

# PROMOTION OF ACCESS TO INFORMATION ACT MANUAL

**CORESHARES**<sup>TM</sup>  
LIBERATE  
THE FUTURE

**CORESHARES HOLDINGS (PTY) LTD** [Includes subsidiaries, Coreshares Asset Management (Pty) Ltd, Reg No. 2014/135757/07 and Coreshares Index Tracker Managers (RF) (Pty) Ltd, Reg No. 2006/006498/07 (hereafter referred to as “CoreShares”)]

## 1. INTRODUCTION AND BACKGROUND

The Promotion of Access to Information Act, No. 2 of 2000 (“PAIA”) was enacted on 3 February 2000 and its purpose is to ensure that people can exercise their constitutional right of access to information that is required for the exercise or protection of any right and that is held by the State or another person.

The motivation for giving effect to the right of access to information is to foster a culture of transparency and accountability in both public and private bodies, and to promote a society in which the people of South Africa have effective access to information to enable them to fully exercise and protect all their rights.

## 2. ABOUT CORESHARES

CoreShares is a private body as defined in PAIA and is one of Africa’s leading passive investment management businesses, comprising of two operating entities that are registered and operate in South Africa being CoreShares Asset Management (Pty) Ltd, an authorised financial service provider in terms of the Financial Advisory and Intermediary Services Act, 2002 (“FAIS Act”) and CoreShares Index Tracker Managers (RF) (Pty) Ltd, an authorised collective investment schemes manager in terms of the Collective Investment Schemes Control Act, 2002 (“CISCA”).

CoreShares specialises in rendering financial services in respect of collective investment scheme portfolios (“unit trusts”) including Exchange Traded Funds (“ETFs”).

## 3. PURPOSE OF THIS MANUAL

This manual prepared in terms of section 51 of PAIA and is designed to facilitate requests by any person for access to information that is held by CoreShares in accordance with PAIA and that is required for the exercise or protection of any right.

## 4. RIGHT OF ACCESS TO CORESHARES’ RECORDS

- 4.1 CoreShares will give a requester access to any of its records if -
  - a. that record is required for the exercise or protection of any rights;
  - b. that person complies with the procedural requirements in this Act 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 Part 3 Chapter 4 of PAIA.
- 4.2 If a requester is a public body as defined in PAIA, the request for access must be for the exercise or protection of any rights other than its rights and must be acting in the public interest.
- 4.3 A request contemplated in paragraph 3.1 above includes a request for access to a record containing personal information about the requester or the person on whose behalf the request is made.

## 5. CONTACT DETAILS OF HEAD OF THE COMPANY AND THE DEPUTY INFORMATION OFFICER

The head of the company is Mr Gareth Stobie, see contact details below:

Physical Address: 4th Floor, Grindrod Tower,  
8a Protea Place,  
Sandton,  
2194

Postal Address: P.O. Box 78011,  
Sandton,  
2145

Telephone No.: +27 11 459 1866

Email Address: gareth@coreshares.co.za .

The Deputy Information Officer is Mr Mandla Hendricks and has been duly authorised by the head of the company and appointed by the company to facilitate or assist the head of the company with any request in terms of PAIA, see contact details below:

Physical Address: 4th Floor, Grindrod Tower,  
8a Protea Place,  
Sandton,  
2194

Postal Address: P.O. Box 78011,  
Sandton,  
2145

Telephone number: +27 11 459 1895

Email Address: mandlah@coreshares.co.za .

## 6. SAHRC GUIDE ON HOW TO USE THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000

The South African Human Rights Commission ("SAHRC") is required to issue a guide containing information that may reasonably be required by a person who wishes to exercise any right contemplated in PAIA this Act.

