



**PROMOTION OF ACCESS TO INFORMATION ACT MANUAL**

for

**Flamingo Capital Partners (Pty) Ltd (FCP)**

(registration number: 2021/929296/07)

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

**DATE: July 2023**

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## 1. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to-

- 2.1 check the categories of records held by FCP 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 FCP;
- 2.3 understand the description of the records of FCP which are available in accordance with any other law;
- 2.4 access all the relevant contact details of the Information Officer who will assist the public with the records they intend to access;
- 2.5 understand the description of the guide on how to use PAIA, as updated by the Information Regulator and how to obtain access to it;
- 2.6 understand if the FCP 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 understand the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.8 understand the recipients or categories of recipients to whom the personal information may be supplied;
- 2.9 understand if FCP 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 understand whether FCP has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

## 2. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF FCP

**Information Officer:** Daniel Berman

**Address:** 42 Bath Avenue, Rosebank, Johannesburg, Gauteng

**E-mail:** [compliance@flamingocapitalpartners.com](mailto:compliance@flamingocapitalpartners.com)

## 3. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

4.1. The Information 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 Protection of Personal Information Act 4 of 2013 (POPIA).

4.2. 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 Information Regulator, during normal working hours.

4.3. The Guide can also be obtained-

- upon request to the Information Officer; and
- from the website of the Information Regulator (<https://info regulator.org.za/paia-guidelines/>).

4.6 A copy of the Guide is also available in the following two official languages, for public inspection during normal office hours-

- [English](#)
- [Zulu](#)

**4. CATEGORIES OF RECORDS OF THE FCP WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS**

General information about FCP which is automatically available and does not need to be requested can be accessed via the internet on our website at <https://flamingocapitalpartners.com/>.

**5. DESCRIPTION OF THE RECORDS OF FCP WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION**

<b>Category of Records</b>	<b>Applicable Legislation</b>
Memorandum of Incorporation	Companies Act 71 of 2008
Notice of Incorporation	Companies Act 71 of 2008
Share Register	Companies Act 71 of 2008
Records of directors	Companies Act 71 of 2008
Minutes of meetings of the board of directors, audit committee and directors committees	Companies Act 71 of 2008
Register of Company Secretary and Auditors	Companies Act 71 of 2008
Annual Financial Statements	Companies Act 71 of 2008
Accounting Records	Companies Act 71 of 2008
Register, record or reproduction of the earnings, time worked, payment for piece work and overtime and other prescribed particulars of all the employees	Compensation for Occupational and Diseases Act, 130 of 1993
Written particulars of an employee after termination of employment	Basic Conditions of Employment Act 75 of 1997
Employee's name and occupation	Basic Conditions of Employment Act 75 of 1997
Time worked by each employee	Basic Conditions of Employment Act 75 of 1997
Remuneration paid to each employee	Basic Conditions of Employment Act 75 of 1997

Records of disciplinary transgressions, the actions taken by FCP and the reasons for the actions	Labour Relations Act 66 of 1995
Employee records – names, identifications numbers and monthly remuneration and address at which employee is employed	Unemployment Insurance Act 63 of 2002
Employee remuneration, and tax records	Tax Administration Act 28 of 2011, Income Tax Act 58 of 1962
FCP tax records	Tax Administration Act 28 of 2011, Income Tax Act 58 of 1962 and Value Added Tax Act 89 of 1991, Skills Development Levies Act 9 of 1999
Electronic communications and transactions records	Electronic Communications & Transactions Act 25 of 2002

**6. DESCRIPTION OF THE SUBJECTS ON WHICH FCP HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT**

Subjects on which FCP holds records	Categories of records
Corporate	<ul style="list-style-type: none"> <li>- Director and shareholder records</li> <li>- Records relating to the incorporation of FCP</li> <li>- Statutory records</li> <li>- Minutes and resolutions</li> </ul>
Human Resources	<ul style="list-style-type: none"> <li>- HR policies and procedures</li> <li>- Advertised posts</li> <li>- Employee records</li> <li>- Training records</li> </ul>
Finance	<ul style="list-style-type: none"> <li>- Tax records (FCP and employees)</li> <li>- Annual financial statements</li> <li>- Bank statements</li> <li>- Purchase Orders/Invoices</li> <li>- Asset Register</li> </ul>

Subjects on which FCP holds records	Categories of records
	<ul style="list-style-type: none"> <li>- Insurance information</li> </ul>
Operational	<ul style="list-style-type: none"> <li>- Request for Proposals</li> <li>- Operational reviews</li> <li>- Client records</li> <li>- Vendor records</li> <li>- Guidelines, policies and procedure</li> <li>- Contracts</li> <li>- Internal and external correspondence</li> <li>- Records provided by a third party</li> <li>- Information technology</li> <li>- Strategic Plans</li> <li>- Marketing materials</li> </ul>

## 7. PROCESSING OF PERSONAL INFORMATION

### 7.1 Purpose of Processing Personal Information

FCP processes personal information in the ordinary course of its business, including, but not limited to, the following:

- providing and improving our services;
- creating and managing client accounts;
- managing commercial relationships with clients and suppliers;
- to receive goods and/or services from suppliers;
- recruitment;
- managing employee relationships and performing employment contracts as well as obligations imposed by law;
- information analysis;
- communication purposes; and
- administering our website.

