 of PAIA, the main grounds on which Fledge may refuse a request for information as contemplated in PAIA relate to the following:

- Mandatory protection of the privacy of a third party who is a natural person or a deceased person (section 63 of PAIA) or a juristic person, as included in the POPIA which would involve the unreasonable disclosure of personal information of that natural or juristic person.
- Mandatory protection of personal information and for disclosure of any personal information to, in addition to any other legislative, regulatory, or contractual agreements, comply with the provisions of the POPIA.
- Mandatory protection of the commercial information of a third party (section 64 of PAIA) if the record contains:
 - Trade secrets of the third party.
 - Financial, commercial, scientific, or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party.
 - Information disclosed in confidence by a third party to Fledge if the disclosure could put that third party at a disadvantage in negotiations or commercial competition.
- Mandatory protection of confidential information of third parties (section 65 of PAIA) if it is protected in terms of any agreement.
- Mandatory protection of the safety of individuals and the protection of property (section 66 of PAIA); and/or
- Mandatory protection of records which would be regarded as privileged in legal proceedings (section 67 of PAIA).

FLEDGE CAPITAL GROUP**PAIA Manual in terms of section 51 of the Promotion of Access to Information Act,
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- The commercial activities (section 68 of PAIA) of Fledge, which may include:
 - Trade secrets of Fledge.
 - Financial, commercial, scientific, or technical information which disclosure could likely cause harm to the financial or commercial interests of Fledge.
 - Information which, if disclosed could put Fledge at a disadvantage in negotiations or commercial competition.
 - A computer program which is owned by Fledge, and which is protected by copyright except insofar as Fledge is required to give access to a record to which access is granted in terms of PAIA; and/or
 - The research information (section 69 of PAIA) of Fledge or a third party, if its disclosure would disclose the identity of Fledge, 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 vexatious, or which involve an unreasonable diversion of resources shall be refused.
- All requests for information will be assessed on their own merits and in accordance with the applicable legal principles and legislation.

If a requested record cannot be found or if the record does not exist, the Information Officer shall, by way of an affidavit or affirmation, notify the requester that it is not possible to give access to the requested record. Such a notice will be regarded as a decision to refuse a request for access to the record concerned for the purpose of PAIA. If the record should later be found, the requester shall be given access to the record in the manner stipulated by the requester in the prescribed form, unless the Information Officer refuses access to such record.

You will be notified in writing on Form 3 as required by PAIA as to whether your request for information has been approved or denied within 30 (Thirty) calendar days after receipt of a completed request refer Form 2 as per Annexure A.

8. CATEGORIES OF RECORDS OF FLEDGE WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

The categories of records held by Fledge are available without a person having to request access by completing Form 2 as per the PAIA regulations (27 August 2021). These are records that are available on the website (as indicated) and a person may download or request telephonically or by sending an e-mail (Refer paragraph 3.3).

Refer **Table 1** for documents which are available as described above.

Table 1			
Category of records	Types of the Record	Available on Website	Available upon request
Compliance	Terms of use for the website	X	X
Compliance	Privacy policy for the website	X	X
Compliance	PAIA Manual		X
Compliance	SARS Tax clearance certificate		X
Compliance	BBBEE certificate		X
Compliance	BBBEE affidavit		X
Compliance	Company registration document (CIPC)		X
Compliance	VAT registration		X

9. DESCRIPTION OF THE RECORDS OF FLEDGE WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

These are the records which are created and available in accordance with any of the South African legislation. These are records that are available by request telephonically or by sending an e-mail (Refer paragraph 3.3) or a letter.

Refer to **Table 2**:

Table 2	
Category of Records	Applicable Legislation
Memorandum of incorporation	Companies Act number 71 of 2008
PAIA Manual	Promotion of Access to Information Act number 2 of 2000
PAIA Guides (Issued by Information Regulator and available on request)	Promotion of Access to Information Act number 2 of 2000

10. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY FLEDGE

*The subjects in respect of which Fledge holds records and the categories of records held on each subject is depicted in **Table 3** below and a person can request access by completing Form 2 as per the PAIA regulations (27 August 2021) (Refer Annexure A for example of Form 2).*

Table 3	
Subjects on which the body holds records	Categories of records
Records under the Companies Act	• Memorandum of Incorporation • Minutes meetings of the Board of Directors • Minutes of meetings of Shareholders • Records relating to the appointment of Directors, Auditors, Secretary, Public Officer and any other Officer. • Statutory registers
Financial Records	• Annual Financial Statements • Tax Returns • Accounting Records • Banking records, bank statements, paid cheques, electronic banking records • Asset Register • Rental Agreements

Table 3	
Subjects on which the body holds records	Categories of records
	• Invoices
Personnel Documents and Records	• Employment contracts • Employment equity plan • Disciplinary and grievance records • Payroll records (including PAYE) • SETA records • Disciplinary code • Leave records • Training records • Training manuals • Training attendance register
Income Tax Records	• PAYE records • Documents issued to employees for income tax purposes • Records of payments made to the South African Revenue Services on behalf of employees • All other Statutory Compliances: ○ Value Added Tax ○ Securities Transfer Tax ○ Regional Services Levies ○ Skills Development Levies ○ Unemployment Insurance Fund ○ Workmen's Compensation

11. PROCESSING OF PERSONAL INFORMATION

11.1. Purpose of Processing Personal Information

There are various types of personal information that Fledge deals with. Refer to **Table 4** for the purpose per category of data subjects.

11.2. Description of the categories of Data Subjects and of the information or categories of information relating thereto

The categories of data subjects in respect of whom Fledge processes personal information and the nature or categories of the personal information being processed are depicted in **Table 4**.