The SAHRC guide includes information on the description of -

- a. the objectives of PAIA;
- b. the relevant contact details of -
  - (i) the information officer of every public body; and
  - (ii) every deputy information officer of every public body appointed in terms of section 17(1) of PAIA;
- c. particulars of every private body;
- d. the manner and form of a request for -
  - (i) access to a record of a public body contemplated in section 11 of PAIA; and
  - (ii) access to a record of a private body contemplated in section 50 of PAIA;
- e. the assistance available from the information officer of a public body in terms PAIA;
- f. the assistance available from the Human Rights Commission in terms of PAIA;
- g. all the remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA, including the manner of lodging -
  - (i) an internal appeal; and
  - (ii) an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision of the head of a private body;
- h. the provisions of sections 14 and 51 of PAIA requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
- i. the provisions of sections 15 and 52 providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- j. the notices issued in terms of sections 22 and 54 of PAIA regarding fees to be paid in relation to requests for access; and
- k. the regulations made in terms of Section 92 of PAIA.

Please refer to the latest SAHRC Guide that has been published by the South African Human Rights Commission on their website. This guide will be updated, published and made available as prescribed by the SAHRC, if necessary, at intervals of not more than two years. The SAHRC contact details are as follows;

The South African Human Rights Commission

Physical Address: 27 Stiemens Street, Braamfontein

Postal address: Private Bag 2700, Houghton, 2041

Telephone: +27 11 877 3600

Fax: +27 11 484 0582/1360

Website: [www.sahrc.org.za](http://www.sahrc.org.za)

E-mail: [paia@sahrc.org.za](mailto:paia@sahrc.org.za) .

## 7. TYPES OF RECORDS

### 7.1 Categories of Record available without need for request in terms of PAIA: section 51(1)(c)

CoreShares does not keep any records in terms of section 51(1)(c), read with section 52(2) of PAIA, that may be accessed without a person having to request access in terms of PAIA.

## 7.2 Records available in terms of other legislation: section 51(1)(d)

Records are available in accordance with the following legislation:

- Protection of Personal Information Act 4 of 2013
- Companies Act 71 of 2008
- Financial Advisory and Intermediary Services Act 37 of 2002
- Employment Equity Act 55 of 1998
- Basic Conditions of Employment Act 75 of 1997
- Foreign Account Tax Compliance Act
- Employment Equity Act 55 of 1998
- Financial Intelligence Centre Act 38 of 2001
- Income Tax Act 58 of 1962
- Occupational Health and Safety Act 85 of 1993
- Unemployment Insurance Act 63 of 2001
- Value-added Tax Act 89 of 1991
- Collective Investments Schemes Control Act 45 of 2002

## 7.3 Records held by CoreShares

Records held by CoreShares include information on:

- Products and Services
- Administration
- Human Resources and
- Operations

## 8. GROUNDS FOR REFUSAL

In terms PAIA justifiable grounds exist for an entity to refuse or limit access to information., the grounds for refusal may include, but are not only limited to –

- Personal information relating to individuals,
- Certain types of commercial information,
- Information that is deemed confidential,
- Information that is deemed privileged.

## 9. AVAILABILITY OF THIS MANUAL

Any person may gain access to this manual on the CoreShares website ([www.coreshares.co.za](http://www.coreshares.co.za)) or alternatively a copy can be made available on request by any interested party. This manual is also available from the South African Human Rights Commission.

## 10. PROCESS OF REQUESTING ACCESS TO RECORDS

- 10.1 A request shall be made on the prescribed form. A copy of the form is attached marked annexure “A” (“the prescribed form”). The form is also available from the website of the Human Rights Commission, or the website of the Department of Justice and Constitutional Development at [www.doj.gov.za](http://www.doj.gov.za).
- 10.2 The prescribed form shall be submitted to the Deputy Information Officer at his address or e-mail address.
- 10.3 if a request is made on behalf of another person, proof of the capacity in which the requester is making the request must be submitted in addition to the prescribed form.
- 10.4 The Deputy Information Officer, as soon as reasonably possible and within thirty days after the request has been received, shall decide whether or not to grant the request.
- 10.5 The requester will be notified of the decision of the Deputy Information Officer in the manner indicated by the requester in the prescribed form.
- 10.6 If the request is granted, the requester shall be informed by the Deputy Information Officer in the manner indicated by the requester in the prescribed form.

