



**PROMOTION OF ACCESS TO INFORMATION ACT NO 2 OF 2002
PROTECTION OF PERSONAL INFORMATION ACT NO 4 OF 2013**

Information manual in terms of section 51 of the Promotion of Access to Information Act and sections 17 and 23 of the Protection of Personal Information Act, in respect of Standard Chartered Bank Johannesburg Branch (*Company Registration Number 2003/020177/10*) ('SCBJ'):



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The Promotion of Access to Information Act, 2 of 2002 (hereinafter referred to as 'PAIA') gives effect to Section 32(1)(a)&(b) of the Constitution of the Republic of South Africa, Act 108 of 1996, which provides for the right of access to information held by public and private bodies when such information is requested for the exercise or protection of any rights.

The Protection of Personal Information Act, 4 of 2013 (hereinafter referred to as 'POPIA') gives effect to Section 14 of the Constitution of the Republic of South Africa, Act 108 of 1996, which provides for the right of privacy.

PURPOSE OF THE MANUAL

The purpose of this manual is to inform requesters of the procedural and other requirements which a request for information must meet as prescribed by PAIA.

Section 9 of PAIA however recognises 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; and
- Effective, efficient and good governance;

and in a manner which balances that right with any other rights, including such rights contained in the Constitution of the Republic of South Africa.



PART I CONTACT DETAILS

Name of Private Body:	Standard Chartered Bank Johannesburg
Physical Address:	Branch 2 nd Floor 115 West Street, Sandton, 2196, South Africa
Postal Address:	PO Box 782080, Sandton, 2146
Head of Private Body:	Chris Egberink Chief Executive Officer
Telephone:	(011) 291 8209
Facsimile:	(011) 271 6642
E-mail:	chris.egberink@sc.com
Website:	www.sc.com/za
Designated Information Officer:	Calvin Christopher Head: Conduct, Financial Crime & Compliance
Telephone:	071 884 4223
E-mail:	calvin.christopher@sc.com privacy_za@sc.com
Designated Deputy Information Officer	Clifford Gabriel Country Technology Manager
Telephone:	083 365 8969
E-mail:	clifford.gabriel@sc.com privacy_za@sc.com



PART II THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION

The South African Human Rights Commission (hereinafter referred to as “the SAHRC”) has compiled a guide. It contains information which would be reasonably required of any person wishing to exercise any right set out in PAIA. The guide is available in all of the official languages.

The guide is available for inspection at the offices of the SAHRC at:

33 Hoofd Street
Braampark, Forum 3
Braamfontien
Johannesburg 2041
Telephone: (011) 887 3600
Facsimile: (011) 403
www.sahrc.org.za

PART III THE SOUTH AFRICAN INFORMATION REGULATOR

Data subjects have the right to submit a complaint to the South African Information Regulator regarding any alleged interference with the protection of the personal information of the data subject.

The Information Regulator can be contacted at:

JD House
27 Stiemens Street
Braamfontein
Johannesburg, 2001
[Email: complaints.IR@justice.gov.za](mailto:complaints.IR@justice.gov.za)



PART IV RECORDS OF SCB

3. This section serves as a reference to the records that SCBJ holds in order to facilitate a request in terms of PAIA and POPIA.

It is recorded that the accessibility of the documents listed below, may be subject to the grounds of refusal set out hereinafter.

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

3.1. HUMAN RESOURCE

Human Resource refers to any person who works for, or provides services to or on behalf of SCB, and receives or is entitled to receive remuneration and any other person who assists in carrying out or conducting the business of SCB. This includes, without limitation, directors (executive and non-executive), all permanent, temporary and part-time staff, as well as contract workers; it also refers to prospective or former employees.

- Employment Records,
- Payroll and Compensation,
- Immigration Records
- Tax Consultation Documentation
- Unsuccessful Applications,
- Training Records,
- Insurance Policies
- Insurance Claims
- 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 materials.

