

PRUDENTIAL SA PAIA MANUAL



Introduction

This manual is prepared in terms of section 51 of the Promotion of Access to Information Act No. 2 of 2000 ("PAIA") and the Protection of Personal Information Act, 2013 ("POPIA") for the following entities:

- Prudential Portfolio Managers (South Africa) (Pty) Ltd
- Prudential Portfolio Managers (South Africa) Life Ltd
- Prudential Investment Managers (South Africa) (Pty) Ltd
- Prudential Portfolio Managers Unit Trusts Ltd

Introduction to entities

Prudential Portfolio Managers (South Africa) (Pty) Ltd is the holding company of a number of subsidiaries in the financial services sector. Prudential Investment Managers (South Africa) (Pty) (Ltd) is a licensed financial services provider (Category II) as approved by the Financial Sector Conduct Authority in terms of the Financial Advisory and Intermediary Services Act, 37 of 2002. It offers both domestic and global asset management services to its clients. Prudential Portfolio Managers Unit Trusts Ltd is a management company licensed under the Collective Investment Control Schemes Act, 2004. Funds under management include institutional and retail assets invested locally and internationally on behalf of South African clients, as well as investments into the region from global investors. Prudential Portfolio Managers (South Africa) Life Ltd is a registered linked long-term insurer. Prudential Investment Managers (South Africa) (Pty) Ltd deals with the requirements related to any of the above listed entities.

Contact Details

Prudential's Compliance department will deal with all requests relating to any of the Prudential entities. All requests for information under this manual should be directed to:

Physical Address: (Cape Town)	Postal Address:
5TH Floor	PO Box 44813
Protea Place	Claremont
40 Dreyer Street	7735
Claremont	South Africa
7708	

(Johannesburg)	
The Zone2, Loft Offices East	PO Box 963
2nd Floor, 31 Tyrwhitt Ave	Saxonworld
Rosebank	2132
2196	

Information Officer:

Name:	Kerry Horsley
Telephone No:	+27 (21) 670 5100
Fax No:	+27 (21) 683 7156
E-mail:	compliance@prudential.co.za

GUIDE FOR HOW TO USE PAIA

An official guide has been compiled which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the Information Regulator. Any queries should be directed to:

The Information Regulator

Contact Details:
Tel: 012 406 4818
Fax: 086 500 3351
Email: inforeg@justice.gov.za
Website: <http://www.justice.gov.za/inforeg/>

TYPES OF INFORMATION

1. Records available in terms of any other legislation

Records kept in terms of the above legislation may, in certain instances (and insofar as the information contained therein is of a public nature) be available for inspection without a person having to request access thereto in terms of PAIA. Records are kept in accordance with such other legislation as is applicable to the above listed entities, which includes but is not limited to, the following legislation:

- Basic Conditions of Employment Act 75 of 1997
- Broad-Based Black Economic Empowerment Act 53 of 2003
- Collective Investment Schemes Control Act 45 of 2002
- 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 108 of 1996
- Consumer Protection Act 68 of 2008
- Copyrights 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 Advisory and Intermediary Services Act 37 of 2002
- Financial Intelligence Centre Act 38 of 2001
- Financial Markets Act, 19 of 2012
- Income Tax Act 58 of 1962
- Insurance Act 17 of 2018
- Labour Relations Act 66 of 1995
- Long-term Insurance Act 52 of 1998
- Occupational Health and Safety Act 85 of 1993
- Prevention and Combating of Corrupt Activities Act 12 of 2004
- Prevention of Organised Crime Act 121 of 1998
- Promotion of Access to Information Act 2 of 2000
- Protection of Personal Information Act 4 of 2013
- Skills Development Act 97 of 1998
- Skills Development Levies Act 9 of 1999
- Trade Marks Act 194 of 1993
- Unemployment Insurance Act 63 of 2001
- Unemployment Insurance Contributions Act 4 of 2002
- Value Added Tax Act 89 of 1991

2. Records available without requesting access in terms of PAIA

A private body may, on a voluntary and periodic basis, submit to the Minister a description of categories of records, which are automatically available without a person having to request access in terms of PAIA. The Minister must publish any description so submitted by notice in the Gazette. The entities listed in this manual have not submitted any such description to the Minister for publication in the Gazette, however certain records are available on the Internet at www.prudential.co.za.

3. Records that may be Requested

Set out below are the subjects and categories of records that are available for the purposes of the Act, subject to grounds of refusal.

i. Company records

- Such information as relates to the operational, commercial and financial interests of the above listed entities, including but not limited to:
 - Commercial contracts
 - Client data base
 - Company secretarial information
 - Human Resource Information
 - Insurance policies
 - Information relating to Prudential group's marketing, business plans, systems and procedures
 - Requisitions, permits, licences, authorisations, approvals, applications, consents required for the day to day running of the Prudential group
 - Records relating to information technology (hardware, software and data collection and storage)
 - Operational records
 - Shareholders
 - Financial and accounting records
 - Records relating to products and services
 - Internal policies and procedures

ii. Communications

Correspondence between persons within and without the Prudential group not covered by the records described in (i) above.

