



**PAIA MANUAL  
OF  
KEYRISK (PTY)LTD  
(REGISTRATION NUMBER 2011/136708/07)**

**Prepared in terms of Section 51 of the Promotion of Access  
to Information Act, 2 of 2000 (as amended) (“PAIA”)**

**and**

**The Protection of Personal Information Act, 4 of 2013  
 (“POPIA”)**

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## 1. INTRODUCTION

PAIA was enacted on 3 February 2000. The purpose of PAIA is to give effect to the Constitutional right of access to information held by any private or public body that is required for the exercise or protection of any rights.

Where a request is made in terms of PAIA, the body to which the request is made is obliged to release the information, except where PAIA or other legislation expressly provides that the information may or must not be released.

As a private body defined in PAIA, Keyrisk (Pty) Ltd is required to compile a manual which provides guidance as to the records held and the process by which to access such records.

This manual is intended to foster a culture of transparency, accountability, and good governance, by giving effect to the right to information that is required for the exercise or protection of any right and to actively promote a society in which the people of South Africa have effective access to information to enable them to more fully exercise and protect their rights.

## 2. PURPOSE OF THIS PAIA MANUAL

This PAIA Manual is useful for the Public to:

- 2.1 identify the legislation in terms of which records are held by the Company;
- 2.2 have a sufficient understanding of how to make a request for access to a record held by the Company;
- 2.3 know the description of the records held by the Company, which are available in accordance with any other legislation;
- 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 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.6 know if the Company will process personal information, the purpose of processing personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.7 know the recipients or categories of recipients to whom the personal information may be supplied;
- 2.8 know if the Company 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
- 2.9 know whether the Company has appropriate security measures in place to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

### 3. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION

<b>Name of Company</b>	Keyrisk (Pty) Ltd
<b>Registration number</b>	2011/136708/07
<b>Physical address</b>	Block A,65 Homestead Avenue Homestead Office Park Bryanston, Sandton
<b>Postal address</b>	Private Bag X135 Bryanston 2021
<b>Telephone number</b>	086 100 0079
<b>E-mail address</b>	hsmith@keyrisk.co.za
<b>Website address</b>	<a href="https://keyrisk.co.za">https://keyrisk.co.za</a>
<b>Information Officer</b>	Herman Smith
<b>Information Officer e-mail address</b>	hsmith@keyrisk.co.za

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

- 4.1. The 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 POPIA.
- 4.2. The Guide is available in each of the official languages and in braille.
- 4.3. The aforesaid Guide contains the description of:
  - 4.3.1. the objects of PAIA and POPIA;
  - 4.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of:
    - 4.3.2.1. the Information Officer of every public body, and
    - 4.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA and section 56 of POPIA;
  - 4.3.3. the manner and form of a request for:
    - 4.3.3.1. access to a record of a public body contemplated in section 11 of PAIA; and
    - 4.3.3.2. access to a record of a private body contemplated in section 50 of PAIA;
  - 4.3.4. the assistance available from the Information Officer of a public body in terms of PAIA and POPIA;
  - 4.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
  - 4.3.6. all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-
    - 4.3.6.1. an internal appeal;

- 4.3.6.2. a complaint to the Regulator; and
- 4.3.6.3. an application with a court against a decision by the Information Officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;
- 4.3.7. 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;
- 4.3.8. the provisions of sections 15 and 52 of PAIA providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 4.3.9. the notices issued in terms of sections 22 and 54 of PAIA regarding fees to be paid in relation to requests for access; and
- 4.3.10. the regulations made in terms of section 92 of PAIA.
- 4.4. 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 Regulator, during normal working hours.
- 4.5. The Guide can also be obtained-
  - 4.5.1. upon request to the Information Officer;
  - 4.5.2. from the website of the Regulator (<https://www.justice.gov.za/inforeg/>).