3.2 CLIENT RELATED RECORDS

A *"client"* refers to any natural or juristic entity that receives services from SCB. It also refers to prospective or former clients.

- Records provided by a client, including client due diligence documentation or contact information provided in the course of the client relationship;
- Records provided by a client to a third party acting for or on behalf of SCB in the banking industry;



- Records provided by a third party;
- Records generated by or within SCB pertaining to its clients, including transactional records.

3.3 PRIVATE BODY RECORDS

- Company Secretariat,
- Governance, Risk and Compliance,
- Contracts,
- Investor Relations. Brand and Marketing,
- Financial records;
- Information technology;
- Internal correspondence;
- Records held by officials of SCB;
- Transaction-related records; and

3.4 OTHER PARTY RECORDS

- Personnel, clients or private body records that are held by another party, as opposed to the records held by SCB itself;
- Records held by SCB 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.

SCB 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 SCB.

PART V GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

The main grounds for SCB to refuse a request for information relates to the -

- 4.1 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;
- 4.2 mandatory protection of the commercial information of a third party, if the record contains:
 - 4.2.1 trade secrets of that third party;
 - 4.2.2 financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;
 - 4.2.3 information disclosed in confidence by a third party to SCB, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition.



- 4.3 Mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- 4.4 mandatory protection of the safety of individuals and the protection of property;
- 4.5 mandatory protection of records that would be regarded as privileged in legal proceedings;
- 4.6 the commercial activities of SCB, which may include:
 - 4.6.1 trade secrets of SCB;
 - 4.6.2 financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of SCB;
 - 4.6.3 information, which, if disclosed, could put SCB at a disadvantage in negotiations or commercial competition;
 - 4.6.4 a computer programme which is owned by SCB, and which is protected by copyright.
- 4.7 The research information of SCB or a third party, if its disclosure would disclose the identity of SCB, 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.

PART VI REMEDIES AVAILABLE WHEN SCB REFUSES A REQUEST FOR INFORMATION

5.1 INTERNAL REMEDIES

SCB does not have internal appeal procedures. As such, the decision made by the information officer is final and requesters will have to exercise such external remedies at their disposal if the request for information is refused and the requester is not satisfied with the answer supplied by the information officer.

5.2 EXTERNAL REMEDIES

A requester that is dissatisfied with the information officer's refusal to disclose information, may within 30 calendar days of notification of the decision, apply to a Court for relief.

Likewise, a third party dissatisfied with the information officer's decision to grant a request for information, may within 30 calendar days of notification of the decision, apply to a Court for relief. For purposes of PAIA, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status.



- 6.1 The requester must comply with all the procedural requirements contained in PAIA relating to the request for access to any of the above categories of information.
- 6.2 The requester must complete the prescribed form in Appendix “1” enclosed herewith, and submit same as well as payment of a request fee and a deposit, if applicable, to the information officer or the designated deputy information officer, at the postal or physical address, facsimile number or electronic mail address as stated in above;
- 6.3 The prescribed form which is also available on the South African Human Rights Commission's website (www.sahrs.org.za) and the Department of Justice and Constitutional Development's website (www.doj.gov.za) must be filled in with enough particularity to at least enable the information officer to identify:
 - 6.3.1 the record or records requested;
 - 6.3.2 the identity of the requester;
 - 6.3.3 which, form of access is required, if the request is granted;
 - 6.3.4 the postal address or facsimile number of the requester.
- 6.4 The requester must state that he/she requires the information 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 must clearly specify why the record is necessary to exercise or protect such a right.
- 6.5 SCB will process the request within 30 calendar days unless the requester has stated special reasons which would satisfy the information officer that circumstances dictate that the above time periods not be complied with.
- 6.6 The requester shall be informed in writing whether access was granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, he/she must state the manner and the particulars so required.
- 6.7 If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the information officer.
- 6.8 If a requester is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.
- 6.9 The requester must pay the prescribed fee before any further processing can take place
- 6.10 The requester may request that SCB correct or delete personal information about the data subject in SCB's possession or under its control that is inaccurate, irrelevant, excessive, out of data, incomplete, misleading or obtained unlawfully.



