



**MANUAL IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO
INFORMATION ACT 2 OF 2000 (“PAIA”)**

**AS AMENDED BY THE PROTECTION OF PERSONAL INFORMATION ACT, 4 OF 2013
 (“POPIA”)**

TRANSACTION CAPITAL LIMITED

(REG. NO.: 2002/031730/06)

(“COMPANY”)

1 Introduction

- 1.1 This Manual constitutes the Company PAIA manual.
- 1.2 This Manual is compiled in accordance with section 51 of PAIA as amended by the Protection of Personal Information Act, 2013 ("POPIA"). POPIA promotes the protection of personal information processed by private bodies, including certain conditions so as to establish minimum requirements for the processing of personal information. POPIA amends certain provisions of PAIA, balancing the need for access to information against the need to ensure the protection of personal information. Where a request is made in terms of PAIA to a private body, that private body must disclose the information if the requester is able to show that the record is required for the exercise or protection of any rights, and provided that no grounds of refusal contained in PAIA are applicable. PAIA sets out the requisite procedural issues attached to information requests.
- 1.3 This PAIA manual also includes information on the submission of objections to the processing of personal information and requests to delete or destroy personal information or records thereof in terms of POPIA.
- 1.4 For purposes of this Manual, we refer to ourselves as the "Company", "we", "us" or "our".

2 Who Are We - About Us And Our Business

- 2.1 Transaction Capital Ltd is an investor in and operator of credit-orientated alternative assets.

3 Our Contact Details

- 3.1 All requests for access to records in terms of the Act for the Company must be in writing and must be addressed to the Information Officer, at the contact details below;

Information Officer: Rivaan Maharaj

Postal Address: PO Box 2413, Pinegowrie, 2123

Street Address: 342 Jan Smuts Avenue, Hyde Park, Johannesburg

Email address: rivaanm@transactioncapital.co.za

4 PAIA Guide

An official guide has been compiled which contains information to assist a person wishing to exercise a right of access to information in terms of PAIA and POPIA. This guide is made available by the Information Regulator (established in terms of POPIA). Copies of the updated guide are available from the Information Regulator in the manner prescribed. Any enquiries regarding the guide should be directed to:

JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001

P.O Box 31533, Braamfontein, Johannesburg, 2017

General enquiries email: infoereg@justice.gov.za

5 Information That Is Automatically Available Without A PAIA Request

- 5.1 The information available on our website, may be automatically accessed by you, without having to follow the formal PAIA request process.

6 Records Kept In Terms Of The Other Legislation

- 6.1 We are subject to many laws and regulations, some of which require us to keep certain records.
- 6.2 These laws are detailed in Appendix E attached hereto:
- 6.3 Note that the list is not exhaustive.

7 Description Of Subjects We Hold Records On And Categories Of Records

- 7.1 Described below are the records which we hold, divided into categories for ease of reference:

Personnel Records

Personnel records include:

- personal records (provided by personnel themselves);
- records provided by a third party relating to personnel;
- conditions of employment and other personnel-related contractual and quasi-legal records;
- internal evaluation records and other internal records;
- training schedules and material;
- pension records;
- employee benefits records;
- labour relations records;
- employment equity records and
- correspondence relating to personnel

Investment Records

Investment records include:

- contracts and records of correspondence and enquiries;
- financial records;
- records pertaining to investments by the Company;
- records provided by third parties;
- investor records,
- records generated by or for the Company relating to its investments, including transactional data.

Private Body Records

“Private Body Records” are records which include, but are not limited to, records which pertain to the Company’s own affairs including:

- financial records;
- operational records;
- databases;
- information technology systems and documents;
- marketing records;
- internal correspondence;
- service records;
- statutory records;
- internal policies and procedures;
- trademarks and intellectual property;

Other Party Records

- personnel, investment or private body records which are held by another party on the Company’s behalf, as opposed to the records held by the Company itself.
- records held by the Company pertaining to other parties, including without limitation, financial records, correspondence, contractual records, and records about the Company’s contractors / vendors / suppliers / service providers.

8 Information Related to POPIA

- 8.1 Requests for personal information under POPIA must be made in accordance with the provisions of PAIA. This process is outlined in paragraph 9 below.
- 8.2 If we provide you with your personal information, you have the right to request the correction, deletion or destruction of your personal information, in the prescribed form. You may also object to the processing of your personal information in the prescribed form.
- 8.3 We have attached the prescribed forms to this Manual for your convenience.

8.4 We will give you a written estimate of the fee for providing you with your personal information, before providing you with the services. We may also require you to provide us with a deposit for all or part of the fee prior to giving you the requested personal information.