## 5. LEGISLATION IN TERMS OF WHICH RECORDS ARE HELD BY THE COMPANY

The following list is not exhaustive:

- i. Constitution of the Republic of South Africa, 1996
- ii. Criminal Procedure Act, 51 of 1977
- iii. Divorce Act, 70 of 1979
- iv. Financial Advisory and Intermediary Services Act, 37 of 2002
- v. Financial Sector Regulations Act, 9 of 2017
- vi. Long-term Insurance Act, 52 of 1998
- vii. Income Tax Act, 58 of 1962
- viii. Insurance Act, 18 of 2017
- ix. Maintenance Act, 99 of 1998
- x. Pension Companies Act, 24 of 1956
- xi. Promotion of Access of Information Act, 2 of 2000
- xii. Protection of Personal Information Act, 4 of 2013
- xiii. Trust Property Control Act, 57 of 1988

## 6. RECORDS AVAILABLE IN TERMS OF THE COMPANYS ACT

### 6.1 The following records of the Company are available on demand in terms of the Companies Act, 71 of 2008:

- i. Memorandum of incorporation
- ii. Annual financial statements
- iii. Share register (MTN ZF)
- iv. CIPC company registration document
- v. CoR 14.3 registration certificate
- vi. COR123.1
- vii. Business application form
- viii. Certificate of incorporation
- ix. Company rules
- x. Records of directors
- xi. Copies of reports presented at annual general meetings
- xii. Notices and minutes of shareholder meetings
- xiii. Resolutions and their supporting documents
- xiv. Record of company secretaries and auditors

## 7. DESCRIPTION OF RECORDS HELD BY THE COMPANY

### 7.1 Member Records

<b>Record</b>	<b>Retention Period</b>
Membership details	At least 5 years from the date of termination of membership. The Company maintains these records indefinitely;
Participating employer details – applicable to group risk policies	At least 5 years from the date of termination of participation in the Company.
Contribution records	At least 5 years from the date of termination of membership. The Administrator maintains these records indefinitely;
Member Benefit Statements	At least 5 years from the date of issue.
Tax applications, directives and certificates (where applicable)	At least 5 years from the date of payment of benefit.
Member claim forms	At least 5 years from date of payment of benefit.

## 7.2 Details of Dependants and Nominees

Record	Retention Period
Beneficiary nomination details	Until replaced or at least 5 years after termination of membership.
Information furnished to the Company at death claim stage to execute the payment of claims	At least 5 years after payment of benefit.

## 7.3 Financial Records

Record	Retention Period
Annual Financial Statements	Since the appointment of LifeSense these are maintained indefinitely.
Reports from the Auditor	Since the appointment of LifeSense these are maintained indefinitely.
Bank statements	At least 5 years from statement date.
Invoices issued to the Company	At least 5 years from the end of the applicable financial year.

## 7.4 Contracts

All contracts entered into by the Company such as contracts with service providers are held for 5 years after the termination of the agreement and policies of insurance including the fidelity and indemnity insurance policies are held for 5 years after the termination of the agreement / policy. Policy Schedules are held for at least 5 years after the end of the applicable financial year.

## 8. SECTION 13 OF POPIA: COLLECTION OF PERSONAL INFORMATION FOR A SPECIFIC PURPOSE

Personal information must be collected for a specific, explicitly defined and lawful purpose related to a function or activity of the Company. In this instance the purpose of the personal information is mainly for the disposition of benefits provided by the Company for the members (and, where applicable, beneficiaries upon the death of a member), in terms of the Fund's rules and the applicable legislation.

## 9. PROTECTION OF PERSONAL INFORMATION IN TERMS OF SECTION 51(1)(c) OF POPIA

### 8.1 Purpose of Processing Personal Information

The Company (and its service providers) collect and use Personal Information to administer membership, receive contributions, allocate and pay benefits to the Scheme's members and their beneficiaries. Personal Information is also used for the following specific purposes:

- General compliance with legal, operational and regulatory requirements
- Administering financial transactions
- Maintaining accounts and records
- Maintaining and enhancing technological and administrative systems
- Verification of identity
- Fraud prevention and detection
- Support to members in relation to Scheme membership
- Communication with members and their beneficiaries
- Member and beneficiary tracing for purposes of the Company's administration and payment of benefits
- Market research and statistical analysis

## **8.2 Categories of Data Subjects and Related Information**

### **8.2.1 Data Subjects**

- Board of Company Members
- Former Board of Company Members
- Members
- Former members
- Dependants
- Beneficiaries
- Potential members
- Officials
- Consultants
- Advisors / Independent Brokers / Complainants
- Banks
- Contractors
- Service providers including Administrator

### **8.2.2 Related Information**

- Personal details
- Financial details
- Lifestyle and social circumstances
- Business activities
- Family relations
- Services provided
- Education and employment details
- Gender
- Physical and mental health details