PROCESSING OF PERSONAL INFORMATION

i. Purpose of the Processing

The listed entities use the personal information under their care as follows:

- Providing financial services as instructed by clients
- Providing financial products
- Maintaining our accounts and records
- Providing clients and other data subjects with access to publications and invitations to attend Prudential events or to participate in competitions
- Supporting and managing our employees
- Fraud prevention and detection
- To meet contractual obligations
- Compliance with legal and regulatory requirements, including anti-money laundering requirements
- Generally, to conduct business (including recruitment purposes, administration, health and safety purposes)

ii. Categories of Data Subjects and Personal Information

The above listed entities may possess records pertaining to shareholders, contractors, suppliers, service providers, subsidiary companies, board members, brokers, employees, clients, complainants, advisers and trustees:

Clients / policyholders / investors / beneficiaries	Name, ID number or passport, date of birth, citizenship, telephone number, email address, income tax number, physical and postal addresses, financial information (e.g. portfolio or fund details), banking information (including account numbers), voice biometrics. For juristic entities: name, registration number, income tax number, tax information, contact details and FICA documents to identify client / policyholder / investor / beneficiaries / beneficial owners
Advisers / brokers / intermediary	Includes licence numbers, registration numbers, physical addresses, contact details, ID numbers, compliance officer details.
Directors	Name, ID number or passport number, date of birth, citizenship, contact details
Employees	Name, ID number or passport, date of birth, citizenship, telephone number, email address, income tax number, physical and postal addresses, banking information, marital status, race, disability information, employment history, criminal, background information, fingerprints, CVs, education history, remuneration and benefit information, employment performance information.
Consultants / contractors	Name, ID number or passport, date of birth, citizenship, telephone number, email address, income tax number, physical and postal addresses, banking information, marital status, race, disability information, employment history, criminal, background information, fingerprints, CVs, education history, remuneration and benefit information, employment performance information.
Service providers	Name, registration number / ID numbers, income tax number, tax information, BEE certificates, bank details, contact details and financial information
Potential Employees	Name, ID number or passport, date of birth, citizenship, telephone number, email address, physical and postal addresses, race, disability information, employment history, criminal, background information, fingerprints, CVs, education history, remuneration and benefit information
Users of Prudential's website	Sign-on data, users IP address and standard web log information, statistics on page views, traffic to and from the website and ad data (all through cookies)
Subscribers of publications / events / webinars	Name, ID number (if require CPD points), telephone number, email address

iii. Recipients

The above listed entities may need to share the personal information processed with the individuals themselves and also with other organisations. For example:

- Family, associates and representatives of the person whose personal information is being processed
- Brokers / advisors / intermediaries
- Suppliers and service providers to uphold contractual obligations or service clients
- Ombudsman and regulatory authorities
- Police force and courts, where necessary
- Business associates and other professional advisers
- Conducting sanctions and PEP screening
- Other companies within the Prudential group
- Pension fund administrators
- Trade unions

THE REQUEST PROCEDURE

In order to request access to any of the records listed in the manual, the process as set out below should be followed. All records, whether specifically listed herein or not, shall only be made available subject to the provisions of POPIA and PAIA.

i. Form of request

- The requester must use the prescribed form (attached as schedule 1) to make the request for access to a record. This must be made to the Information Officer and sent to the address, fax number or electronic mail address contained in this manual.
- The requester must provide sufficient detail on the request form to enable the Information Officer to identify the record and the requester. The requester should also indicate which form of access is required and specify a postal address or fax number in the Republic. The requester should also indicate if, in addition to a written reply, any other manner is to be used to inform the requester and state the necessary particulars to be so informed.
- The requester must identify the right that is sought to be exercised or protected and provide an explanation of why the requested record is required for the exercise or protection of that right.
- If a request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the private body.

ii. Our response

Access to certain records may be denied on the grounds set out in PAIA. We will consider the request and respond with a decision in writing not more than 30 days after receiving the request.

Mandatory grounds for refusal include but are not limited to:

- (a) mandatory protection of the privacy of a third party who is a natural person or a deceased person (Section 63) or a juristic, as included in POPIA, which would involve the unreasonable disclosure of personal information of that natural or juristic person
- (b) 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 POPIA;
- (c) mandatory protection of the commercial information of a third party (Section 64), if the records contain:
 1. trade secrets of the third party;
 2. financial, commercial, scientific or technical information which disclosure could
 3. likely cause harm to the financial or commercial interests of that third party; information disclosed in confidence
- (d) Information for the protection of the privacy of individuals;
- (e) Information privileged from production in legal proceedings;
- (f) Commercial information of the company; and
- (g) Research information.

iii. Fees

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee:

The Information Officer must by notice require the requester (other than a personal requester) to pay the prescribed request fee (if any) before further processing the request. The requester may lodge an application to the court against the tender or payment of the request fee.

After the Information Officer has made a decision on the request, the requester must be notified in the required form.

If the request is granted then a further access fee must be paid for reproduction and for search and preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

AVAILABILITY OF MANUAL

This Manual is available for inspection by the general public upon request, during office hours and free of charge, at the offices of Prudential Investment Managers (South Africa) (Pty) Ltd. Copies of the Manual may be made, subject to the prescribed fees.

The Manual is also posted on the Prudential group's website www.prudential.co.za

Please click here www.prudential.co.za/media/33721/paia-manual-annexure.pdf to download the Annexures, which include:

- Schedule 1: Request for Access To A Record Of A Private Body
- Schedule 2: Objection To The Processing Of Personal Information In Terms Of Section 11(3) Of The Protection Of Personal Information Act, 2013 (Act No. 4 Of 2013)
- Schedule 3: Request For Correction Or Deletion Of Personal Information Or Destroying Or Deletion Of Record Of Personal Information In Terms Of Section 24(1) Of The Protection Of Personal Information Act, 2013 (Act No. 4 Of 2013)