
MONTE DE SMIDT BROKERS CC

MANUAL

in terms of

The Promotion of Access to Information Act

2/2000

(the "ACT")

FEBRUARY 2018

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1. INTRODUCTION

Monte de Smidt Brokers CC conducts business as an Insurance Broker. We are an Authorized Service Provider in terms of the Financial Advisory & Intermediary Service Act. Our FSP licence number is FSP 11980.

2. COMPANY CONTACT DETAILS

Persons designated/duly authorised persons:

FSP	MONTE DE SMIDT BROKERS CC
Office Manager	AHNOESCHKHA VAN NIEKERK
Postal Address	PO BOX 688 NELSPRUIT 1200
Street Address	10 FERREIRA STREET NELSPRUIT 1201
Telephone Number	0137532252
Fax Number	0137527816
E-mail	ADMIN@MDSBROKERS.CO.ZA

3. THE ACT

- 3.1 The ACT grants a requester access to records of the private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.
- 3.2 Requests in terms of the ACT shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7.
- 3.3 Requesters are referred to the Guide to be compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The contact details of the Commission are:

Postal Address: Private Bag 2700, Houghton, 2041
Telephone Number: +27-11- 877 3600
Fax Number: +27-11- 403 0625

4. APPLICABLE LEGISLATION

Ref	Act
No 98 of 1978	Copyright Act
No 55 of 1998	Employment Equity Act
No 95 of 1967	Income Tax Act
No 66 of 1995	Labour Relations Act
No 89 of 1991	Value Added Tax Act
No 37 of 2002	Financial Advisory and Intermediary Services Act
No 75 of 1997	Basic Conditions of Employment Act
No 53 of 1998	Short Term Insurance Act
No 25 of 2002	Electronic Communications and Transactions Act
No 2 of 2000	Promotion of Access of Information Act
No 30 of 1996	Unemployment Insurance Act
No 38 of 2001	Financial Intelligence Centre Act
No 58 of 1998	Long Term Insurance Act

5. ACCESS TO RECORDS AND AVAILABILITY

The head of Monte de Smidt Brokers CC – Chawn de Clerck

(a) must, during office hours and upon request, make available for public inspection a copy of the manual;

(b) may not charge a fee for a public inspection referred to in paragraph (a); and

(c) may, in respect of a copy of the manual or part thereof made available in a manner other than that contemplated in paragraph(a), charge the fee prescribed in Item 1 of Part III of Annexure A and the actual postage if a copy must be posted.”.

Records

PUBLIC AFFAIRS

- Public Product Information
- Public Corporate Records
- Media Releases

COMPANIES ACT RECORDS

1. Documents of incorporation
2. Memorandum and Articles of Association
3. Records relating to the appointment of members and other officers
4. Member Register and other statutory registers

FINANCIAL RECORDS

1. Annual Financial Statements
2. Tax Returns
3. Accounting Records
4. Banking Records
5. Bank Statements
6. Paid Cheques
7. Electronic banking records
8. Asset Register
9. Rental Agreements
10. Invoices

INCOME TAX RECORDS

1. PAYE Records
2. Documents issued to employees for income tax purposes
3. Records of payments made to SARS on behalf of employees
4. All other statutory compliances:
 - o UIF

PERSONNEL DOCUMENTS AND RECORDS

1. Employment contracts
2. Employment Equity Plan (if applicable)
3. Pension Fund records
4. Disciplinary records
5. Salary records
6. SETA records
7. Disciplinary code

8. Leave records
9. Training records
10. Training Manuals

MARKETING

1. Market Information
2. Public Customer Information:
 - a. Product Brochures
 - b. Owner Manuals
3. Field Records
4. Performance Records
5. Product Sales Records
6. Marketing Strategies
7. Customer Database

SUBJECTS ON WHICH RECORDS ARE KEPT-

 Clients / Policyholders / Service Providers and Product Suppliers of FSP

Products and Services:

Long-term insurance products, Retirement annuities, Pension Funds

Savings products, Trust services, Investment and risk products to groups and schemes.

All these records are kept in terms of legislation applicable to any of the above products or services and the Financial Services Industry in general

6. FORM OF REQUEST

The requester must complete Form C and submit this form together with a request fee, to the Head of the private body.

The form must be submitted to the head of the private body at his/ her address, fax, number, or electronic mail address.

 The form must: provide sufficient particulars to enable the head of the private body to identify the record/s requested and to identify the requester:

- Indicate which form of access is required,
- Specify a postal address or fax number of the requester in the Republic,
- Identify the right that the requester is seeking to exercise or protect,
- And provide an explanation of why the requested record is required for the exercise or protection of that right,
- If in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, to state that manner and the necessary particulars to be informed in the other manner,
- If the request is made on behalf of another person, to submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of the head of the private body.

7. PRESCRIBED FEES

The following applies to requests (other than personal requests):

- 7.1 A requestor is required to pay the prescribed fees (R50.00) before a request will be processed;
- 7.2 If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);
- 7.3 A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- 7.4 Records may be withheld until the fees have been paid.
- 7.5 The fee structure is available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za, or the website of THE DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT (under regulations) at <http://www.doj.gov.za/>

Signed on this day 14th of February 2018



Name: CHAWN DE CLERCK
Head of MONTE DE SMIDT BROKERS CC