8.5 Purpose of processing:

8.5.1 POPIA provides that personal information may only be processed lawfully and in a reasonable manner that does not infringe on the data subject's privacy.

8.5.2 The type of personal information that we process will depend on the purpose for which it is collected.

8.5.3 We may use, transfer, share and disclose your personal information for the purposes of:

- providing services or offerings and keeping you informed,
- managing the account or contract / relationship with us;
- detecting and preventing fraud and money laundering and / or in the interest of security and crime prevention;
- assessing and dealing with complaints and requests;
- operational, marketing, auditing, legal and record keeping requirements;
- identifying and verifying your identity or the identify of your beneficial owner;
- transferring or processing your personal information outside of the Republic of South Africa to such countries that may not offer the same level of data protection as the Republic of South Africa, including for cloud storage purposes and the use of any of our websites;
- complying with applicable laws, including lawful requests for information received from law enforcement, bureaus, government and tax collection agencies;
- recording and / or monitoring your telephone calls and electronic communications to / with the Company in order to process instructions and requests;
- conducting market research and providing information about the Company's services from time to time via our website, email, telephone or other means;
- disclosing personal information to third parties for reasons set out in our privacy notice or where it is not unlawful to do so;
- monitoring, keeping record of and having access to all forms of correspondence or communications received by or sent from the Company or any of its employees, agents or contractors, including monitoring, recording and using as evidence all communications between parties;
- feasibility and viability studies;
- statistical, historical and research purposes;
- commercial arrangements;

- We may from time to time (and at any time) contact you about services and announcements which we believe may be of interest to you, by email, phone, text or other electronic means, unless you have unsubscribed from receiving such communications. You can unsubscribe from receiving such communications at any time.

8.6 Personal information that is processed includes;

- names, addresses, contact details, date of birth, identity/passport/registration number, bank details, company details, vat/tax number and financial information.
- records of correspondence or enquiries from you or anyone acting on your behalf;
- details of any contracts and transactions.

8.6.1 Categories of data subjects include;

- our employees,
- investors,
- any third parties with whom we conduct business.

8.6.2 Categories of personal information includes personal information and special personal information

8.7 Categories of recipients for purposes of processing personal information

8.7.1 Personal information may be shared with other entities in the Transaction Capital Ltd group, our agents and subcontractors, partners, vendors and selected third parties, including service providers who process the information on our behalf for the purposes set-out in 8.5.3 above.

8.8 Actual or planned trans-border flows of personal information

8.8.1 The Company may need to transfer a Data Subject's information to service providers in countries outside South Africa, in which case it will fully comply with applicable South African data protection legislation.

8.8.2 These countries may not have data protection laws which are similar to those of South Africa.

8.9 General description of information security measures

8.9.1 The Company employs appropriate, reasonable technical and organisational measures to prevent loss of, damage to or unauthorised destruction of personal information and unlawful access to or processing of personal information.

8.9.1.1 The following **policies** have been put in place to govern the way the Company treats personal information;

- POPI policy
- Record retention policy
- Promotion of access to information policy
- Privacy incident management policy
- Privacy notice
- Our HR code of conduct handbook codifies what is deemed acceptable conduct for employees performing their work as it relates to confidentiality and the security of personal information of customers, suppliers, and the Company.

8.9.1.2 The following **protocols** have been put in place to control the way the Company treats personal information;

- Protocols for handling complaints
- Transborder controls
- Protocols for requests to access, correct and delete personal information
- Monitoring and assurance reviews testing the ongoing adequacy and effectiveness of controls
- Privacy incident management tool was created to effectively log and track potential privacy incidents
- Due diligence evaluations have been deployed to evaluate prospective Operator's propensity to secure the privacy, confidentiality and integrity of personal information prior to appointment.
- Operator contracts and agreements include privacy clauses
- Operator attestations allow us to assess current Operator's ongoing propensity to secure the privacy, confidentiality and integrity of personal information they process on our behalf.

8.9.1.3 The Company's **IT Security Control** environment includes controls such as ;

- Access restrictions
- Authentication
- Virus and malware protection
- Firewall protection
- Segregation of duties
- Encryption
- Monitoring and alert tools
- Cyber insurance
- Use of SFTP sites
- Formatting hard drives of devices to remove information when those devices are re-used.

- 8.9.1.4 Consent clauses and disclosures (where applicable) have been embedded onto forms, templates, documents, applications, websites and interfaces where personal information is processed.
- 8.9.1.5 All employees have been provided with comprehensive POPI training and are required to undergo an assessment in order to deem them competent in their understanding of the POPI Act and its principles.