### **8.2.3 Information Sharing**

The Personal Information processed by the Company may be shared with the individuals themselves (i.e. the data subjects) and also with other parties. Where this is necessary the Company will comply with all aspects of POPIA. What follows is a description of the type of parties that the Company may need to share some of the Personal Information with for one or more reasons:

- Current, past and prospective employers
- Family, associates, a person acting under a power of attorney and representatives of the person whose Personal Information is being processed
- Financial organisations and banking institutions
- Claims investigators
- Service providers
- Healthcare
- Pension Company administrators
- Private investigators and tracing agents
- Persons making an enquiry or complaint
- Claimants and beneficiaries
- Professional advisors, brokers and consultants
- Any person (natural or juristic) who has a legal right to such Personal Information.

### **8.2.4 Transborder Flow of Personal Information**

The Company may from time to time need to share Personal Information of Data Subjects with third parties in other countries (including for purposes of cloud-based data storage). When doing so the Company will comply with the provisions of POPIA. Such sharing will only be done if one of the following requirements are met:

- 9.2.5.6. the third party who is the recipient of the information is subject to a law, binding corporate rules or binding agreement which provide an adequate level of protection that:
  - i. effectively upholds principles for reasonable processing of the information that are substantially similar to the conditions for the lawful processing of personal information relating to a data subject who is a natural person and, where applicable, a juristic person, as set out in POPIA; and
  - ii. includes provisions, that are substantially similar to this section, relating to the further transfer of personal information from the recipient to third parties who are in a foreign country;
- 9.2.5.7. the data subject consents to the transfer;
- 9.2.5.8. the transfer is necessary for the performance of a contract between the data subject and the institution in question, or for the implementation of precontractual measures taken in response to the data subject's request;
- 9.2.5.9. the transfer is necessary for the conclusion or performance of a contract concluded in the interest of the data subject between the company in question and a third party; or
- 9.2.5.10. the transfer is for the benefit of the data subject, and
  - i. it is not reasonably practicable to obtain the consent of the data subject to that transfer; and
  - ii. if it were reasonably practicable to obtain such consent, the data subject would be likely to give it.

### **8.2.5 Information Security**

Information is one of the Company's most valuable assets. Safeguarding and preserving the confidentiality, integrity, and availability of member (and where applicable their beneficiaries) and employee information is imperative to the Company's operations and as such are treated as critically important.

The Company is committed to embed an information security culture with its own officials and is continually engaging its administrator and other service providers towards improving information security measures in respect of:

- 9.2.5.1. Adequately implementing information security controls;
- 9.2.5.2. Information protection through appropriate access, disclosure, disruption, modification and destruction controls;
- 9.2.5.3. Access restriction based on function with permission granted and modified based on changes in function with access revoked on termination of employment.

## 10. HOW TO ACCESS RECORDS HELD BY THE COMPANY

A person requesting access to a record (“the requester”) must complete the prescribed **FORM C (Annexed)** as contained in the Regulations to the ACT.

The completed Form C must either be posted or emailed to the Company's Information Officer at the address provided in Section 3 above.

For the request to be processed, Form C must be completed thoroughly to enable the Company to identify:

- The records requested;
- The requester (and if an agent is lodging the request, proof of capacity);
- The form of access required;
- The postal address, email address or fax number of the requester in the Republic of South Africa; and
- The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect that right.

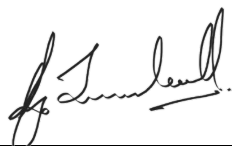
The Information Officer will, where required, render reasonable assistance to the requester to comply with the prescribed process and will process the request and inform the requester of the fees (if any) that he/she must pay (fee schedule attached) and of the further steps that will follow in the processing of the request.

***Access to certain records may/must be denied on the grounds set under the ACT.***

11. AVAILABILITY OF MANUAL

This PAIA Manual is available at <https://keyrisk.co.za>

A copy of this Manual has been dispatched to the Information Regulator. This Manual is available for public inspection, during normal office hours and upon prior request, at the Company's registered address provided above. This Manual is also available to any person upon request and upon the payment of a reasonable fee.



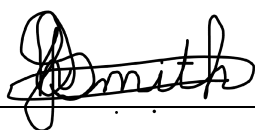
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