



ALUMA CAPITAL (PTY) LTD

PROMOTION OF ACCESS TO INFORMATION MANUAL

1. PURPOSE OF THIS MANUAL

The Promotion of Access to Information Act 2 of 2000 (“PAIA”) gives effect to the constitutional right of access to information held by private bodies where that information is required for the exercise or protection of any right.

PAIA provides that a person requesting information must be given access to a record of a private body if that record is required for the exercise or protection of a right, and if the procedural requirements of PAIA have been met. The right of access may be limited to the extent that the limitation is reasonable and justifiable in an open and democratic society, as contemplated in section 36 of the Constitution.

This manual informs requesters of the procedural and other requirements that a request must meet, and describes the records held by Aluma Capital (Pty) Ltd (“Aluma Capital”), an authorised financial services provider, FSP 46449.

This manual is published in terms of section 51 of PAIA and is read with Aluma Capital's Protection of Personal Information Policy.

2. AVAILABILITY OF THIS MANUAL

A copy of this manual is available:

- on Aluma Capital's website;
- at Aluma Capital's head office, for public inspection during normal business hours;
- to any person upon request, against payment of the prescribed fee for reproduction set out in section 13 of this manual; and
- to the Information Regulator upon request.

3. WHAT THIS MANUAL TELLS YOU

This manual is intended to assist members of the public to:

- identify the categories of records held by Aluma Capital that are available without a formal PAIA request;
- understand how to make a request for access to a record, by describing the subjects on which Aluma Capital holds records and the categories of records held on each subject;
- identify records that are available in accordance with other legislation;
- obtain the contact details of the Information Officer;
- locate the Guide on how to use PAIA published by the Information Regulator, and obtain access to it;
- understand whether Aluma Capital processes personal information and the purposes of that processing;
- understand the categories of data subjects and the categories of personal information relating to them;
- identify the recipients, or categories of recipients, to whom personal information may be supplied;
- establish whether Aluma Capital plans to transfer or process personal information outside the Republic of South Africa; and
- understand whether Aluma Capital has appropriate security measures in place to ensure the confidentiality, integrity and availability of the personal information it processes.

4. CONTACT DETAILS

4.1 Aluma Capital (Pty) Ltd

Registered Name	Aluma Capital (Pty) Ltd
FSP Number	46449
Registration Number	2015/209991/07
Physical Address	Fintech Campus, Cnr. Botterklapper Street & Ilanga Rd, The Willows, Pretoria, 0081
Postal Address	Fintech Campus, Cnr. Botterklapper Street & Ilanga Rd, The Willows, Pretoria, 0081
Telephone	012 012 5291
Website	www.aluma.co.za

4.2 Information Officer

The Information Officer is appointed and registered with the Information Regulator in terms of the Protection of Personal Information Act 4 of 2013 (“POPIA”), and is responsible for PAIA requests made to Aluma Capital.

Name and Surname	Orce Pesev
Capacity	Director and Key Individual
Telephone	012 012 5291
Email	privacy@aluma.co.za

5. GUIDE ON HOW TO USE PAIA (SECTION 10 GUIDE)

In terms of section 10 of PAIA, the Information Regulator has compiled and published a guide containing the information reasonably required by a person who wishes to exercise any right under PAIA. With effect from 30 June 2021, responsibility for this guide, and for PAIA oversight generally, transferred from the South African Human Rights Commission to the Information Regulator.

The Guide is available free of charge from the Information Regulator, and may be obtained from the Regulator's website or by contacting the Regulator at:

The Information Regulator (South Africa)

Physical Address: Woodmead North Office Park, 54 Maxwell Drive, Woodmead, Johannesburg, 2191

Toll-free: 0800 017 160

General enquiries: enquiries@inforegulator.org.za

PAIA complaints: PAIAComplaints@inforegulator.org.za

Website: www.inforegulator.org.za

6. RECORDS AVAILABLE WITHOUT A FORMAL PAIA REQUEST

Aluma Capital has not published a notice in terms of section 52(2) of PAIA listing categories of records that are automatically available without a person having to submit a formal PAIA request.

Certain records are nevertheless made freely available on Aluma Capital's website, as indicated in the table in section 7 below. A client of Aluma Capital may also request confirmation of whether Aluma Capital holds their personal information, free of charge, provided adequate proof of identity is furnished.