9 Request Procedure

9.1 Completion of the prescribed form

- 9.1.1 Any request for access to a record from a private body in terms of PAIA must substantially correspond with the form attached hereto marked Appendix A
- 9.1.2 A request for access to information which does not comply with the formalities as prescribed by PAIA will be set-aside.

9.2 Payment of the prescribed fees

- 9.2.1 A fee may be payable, depending on the type of information requested, as described under Appendix B - Fees in respect of private bodies.
- 9.2.2 There are two categories of fees which are payable:
 - 9.2.2.1 The request fee: R140
 - 9.2.2.2 The access fee: This is calculated by taking into account reproduction costs, search and preparation costs, as well as postal costs.
- 9.2.3 Section 54 of PAIA entitles the Company to levy a charge or to request a fee to enable it to recover the cost of processing a request and providing access to records. The fees that may be charged are set out in Regulations promulgated under PAIA.
- 9.2.4 Where a decision to grant a request has been taken, the record will not be disclosed until the necessary fees have been paid in full.
- 9.2.5 POPIA provides that a data subject may, upon proof of identity, request the Company to confirm, free of charge, all the information it holds about the data subject and may request access to such information, including information about the identity of third parties who have or have had access to such information.
- 9.2.6 POPIA also provides that where the data subject is required to pay a fee for services provided to him/her, the Company must provide the data subject with a written estimate of the payable amount before providing the service and may require that the data subject pays a deposit for all or part of the fee.

10 Objection

- 10.1 POPIA provides that a data subject may object, at any time, to the processing of personal information by the Company, on reasonable grounds relating to his/her particular situation, unless legislation provides for such processing. The data subject must complete the prescribed form attached hereto as Appendix C - FORM 1 - Objection to the processing of personal information in terms of section 11(3) of POPIA Regulations relating to the protection of personal information, 2018 [Regulation 2] and submit it to the Information Officer at the postal or physical address or electronic mail address set out above.

11 Correction

- 11.1 A data subject may also request the Company to correct or delete personal information about the data subject in its possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully; or destroy or delete a record of personal information about the data subject that the Company is no longer authorised to retain records in terms of POPIA's retention and restriction of records provisions.
- 11.2 A data subject that wishes to request a correction or deletion of personal information or the destruction or deletion of a record of personal information must submit a request to the Information Officer at the postal or physical address or electronic mail address set out above on the form attached hereto as Appendix D - FORM 2 - Request for correction or deletion of personal information or destroying or deletion of record of personal information in terms of section 24(1) of POPIA's Regulations relating to the protection of personal information, 2018 [Regulation 3]

12 Proof Of Identity

- 12.1 Proof of identity is required to authenticate your identity and the request. You will, in addition to this prescribed form, be required to submit acceptable proof of identity such as a certified copy of your identity document or other legal forms of identity.

13 Timelines For Consideration Of A Request For Access

- 13.1 Requests will be processed within 30 (thirty) days, unless the request contains considerations that are of such a nature that an extension of the time limit is needed.
- 13.2 Should an extension be required, you will be notified, together with reasons explaining why the extension is necessary.

14 Grounds For Refusal Of Access And Protection Of Information

- 14.1 There are various grounds upon which a request for access to a record may be refused. These grounds include:
- 14.1.1 the protection of personal information of a third person (who is a natural person) from unreasonable disclosure;
 - 14.1.2 the protection of commercial information of a third party (for example: trade secrets; financial, commercial, scientific or technical information that may harm the commercial or financial interests of a third party);
 - 14.1.3 if disclosure would result in the breach of a duty of confidence owed to a third party;
 - 14.1.4 if disclosure would jeopardise the safety of an individual or prejudice or impair certain property rights of a third person;
 - 14.1.5 if the record was produced during legal proceedings, unless that legal privilege has been waived;
 - 14.1.6 if the record contains trade secrets, financial or sensitive information or any information that would put The Company at a disadvantage in negotiations or prejudice it in commercial competition; and/or
 - 14.1.7 if the record contains information about research being carried out or about to be carried out on behalf of a third party or by the Company.
- 14.2 Section 70 of PAIA contains an overriding provision. Disclosure of a record is compulsory if it would reveal (i) a substantial contravention of, or failure to comply with the law; or (ii) there is an imminent and serious public safety or environmental risk; and (iii) the public interest in the disclosure of the record in question clearly outweighs the harm contemplated by its disclosure.
- 14.3 If the request for access to information affects a third party, then such third party must first be informed within 21 (twenty one) days of receipt of the request. The third party would then have a further 21 (twenty one) days to make representations and/or submissions regarding the granting of access to the record.