Table 4		
Categories of Data Subjects	Personal Information that may be processed	Purpose
Clients and prospective clients (including Debtors)	Names, ID numbers, date of birth, email address, physical address, postal address, contact numbers, company registration numbers, BBBEE ratings, financial data.	To service our clients and to invoice them for the products sold or services rendered.
Service Providers (including Suppliers/Vendors/Creditors)	Names, registration number, VAT numbers, physical address, email address, postal address, contact numbers, company registration information, BEE status documents, SARS Tax Clearance, bank details, financial data.	To engage and pay service providers for products received or services that they have performed.
Consumers	Name and surname, ID numbers, date of birth, gender, email address, physical address, contact details.	To contact and market to consumers.
Employees and Contractors	Name and surname, ID numbers, passport, date of birth, marital status, next of kin and family details, email address, physical address, postal address, education and qualifications, gender and race, contact numbers, bank details,	To employ staff and contractors. To maintain employee records. To pay the employees and contractors. To comply with the necessary legislation and

Table 4		
Categories of Data Subjects	Personal Information that may be processed	Purpose
	salary/remuneration amount, tax details and criminal record checks.	with company policies and procedures.

- 11.3. The recipients or categories of recipients to whom the personal information may be supplied**
The person or category of persons to whom Fledge may disseminate personal information is depicted in **Table 5**.

Table 5	
Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Names and Surname, Identity number for criminal checks	South African Police Services
Names and Surname, Identity number, qualifications for qualification verifications	South African Qualifications Authority

11.4. Planned transborder flows of personal information

Fledge does not intend to transfer Personal Information outside of South Africa, but it may do so to secure or backup such Personal Information or for technical reasons. If Personal Information is transferred offshore, Fledge will only transfer such Personal Information to other countries who have similar privacy and data protection laws as those in South Africa, as required by section 72 of POPIA.

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

Fledge is committed to ensuring that personal and sensitive Information is secure. In order to prevent unauthorized access or disclosure to any Personal Information, Fledge has put in place suitable physical, electronic and managerial procedures to safeguard and secure the information it collects. Fledge makes use of secure data transmission and storage technologies to reasonably protect personal and sensitive Information from unauthorized disclosure and to maintain the integrity of your personal and sensitive Information. Fledge organization takes all reasonable technical and organizational measures to ensure the security of Personal and sensitive Information.

Fledge have comprehensive information security policies and procedures and have implemented security measures the cover the following areas:

- Physical – Personal and sensitive information processed at reputable data centres in South Africa with the necessary physical measures in place.
- Logical – Only people that must have access to information/data to perform their tasks have that access. Strong passwords are used to access information/data that is classified as restricted/confidential.
- Operational – Anti-malware and anti-virus solutions are used; vulnerability tests are done and backups are made on a regular basis.
- Employees – Employees are trained in relation to policies and procedures as and when required.

12. INFORMATION WE HOLD TO COMPLY WITH THE LAW

Where applicable to its operations, Fledge also retains records and documents in terms of the legislation described below. Unless disclosure is prohibited in terms of legislation, regulations, contractual agreement or otherwise, records that are required to be made available in terms of these acts shall be made available for inspection by interested parties in terms of the requirements and conditions of the specific Act; the below mentioned legislation and applicable internal policies and procedures, should such interested parties be entitled to such information. A person can request access by completing Form 2 as per the PAIA regulations (27 August 2021) (Refer Annexure A for example of Form 2).

It is further recorded that the accessibility of documents and records may be subject to the grounds of refusal set out in paragraph 6 of this Manual.

Fledge hold information in accordance with the following legislation, where applicable:

- Basic Conditions of Employment Act, 75 of 1997;
- Broad – Based Black Economic Empowerment Act, 53 of 2003;
- Companies Act, 71 of 2008;
- Compensation for Occupational Injuries and Diseases Act, 130 of 1993;
- Competition Act, 89 of 1998;
- Constitution of the Republic of South Africa 1996;
- Consumer Protection Act, 68 of 2008;
- Copyright Act, 98 of 1978;
- Customs and Excise Act, 91 of 1964;
- Electronic Communications and Transactions Act, 25 of 2002;
- Employment Equity Act, 55 of 1998;
- Financial Intelligence Centre Act, No 38 of 2001;
- Income Tax Act, 58 of 1962;
- Labour Relations Act ,66 of 1995;
- Intellectual Property Laws Amendment Act, 38 of 1997 as amended;
- Labour Relations Act, 66 of 1995;
- Long Term Insurance Act, 52 of 1998;

- Occupational Health and Safety Act, 85 of 1993;
- Pension Funds Act, 24 of 1956;
- Prescription Act, 68 of 1969;
- Promotion of Access to Information Act, 2 of 2000;
- Protection of Personal Information Act, 4 of 2013;
- Short Term Insurance Act, 53 of 1998;
- Skills Development Act, 97 of 1998;
- Skills Development Levies Act, 9 of 1999;
- Unemployment Insurance Act, 63 of 2001;
- Unemployment Insurance Contributions Act, 4 of 2002;
- Value Added Tax Act, 89 of 1991.

13. HOW MUCH WILL IT COST YOU?

Section 52(3) of PAIA states that fees payable for access to records are to be prescribed.

Refer to Annexure B for the fees schedule in respect of private body's that was published in the PAIA regulation dated 27 August 2021.

14. AVAILABILITY OF THE MANUAL COPY OF THE MANUAL IS AVAILABLE-

A copy of the Manual is available to any person upon request and to the Information Regulator on www.Fledge.co.za or at the head office of Fledge for public inspection during normal business hours.

15. UPDATING OF THE MANUAL

The manual will be updated as and when required.