7. CATEGORIES OF RECORDS HELD BY ALUMA CAPITAL

The following categories of records are held by Aluma Capital at its physical address:

Category of Records	Type of Record	On Website	On Request
Company Documents	Memorandum of Incorporation; registration documents		X
Policies and Procedures	PAIA Manual	X	
Policies and Procedures	POPIA / Privacy Policy	X	
Policies and Procedures	Complaints Handling Process	X	
Policies and Procedures	Conflict of Interest Management Policy	X	
Client Records	Client agreements, mandates, advice records		X
Marketing Records	Marketing and promotional material		X
Auditing	Internal and external audit records		X
IT Related Records	System, access and security records		X
Financials	Annual financial statements and accounting records		X
Tax	Statutory tax records and returns		X
Human Resources	HR policies, employee records, recruitment records		X

The subjects on which Aluma Capital holds records, and the categories of records held on each subject, are as follows:

Subject on which records are held	Categories of records
Strategic documents, plans and proposals	Annual reports, strategic plans, annual performance plans
Human resources	HR policies and procedures, advertised posts, employee records, payroll records
Client and product records	Client agreements, discretionary mandates, advice records, transaction records
Financial and statutory records	Annual financial statements, accounting records, tax returns, regulatory returns
Compliance and risk	Risk Management and Compliance Programme, compliance reports, registers
Service providers	Service level agreements, operator agreements, due diligence records

Information is held solely for the purpose for which it was collected, and may be corrected or updated by the data subject, unless Aluma Capital is required by law to retain it or to provide it to a public body.

Measures and agreements are in place to ensure that outsourced service providers with access to personal information have the controls and infrastructure necessary to keep that information safe and secure for the purpose of the service being rendered.

8. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION

Records are held by Aluma Capital in accordance with, among others, the following legislation. This list is not exhaustive, and the fact that a record is held under other legislation does not automatically mean it will be released under PAIA.

- Financial Advisory and Intermediary Services Act 37 of 2002;
- Financial Intelligence Centre Act 38 of 2001;
- Financial Sector Regulation Act 9 of 2017;
- Protection of Personal Information Act 4 of 2013;
- Companies Act 71 of 2008;
- Income Tax Act 58 of 1962;
- Tax Administration Act 28 of 2011;
- Value Added Tax Act 89 of 1991;
- Labour Relations Act 66 of 1995;
- Basic Conditions of Employment Act 75 of 1997;
- Employment Equity Act 55 of 1998;
- Compensation for Occupational Injuries and Diseases Act 130 of 1993; and
- Unemployment Insurance Act 63 of 2001.

9. HOW TO REQUEST ACCESS TO A RECORD

A requester must complete Form 2 (Request for Access to Record of Private Body), prescribed in terms of the Regulations Relating to the Promotion of Access to Information, 2021, and submit it, together with the prescribed request fee, to the Information Officer at the address, or email address, set out in section 4 of this manual.

A requester may ask Aluma Capital to confirm, free of charge, whether it holds personal information about that requester, provided adequate proof of identity is furnished.

If you are a client of Aluma Capital under any of its product offerings, you may also contact the call centre on 012 012 5291 to access your information.

The completed form must:

- provide sufficient particulars to enable the Information Officer to identify the record or records requested, and to identify the requester;
- indicate the form of access required;
- specify a postal address, email address or fax number of the requester in the Republic;
- identify the right that the requester is seeking to exercise or protect; and
- explain why the requested record is required for the exercise or protection of that right.

In addition:

- Should the requester wish to be informed of the decision on the request in any manner other than in writing, the requester must state the manner and the necessary particulars on the form.
- If the request is made on behalf of another person, proof of the capacity in which the requester is making the request must be submitted, to the reasonable satisfaction of the Information Officer.
- The Information Officer will notify the requester of the prescribed fee payable (if any) before further processing the request.
- If the request is granted, a further access fee is payable for reproduction, search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure.
- If a requester is unable to complete the prescribed form, for example because of illiteracy or disability, an oral request may be made. The Information Officer will reduce that request to writing and provide a copy to the requester.

Aluma Capital will decide whether to grant or refuse a request within 30 days of receipt of the request, and will notify the requester of that decision, together with reasons where access is refused. This 30-day period may be extended by a further period of not more than 30 days where the request is for a large volume of records, or requires a search of records held at another location, and the records cannot reasonably be obtained within the original period. Aluma Capital will notify the requester in writing of any such extension.

10. PROCESSING OF PERSONAL INFORMATION

Aluma Capital collects the minimum information required from you, and processes your personal information only for the purposes for which it was collected, or as otherwise agreed with you.