- 10.7 Notwithstanding the foregoing, CoreShares will advise the requester in the manner stipulated by the requester in the prescribed form of -
- 10.7.1 the access fee to be paid for the information (in accordance with paragraph 11);
  - 10.7.2 the format in which access will be given; and
  - 10.7.3 the fact that the requester may lodge an appeal with a court of competent jurisdiction against the access fee charged or the format in which access is to be granted.
- 10.8 After access is granted, actual access to the record requested will be given as soon as reasonably possible.
- 10.9 If the request for access is refused, the Deputy Information Officer shall advise the requester in writing of the refusal. The notice of refusal shall state -
- 10.9.1 adequate reasons for the refusal;
  - 10.9.2 that the requester may lodge an appeal with a court of competent jurisdiction against the refusal of the request (including the period) for lodging such an appeal.
- 10.10 Upon the refusal by the Deputy Information Officer, the deposit paid by the requester will be refunded.
- 10.11 If the Deputy Information Officer fails to respond within thirty days after a request has been received, it is deemed, in terms of section 58 read together with section 56(1) of PAIA, that the Deputy Information Officer has refused the request.
- 10.12 The Deputy Information Officer may decide to extend the period of thirty days ("original period") for another period of not more than thirty days if -
- 10.12.1 the request is for a large number of records;
  - 10.12.2 the search for the records is to be conducted at premises not situated in the same town or city as the Deputy Information Officer;
  - 10.12.3 consultation among divisions or departments, as the case may be, of the company is required;
  - 10.12.4 the requester consents to such an extension in writing; and
  - 10.12.5 the parties agree in any other manner to such an extension.
- 10.13 Should the company require an extension of time, the requester shall be informed in the manner stipulated in the prescribed form of the reasons for the extension.
- 10.14 The requester may lodge an appeal with a court of competent jurisdiction against any extension or against any procedure set out in this section.

## 11. FEES PAYABLE

The fees for reproduction of a record as referred to in section 52(3) of PAIA are detailed in annexure "B" (the Fee Schedule).

## 12. RECORDS THAT CANNOT BE FOUND OR DO NOT EXIST

- 12.1 If all reasonable steps have been taken to find a record, and such a record cannot be found or if the records do not exist, then Deputy Information Officer shall notify the requester, by way of an affidavit or affirmation, that it is not possible to give access to the requested record.
- 12.2 The affidavit or affirmation shall provide a full account of all the steps taken to find the record or to determine the existence thereof, including details of all communications by the Deputy Information Officer with every person who conducted the search.
- 12.3 The notice, as set out in 12.1, shall be regarded as a decision to refuse a request for access to the record concerned for the purposes of the Act.
- 12.4 If the record in question 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 access is refused by the Deputy Information Officer.
- 12.5 The attention of the requester is drawn to the provisions of Chapter 4 of Part 3 of PAIA in terms of which the company may refuse, on certain specified grounds, to provide information to a requester.

## 13. INFORMATION REQUESTED ABOUT A THIRD PARTY

- 13.1 Section 71 of PAIA makes provision for a request for information or records about a third party.
- 13.2 In considering such a request, the company will adhere to the provisions of sections 71 to 74 of PAIA.
- 13.3 The attention of the requester is drawn to the provisions of Chapter 5 of Part 3 of PAIA in terms of which the company is obliged, in certain circumstances, to advise third parties of requests lodged in respect of information applicable to or concerning such third parties. In addition, the provisions of Chapter 2 of Part 4 of PAIA entitle third parties to dispute the decisions of the Deputy Information Officer by referring the matter to the High Court.

## 14. UPDATING OF MANUAL

- 14.1 The company may update this manual annually or at such intervals as may be necessary.