- 6.11 The requester may request that SCB destroy or delete a record of personal information about the data subject that SCB is no longer authorised to retain.

PART VIII ACCESS TO RECORDS HELD BY SCB

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

7.2.1 PERSONAL REQUESTER

- 7.2.1.1 A personal requester is a requester who is seeking access to a record containing personal information about the requester.
- 7.2.1.2 SCB will 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 will be charged but a request fee is not applicable to a personal requester

7.2.2 OTHER REQUESTER

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

PART IX FEES

- 8.1 PAIA provides for two types of fees, namely:
- 8.1.1 a request fee, which will be a standard fee; and
- 8.1.2 an access fee which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.
- 8.2 When the request is received by the information officer, such officer 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.
- 8.3 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.

- 8.4 The information officer shall withhold a record until the requester has paid the fees as indicated in “Appendix 2”.
- 8.5 A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and 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.
- 8.6 If a deposit has been paid in respect of a request for access, which is refused, then the information officer must repay the deposit to the requester.

PART X DECISION

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

PART XI INFORMATION AVAILABLE IN TERMS OF OTHER LEGISLATION

- 10.1 Where applicable to SCB's operations, information is also available in terms of certain provisions of the statutes listed in “Appendix 3”.

PART XII AVAILABILITY OF THE MANUAL

- 11.1 The manual is made available in terms of Regulation Number R 187 of 15 February 2002.


STANDARD CHARTERED BANK JOHANNESBURG BRANCH

 (Reg. No. 2003/020177/10)
('SCB')

FORM 2

REQUEST FOR ACCESS TO RECORDS OF SCB

[Regulation 7]

NOTE:

1. *Proof of identity must be attached by the requester.*
2. *If requests made on behalf of another person, proof of such authorisation, must be attached to this form.*

TO: The Information Officer

 _____ (Address)

E-mail address:

Fax number:

Mark with an "X"
☐

Request is made in my own name

☐

Request is made on behalf of another person.

PERSONAL INFORMATION

Full Names	
Identity Number	
Capacity in which request is made (when made on behalf of another person)	
Postal Address	
Street Address	

E-mail Address			
Contact Numbers	Tel. (B):		Facsimile:
	Cellular:		
Full names of person on whose behalf request is made (if applicable):			
Identity Number			
Postal Address			

Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		

PARTICULARS OF RECORD REQUESTED

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. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)

Description of record or relevant part of the record:	
Reference number, if available	

Any further particulars of record	

<p align="center">TYPE OF RECORD (Mark the applicable box with an "X")</p>

Record is in written or printed form	
Record comprises virtual images (<i>this includes photographs, slides, video recordings, computer-generated images, sketches, etc</i>)	
Record consists of recorded words or information which can be reproduced in sound	
Record is held on a computer or in an electronic, or machine-readable form	

<p align="center">FORM OF ACCESS (Mark the applicable box with an "X")</p>

Printed copy of record (<i>including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form</i>)	
Written or printed transcription of virtual images (<i>this includes photographs, slides, video recordings, computer-generated images, sketches, etc</i>)	
Transcription of soundtrack (<i>written or printed document</i>)	
Copy of record on flash drive (<i>including virtual images and soundtracks</i>)	
Copy of record on compact disc drive(<i>including virtual images and soundtracks</i>)	
Copy of record saved on cloud storage server	

<p align="center">MANNER OF ACCESS (Mark the applicable box with an "X")</p>

Personal inspection of record at registered address of public/private body (<i>including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form</i>)	
Postal services to postal address	
Postal services to street address	
Courier service to street address	

Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language <i>(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)</i>	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