10.1 Purposes of Processing

These purposes include:

- providing advice, services and products to you, assisting you to take out or maintain financial products, carrying out transactions you have requested, and maintaining our contractual relationship with you;
- administering and managing your investment portfolio, including under any discretionary mandate you have granted to Aluma Capital;
- conducting credit and other reference checks for the purpose of assessing your, or your company's, creditworthiness;
- assisting you with queries relating to your financial product;
- confirming and verifying your identity, or verifying that you are an authorised user, for security purposes;
- audit and record-keeping purposes; and
- complying with legal and regulatory obligations, including under FAIS, FICA and POPIA.

This list of processing purposes is not exhaustive.

10.2 Categories of Data Subjects and Personal Information

Category of Data Subject	Personal information that may be processed
Customers and clients	Name, address, registration or identity number, employment status, banking details, email address, telephone numbers, financial and investment information
Service providers and third parties with whom Aluma Capital conducts business	Name, registration number, VAT number, address, trade secrets, banking details, email address, telephone numbers
Employees and personnel	Address, qualifications, gender and race, identity number, email address, telephone numbers, vehicle registration number, criminal record, financial record, banking details

This list of categories and of personal information is not exhaustive.

10.3 Recipients of Personal Information

Depending on the nature of the information, Aluma Capital may supply information or records to the following recipients:

- statutory oversight bodies, regulators or judicial commissions of enquiry making a lawful request for information;
- any court of law, administrative or judicial forum, arbitration, statutory commission or ombud making a request for information or for discovery in terms of the applicable rules (for example, the Competition Commission in terms of the Competition Act 89 of 1998);
- a brokerage or financial adviser who requires the information in order to provide a service or product to the data subject;
- third parties with whom Aluma Capital has a contractual relationship for the retention of data, for example a third-party archiving service;
- internal and external auditors and accounting bodies; and
- any person making a successful application for access in terms of PAIA.

10.4 Trans-border Flows of Personal Information

Personal information processed by Aluma Capital may be hosted on servers managed by third-party service providers, which may be located outside the Republic of South Africa. Where personal information is transferred outside the Republic, Aluma Capital will do so only in accordance with section 72 of POPIA, and will require the recipient to be subject to a law, binding corporate rules or a binding agreement providing an adequate level of protection.

10.5 Security Measures

Aluma Capital takes appropriate, reasonable technical and organisational measures to ensure the confidentiality, integrity and availability of the personal information in its possession, and to protect that information against unauthorised or unlawful processing and against accidental loss, destruction or damage. These measures include:

- Technical safeguards: encryption, firewalls, intrusion detection systems, strong password requirements, multi-factor authentication and regular updating of security software;
- Physical safeguards: controls over physical access to data storage and processing facilities;
- Organisational safeguards: policies, procedures and training programmes designed to ensure compliance, together with contractual confidentiality obligations imposed on employees and operators; and
- Data inventory: periodic data inventory exercises to identify and document the personal information Aluma Capital processes.

11. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

A request for access to a record may be refused on the grounds set out in Chapter 4 of Part 3 of PAIA. The principal grounds on which Aluma Capital may or must refuse a request are set out below.

11.1 Mandatory Protection of the Privacy of a Third Party who is a Natural Person

The Information Officer must refuse a request for access to a record if its disclosure would involve the unreasonable disclosure of personal information about a third party, including a deceased individual.

11.2 Mandatory Protection of the Commercial Information of a Third Party

The Information Officer must refuse a request for access to a record if that record contains:

- trade secrets of a third party;
- financial, commercial, scientific or technical information of a third party, other than trade secrets, the disclosure of which would be likely to cause harm to the commercial or financial interests of that third party; or
- information supplied in confidence by a third party, the disclosure of which could reasonably be expected to put that third party at a disadvantage in contractual or other negotiations, or to prejudice that third party in commercial competition.

11.3 Mandatory Protection of Certain Confidential Information of a Third Party

The Information Officer must refuse a request for access to a record if the disclosure of that record would constitute an action for breach of a duty of confidence owed to a third party in terms of an agreement.

11.4 Mandatory Protection of the Safety of Individuals and Protection of Property

The Information Officer must refuse a request for access to a record if its disclosure could reasonably be expected to endanger the life or physical safety of an individual.