**ANNEXURE A****FORM C**

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

[Section 53(1) of the Promotion of Access to Information Act, 2000

[Act No. 2 of 2000]

[Regulation 10]

**A. PARTICULARS OF PRIVATE BODY**

THE HEAD: \_\_\_\_\_

**B. PARTICULARS OF PERSON REQUESTING ACCESS TO THE RECORD**

- a. The particulars of the person who requests access to the record must be given below.
- b. The address and/or fax number in the Republic to which the information is to be sent must be given.
- c. Proof of the capacity in which the request is made, if applicable, must be attached.

FULL NAMES AND SURNAME: \_\_\_\_\_

IDENTITY NUMBER: \_\_\_\_\_

POSTAL ADDRESS: \_\_\_\_\_

FAX NUMBER: \_\_\_\_\_

TELEPHONE NUMBER: \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_

Capacity in which request is made, when made on behalf of another person:

\_\_\_\_\_

**C. PARTICULARS OF PERSON ON WHOSE BEHALF REQUEST IS MADE**

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

FULL NAMES AND SURNAME: \_\_\_\_\_

IDENTITY NUMBER: \_\_\_\_\_

**D. PARTICULARS OF RECORD**

- a. Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.
- b. If the provided space is inadequate, please continue on a separate folio and attach it to this form.  
The requester must sign all the additional folios.

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: \_\_\_\_\_

**F. FORM OF ACCESS TO RECORD**

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

Disability: \_\_\_\_\_

Form in which record is required: \_\_\_\_\_

**MARK THE APPROPRIATE BOX WITH AN X.****NOTES:**

- a. Compliance with your request 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 for the record, if any, will be determined partly by the form in which access is requested.

1. If the record is in written or printed form:

copy of record\*     inspection of record

2. If record consists of visual images:

this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)

view the images     copy of the images"     transcription of the images\*

3. If record consists of recorded words or information which can be reproduced in sound:

listen to the soundtrack audio cassette     transcription of soundtrack\* written or printed document

4. If record is held on computer or in an electronic or machine-readable form:

printed copy of record\*     printed copy of information derived from the record"

copy in computer readable form\* (stiffy or compact disc)

If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?

Postage is payable     YES     NO

**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.

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

\_\_\_\_\_

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

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#### 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?

SIGNED AT SANDTON: \_\_\_\_\_ DATE: \_\_\_\_\_

SIGNATURE OF REQUESTER / PERSON ON  
WHOSE BEHALF REQUEST IS MADE

#### ANNEXURE B

##### FEE SCHEDULE

##### FEES PAYABLE IN RESPECT OF PRIVATE BODIES

NO.	DETAILS	FEE (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 Section 52(3) of the regulations 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)(i)	For a copy in a computer-readable form on stiffy disk	7.50
(c)(ii)	For a copy in a computer-readable form on compact disk	70.00
(d)(i)	For a transcription of visual images for an A4-size page or part thereof	40.00
(d)(ii)	For a transcription of visual images 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
(e)(ii)	For a transcription of an audio record 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 Section 54(1) of the regulations is as follows:	50.00
4.	The access fees payable by a requester referred to in Section 54(8) of the regulations are as follows:	
4.1(a)	For every photocopy of an A4-size page or part thereof	1.10
4.1(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
4.1(c)(i)	For a copy in a computer-readable form on stiffy disk	7.50
4.1(c)(ii)	For a copy in a computer-readable form on compact disk	70.00
4.1(d)(i)	For a transcription of visual images for an A4-size page or part thereof	40.00
4.1(d)(ii)	For a transcription of visual images for a copy of visual images	60.00
4.1(e)(i)	For a transcription of an audio record for an A4-size page or part thereof	20.00
4.1(e)(ii)	For a transcription of an audio record for a copy of an audio record	30.00
4.1(f)	To search for and prepare the record for disclosure, for each hour or part of an hour reasonably required for such search and preparation.	30.00
4.2	The actual postage is payable when a copy of a record must be posted to a requester.	
4.3	For purposes of section 54(2) of the PAIA, the following applies:	
4.3(a)	Six hours as the hours to be exceeded before a deposit is payable and	
4.3(b)	one third of the access fee is payable as a deposit by the requester.	