*If the provided space is inadequate, please continue on a separate page and attach it to this Form.
The requester must sign all the additional pages.*

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

FEES

- a) *A request fee must be paid before the request will be considered.*
- b) *You will be notified of the amount of the access fee to be paid.*
- 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	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Facsimile	Electronic communication <i>(Please specify)</i>

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

<i>Reference number:</i>	
<i>Request received by: (State Rank, Name And Surname of Information Officer)</i>	
<i>Date received:</i>	
<i>Access fees:</i>	
<i>Deposit (if any):</i>	

***Signature of
Information Officer***



AN EXPLANATORY NOTE ON FEES TO BE CHARGED BY SCB WHEN GRANTING A REQUEST FOR ACCESS TO INFORMATION IN TERMS OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000.

The fees chargeable by private bodies are contained in Part III of Annexure "A" of the Regulations. A copy of Part III is attached for your convenience. The present charges are as follows:

1. Reproduction fees¹

Reproduction fees apply to obtaining copies or transcriptions of information that is automatically available from the private body. The fees are listed in paragraph 2 of Part III of Annexure "A" to the Regulations.

2. Access fees²

Access fees are chargeable for copies or transcriptions of information requested under this Act. The fees are listed in paragraph 4 of Part III of Annexure "A" to the Regulations.

3. Other fees

- 3.1 A request fee³ of R50,00 is payable by a requester who is seeking access to a record containing information which is not personal to the requester.
- 3.2 A search fee⁴ may be charged at a rate of R30,00 per hour or part thereof for searching and preparing the record for disclosure provided such time was reasonably required for that purpose.
- 3.3 If the request is not limited to records containing information that is personal to the requester and if the business head of SCB is of the opinion that the time taken to give effect to the request will exceed six hours, the requester can be called upon to pay a deposit of not more than one third of an estimate of the access fee which will become payable⁵.
- 3.4 If a copy of a record is posted to a requester, the requester is obliged to pay the actual postage payable.

¹ Section 52(3) and Regulation 1(1)

² Section 54(7) and Regulation 11(3)

³ Section 54(1) and Regulation 11(2)

⁴ * Annexure "A", Part III, Item 4(1)(f)

⁵ ** Section 54(2)



FEES IN RESPECT OF PRIVATE BODIES

1. The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1,10 for every photocopy of an A4 size page or part thereof.
2. The fees for reproduction referred to in regulation 11(1) are as follows:

	R
(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:	
(i) Stiffy disc;	7,50
(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) is R50,00.
4. The access fees payable by a requester referred to in regulation 11(3) are as follows:

	R
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:	
(i) Stiffy disc;	7,50
(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.	

2. For purposes of section 54(2) of PAIA, 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.
3. The actual postage is payable when a copy of a record must be posted to a requester.

**APPENDIX 3****Information available in terms of other legislation**

Administration of Estates Act No. 66 of 1965

Banks Act No. 94 of 1990

Basic Conditions of Employment Act No. 75 of 1997

Companies Act No. 71 of 2008

Compensation for Occupational Injuries and Diseases Act No. 130 of 1993

Competition Act No. 89 of 1998

Consumer Protection Act No. 68 of 2008

Employment Equity Act No. 55 of 1998

Financial Intelligence Centre Act No. 38 of 2001

Financial Markets Act No. 19 of 2012

Income Tax Act No. 58 of 1962

Insolvency Act No. 24 of 1936

Labour Relations Act No. 66 of 1995

Long-term Insurance Act No. 52 of 1998

National Credit Act No. 34 of 2005

National Payment System Act No. 78 of 1998

Occupational Health and Safety Act No. 85 of 1993

Prescription Act No. 68 of 1969

Prevention of Organised Crime Act No. 121 of 1998

Short-term Insurance Act No. 53 of 1998

Transfer Duty Act No. 40 of 1949



Unemployment Insurance Act No. 63 of 2001

Value-added Tax Act No. 89 of 1991