The Information Officer may also refuse a request where disclosure would be likely to prejudice or impair the security of a building, structure or system, or the security of any means of transport, or of property, including the systems and property of Aluma Capital.

11.5 Mandatory Protection of Records Privileged from Production in Legal Proceedings

The Information Officer must refuse a request for access to a record if the record is privileged from production in legal proceedings, unless the person entitled to the privilege has waived that privilege.

11.6 Commercial Information of Aluma Capital

The Information Officer may refuse a request for access to a record that contains trade secrets of Aluma Capital, or financial, commercial, scientific or technical information the disclosure of which would be likely to cause harm to the commercial or financial interests of Aluma Capital, or information that could reasonably be expected to put Aluma Capital at a disadvantage in contractual or other negotiations, or to prejudice it in commercial competition.

11.7 Mandatory Protection of Research Information

The Information Officer must refuse a request for access to a record if the record contains information about research being carried out, or about to be carried out, by or on behalf of a third party or of Aluma Capital, and disclosure would be likely to expose to serious disadvantage:

- the third party or Aluma Capital;
- a person that is carrying out, or will carry out, the research on behalf of the third party or Aluma Capital; or
- the subject matter of the research.

12. REMEDIES AVAILABLE WHERE A REQUEST IS REFUSED

Aluma Capital does not have an internal appeal procedure. The decision of the Information Officer in respect of a request is final within Aluma Capital.

A requester who is dissatisfied with a decision of the Information Officer – for example a refusal of access, the imposition of a fee, or an extension of the period for responding – has the following remedies:

12.1 Complaint to the Information Regulator

The requester may lodge a complaint with the Information Regulator in terms of section 77A of PAIA, on the prescribed Form 5, within 180 days of receiving notification of the decision complained of. Complaints may be submitted to PAIAComplaints@inforegulator.org.za, or to the Regulator at the address set out in section 5 of this manual.

12.2 Application to Court

The requester may apply to a court for appropriate relief in terms of section 78 of PAIA, within 180 days of notification of the decision. In the case of a request made to a private body, a requester is generally required to exhaust the complaints procedure referred to in section 77A before approaching a court.

Requesters are encouraged to obtain independent legal advice on the appropriate remedy and the applicable time periods, as these may be affected by the particular circumstances of the request.

13. FEES

The fees payable in respect of a request for access to a record of a private body are prescribed in the Regulations Relating to the Promotion of Access to Information, 2021, published under Government Notice R757 in Government Gazette 45057 of 27 August 2021.

The Information Officer will notify a requester in writing of the request fee payable before further processing the request. Where the request relates to the requester's own personal information, no request fee is payable.

13.1 Request Fee

Item	Fee
Request fee payable by a requester, other than a personal requester	R140.00

13.2 Access Fees

Item	Fee
Photocopy or printed copy of an A4-size page, or part thereof, in black and white	R2.00
Copy in computer-readable form on a flash drive (provided by the requester)	R40.00
Copy in computer-readable form on a compact disc (provided by the requester)	R40.00
Copy in computer-readable form on a compact disc (provided by Aluma Capital)	R60.00
Transcription of an audio record, per A4-size page or part thereof	R24.00
Copy of an audio record on a flash drive (provided by the requester)	R40.00
Copy of an audio record on a compact disc (provided by the requester)	R40.00
Copy of an audio record on a compact disc (provided by Aluma Capital)	R60.00
Transcription of visual images, per A4-size page or part thereof	To be outsourced; charged at the service provider's quotation
Copy of visual images	To be outsourced; charged at the service provider's quotation

Item	Fee
Search for and preparation of the record for disclosure, per hour or part thereof, excluding the first hour	R145.00, to a maximum of R435.00
Postage, email or other electronic transfer of the record to the requester	Actual expense incurred

13.3 Deposits

Where the search for and preparation of a record is likely to exceed six hours, the Information Officer will require the requester to pay a deposit of one third of the access fee that would be payable if the request were granted.

The fees set out above are those prescribed at the date of this manual and are subject to amendment by the Minister. The current prescribed fees should be confirmed against the schedule published by the Information Regulator before a request is processed.

14. AMENDMENTS AND REVIEW

This manual has been drafted and implemented in accordance with PAIA and POPIA, and will be reviewed at least annually, and amended whenever a material change occurs in Aluma Capital's operations, its records, or the applicable legislation.

In terms of section 17 of POPIA, Aluma Capital maintains documentation of all processing operations under its responsibility, as referred to in section 14 or 51 of PAIA.