15 Remedies Available To A Requester On Refusal Of Access

- 15.1 If the Information Officer decides to grant a requester access to the particular record, such access must be granted within 30 (thirty) days of being informed of the decision.
- 15.2 There is an appeal procedure that may be followed after a request to access information has been refused, which will be described in the correspondence addressed to you by the Information Officer.
- 15.3 In the event that you are not satisfied with the outcome of the appeal, you are entitled to apply to the Information Regulator or a court of competent jurisdiction to take the matter further.
- 15.4 Where a third party is affected by the request for access and the Information Officer has decided to grant you access to the record, the third party has 30 (thirty) days in which to appeal the decision

in a court of competent jurisdiction. If no appeal has been lodged by the third party within 30 (thirty) days, you must be granted access to the record.

16 Availability Of This Manual

- 16.1 Copies of this Manual are available for inspection, free of charge, at the registered offices of the Company at the address listed above.
- 16.2 Copies will also be made available on the Company website/s.

Appendix A



REPUBLIC OF SOUTH AFRICA

**FORM 2
REQUEST FOR ACCESS TO
RECORD
[Regulation 7]**

Note:

1. *Proof of identity must be attached by the requester.*
2. *If requests made on behalf of another person, proof of such authorisation, must be attached to this form.*

TO: The Information Officer

 (Address)

Email address: _____

Mark with an "X"

Request is made in my own name
 person

Request is made on behalf of another
 person

| PERSONAL INFORMATION | | | |
|--|-----------|--|------------|
| Full names: | | | |
| Identity number: | | | |
| Capacity in which request is made (when made on behalf of another person) | | | |
| Postal address: | | | |
| Street address: | | | |
| Email address: | | | |
| Contact numbers: | Tel | | Facsimile: |
| | Cellular: | | |
| Full names of person on whose behalf request is made (if applicable): | | | |
| Identity number: | | | |
| Postal address: | | | |
| Street address: | | | |
| Email address: | | | |
| Contact numbers: | Tel | | Facsimile: |
| | Cellular: | | |
| PARTICULARS OF RECORD REQUESTED | | | |
| Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed) | | | |

| | |
|--|--|
| Description of record or relevant part of the record: | |
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| | |
| | |
| | |
| | |
| | |
| Reference number if available: | |
| Any further particulars of record: | |
| | |
| | |
| | |
| TYPE OF RECORD (Mark the applicable box with an "X") | |
| Record is in written or printed form | |
| Record comprises virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc) | |
| Record consists of recorded words or information which can be reproduced in sound | |
| Record is held on a computer or in an electronic, or machine-readable form | |
| FORM OF ACCESS (Mark the applicable box with an "X") | |
| Printed copy of record (including copies of any virtual images, transcriptions and information held on a computer or in an electronic or machine-readable form) | |
| Written or printed transcription of virtual images (this included photographs, slides, video recordings, computer-generated images, sketches, etc) | |
| Transcription of soundtrack (written or printed document) | |
| Copy of record on flash drive (including virtual images and soundtracks) | |
| Copy of record on compact disc drive (including virtual images and soundtracks) | |
| Copy of record saved on cloud storage server | |
| MANNER OF ACCESS (Mark the applicable box with an "X") | |
| Personal inspection of record at registered address of public/private body (including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form) | |
| Postal services to postal address | |
| Postal services to street address | |
| Courier service to street address | |
| Facsimile of information in written or printed format (including transcriptions) | |
| E-mail of information (including soundtracks if possible) | |
| Cloud share/file transfer | |
| Preferred language: (note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available) | |
| PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages. | |
| Indicate which right is to be exercised or protected: | |
| | |
| | |
| | |
| Explain why the record requested is required for the exercise or protection of the | |
| | |
| | |

aforementioned right:

FEES

- a) A request fee must be paid before the request will be considered.
- b) You will be notified of the amount of the access fee to be paid.
- c) The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.
- d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

| | |
|---------|--|
| Reason: | |
| | |
| | |
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| | |

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

| Postal Address | Facsimile | Electronic communication (Please specify) | |
|----------------|-----------|--|--|
| | | | |

Signed at _____ this _____ day of _____ 20 _____

Signature of requester / person on whose behalf request is made

| | |
|---|--|
| Reference number: | |
| Request received by: (State rank, name and surname of information officer) | |
| Date received: | |
| Access fees: | |
| Deposit (if any): | |