For more information regarding the purposes we process personal information, please see our Privacy Notice on our website or for employees, please contact the Information Officer.

**7.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto**

Most commonly, FCP processes the following personal information of the following categories of data subjects:

<b>Categories of Data Subjects</b>	<b>Personal Information that may be processed</b>
Clients	Names, contact details, billing address, financial and tax information and key employee information, registration numbers, identification and/or passport numbers, company incorporation documents, general business information and teleconference and video conference calls recordings
Suppliers	Names, contact details, address, financial and tax information and key employee information, registration numbers, identification and/or passport numbers, company incorporation documents, general business information and teleconference and video conference calls recordings
Employees, potential employees and consultants	Name, contact details, personal identity number / passport number or copy, marital status, dependents and emergency contacts, salary and other benefits, information about training and performance (including appraisals, performance reviews, performance improvement plans and related correspondence), details of any disciplinary or grievance procedures if any and related correspondence), bank account information; data from public registers, criminal records, holiday, sick leave and other absences, nationality and entitlement to work, medical or health conditions, including disability information, electronic communication, such as access and log-in information, IP

Categories of Data Subjects	Personal Information that may be processed
	address, user name (if applicable), e-mail and data traffic, and teleconference and video conference calls recordings
Other Third Parties	Names and contact details of third parties engaging with our clients

For more information regarding the categories of data subjects and personal information we process, please see our Privacy Notice on our website or for employees, please contact the Information Officer.

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

We may share your information with our FCP affiliates and with third parties, including but not limited to, consultants, third party online platforms, organisations providing a service to us or acting as our agents, sub-contractors (including their agents) and professional advisers, marketing suppliers and IT suppliers.

For more information regarding the categories of potential recipients of personal information, please see our Privacy Notice on our website or for employees, please contact the Information Officer.

**7.4 Planned transborder flows of personal information**

While we generally store all of the personal information that we collect about you in the Republic of South Africa, it is possible that your personal information will be transmitted and hosted outside your region. For example, our email and storage, accounting software and messaging service providers have servers outside of South Africa.

We ensure that countries to which your information is being shared either have adequate laws in place or that we entered into contractual arrangements to ensure the protection of your personal information.

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

We apply physical, technical and administrative measures to protect your personal information that is under our control from unauthorised access, collection, use, disclosure, copying, modification or disposal. All information you provide to us is stored on secure servers. We do not transfer your personal information outside of the country of your resident unless we are satisfied that there are sufficient safeguards in place to protect your personal information.

We employ up to date technology to ensure the confidentiality, integrity and availability of the personal information under our care. Measures include, but are not limited to:

- Virus protection software and update protocols.
- Electronic and physical access control.
- Secure setup of hardware and software making up the IT infrastructure.
- Outsourced service providers who process personal information on behalf of us are contracted to implement security controls.
- Policies and procedures are implemented to ensure the security of your information.

## **8. FORM OF REQUEST**

A requester must comply with all the procedural requirements contained in PAIA relating to the request for access to a record.

A request for access to records held by FCP in terms of section 50 of PAIA must be made on the form contained in the Regulations regarding the Promotion of Access to Information ([Form 2](#)). The request must be made to FCP at the address or email address, specified in section 1 above.

A requester must provide sufficient detail on the prescribed form to allow FCP to identify the record or records which have been requested and the identity of the requester. If a request is made on behalf of another person or entity, the requester must submit details and proof of the capacity in which the requester is making the request, which must be reasonably satisfactory to

FCP. The requester is also required to indicate the form of access to the relevant records that is required, and to provide his, her or its contact details in the Republic of South Africa.

## **9. AVAILABILITY OF THE MANUAL**

9.1 A copy of the Manual is available-

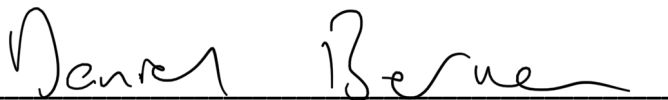
- on the FCP website;
- head office of FCP for public inspection during normal business hours;
- to any person upon request and upon the payment of a reasonable prescribed fee;  
and
- to the Information Regulator upon request.

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 Information Officer of FCP will on a regular basis update this manual.

***Issued by***



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**Daniel Berman**

**INFORMATION OFFICER**