Signature of Information Officer

Appendix B

FEES IN RESPECT OF PRIVATE BODIES

1. The “request fee” payable by a requester, other than a personal requester, referred to in section 54(1) of the Act, is R140
2. The “fees for reproduction” referred to in section 52(3) and “access fees” payable by a requester referred to in section 54(7), unless exempted under section 54(8) of the Act, are as follows:
 - (a) for every photocopy or print copy of an A4-size page or part thereof – R2 per page or part thereof
 - (b) for a copy in a computer-readable form on:
 - (i) flash drive (must be provided by the requestor) – R 40
 - (ii) compact disc – R40 (if provided by the Requestor) -R 60 (if provided to the Requestor)
 - (c) (i) for a transcription of visual images, for an A4-size page or part thereof - must be based on quote from a outsourced service provider
 - (ii) for a copy of visual images - must be based on quote from a outsourced service provider
 - (d) (i) for transcription of an audio record, for an A4-size page or part thereof - R24;
 - (ii) for a copy of an audio record on a flash drive (must be provided by the requestor) -R40
 - (iii) compact disc – R40 (if provided by the Requestor) -R 60 (if provided to the Requestor)
 - (e) To search and prepare the record for disclosure, R145 for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation. To not exceed a total cost of R 435.
 - (f) Deposit if search exceeds 6 hours – one third of amount per request calculated in terms of items (a) to (d)
 - (g) Postage, email or any other electronic transfer- actual expense, if any.

Person or persons exempted from paying access fees:

- (i) A single person whose annual income does not exceed R 14,712.00; or
- (ii) Married persons or a person and his/her life partner whose annual income does not exceed R 27,192.00

Appendix C

**FORM 1 - OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION
IN TERMS OF SECTION 11(3) OF POPIA**

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018

[Regulation 2]

Note:

1. Affidavits or other documentary evidence as applicable in support of the objection may be attached.
2. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.
3. Complete as is applicable.

| A | DETAILS OF DATA SUBJECT |
|---|-------------------------------------|
| Name(s) and surname/ registered name of data subject: | |
| Unique Identifier/ Identity Number | |
| Residential, postal or business address: | |
| | |
| | |
| | Code () |
| Contact number(s): | |
| Fax number / E-mail address: | |
| B | DETAILS OF RESPONSIBLE PARTY |
| Name(s) and surname / Registered name of responsible party: | |
| Residential, postal or business address: | |
| | |
| | Code () |
| Contact number(s): | |
| Fax number/ E-mail address: | |

| C | REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f) <i>(Please provide detailed reasons for the objection)</i> |
|----------|---|
| | |
| | |
| | |
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| | |

Signed at this day of20.....

.....

Signature of data subject/designated person

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)

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018

[Regulation 3]

Note:

1. Affidavits or other documentary evidence as applicable in support of the request may be attached.
2. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.
3. Complete as is applicable.

Mark the appropriate box with an "x".

Request for:

or Correction or deletion of the personal information about the data subject which is in possession under the control of the responsible party.

Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information.

| A | DETAILS OF THE DATA SUBJECT |
|---|------------------------------|
| Name(s) and surname / registered name of data subject: | |
| Unique identifier/ Identity Number: | |
| Residential, postal or business address: | |
| | |
| | Code () |
| Contact number(s): | |
| Fax number/E-mail address: | |
| B | DETAILS OF RESPONSIBLE PARTY |
| Name(s) and surname / registered name of responsible party: | |
| Residential, postal or business address: | |
| | |
| | Code () |

| | |
|-----------------------------|--|
| Contact number(s): | |
| Fax number/ E-mail address: | |
| C | INFORMATION TO BE CORRECTED/DELETED/ DESTROYED/ DESTROYED |
| | |
| | |
| | |
| D | <p>REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(a) WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY; and/or</p> <p>REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(b) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN.</p> <p><i>(Please provide detailed reasons for the request)</i></p> |
| | |
| | |
| | |
| | |

Signed at this day of20.....

.....
Signature of data subject/ designated person

Appendix E

Table of Legislation

Records are kept in accordance with such other legislation as is applicable to The Company, which includes but is not limited to the following:

JSE Rules and Listing Requirements

Income Tax Act

Companies Act

Labour Relations Act

Electronic Communications and Transmissions Act

Broad Based Black Economic Empowerment Act

Protection of Personal Information Act

Employment Equity Act

Promotion of Access to Information Act

Value Added Tax Act

Occupational Health and Safety Act