



PAIA MANUAL

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

DATE OF COMPILATION: 01/02/2024
DATE OF REVISION: 01/02/2024

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1. LIST OF ACRONYMS AND ABBREVIATIONS

1.1	“MD”	Managing Director
1.2	“DIO”	Deputy Information Officer;
1.3	“IO”	Information Officer;
1.4	“Minister”	Minister of Justice and Correctional Services;
1.5	“PAIA”	Promotion of Access to Information Act No. 2 of 2000(as Amended;
1.6	“POPIA”	Protection of Personal Information Act No.4 of 2013;
1.7	“Regulator”	Information Regulator; and
1.8	“Republic”	Republic of South Africa

2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to-

- 2.1 check the categories of records held by a body 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 the body, by providing a description of the subjects on which the body holds records and the categories of records held on each subject;
- 2.3 know the description of the records of the body which are available in accordance with any other legislation;
- 2.4 access all the relevant contact details of the Information Officer and Deputy 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 body 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 know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.8 know the recipients or categories of recipients to whom the personal information may be supplied;
- 2.9 know if the body 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 know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF OPTIMA WEALTH

3.1. Chief Information Officer

Name:	James Ferreira
Tel:	+27 82 826 5543
Email:	james@optimawealth.co.za

3.2 Access to information general contacts

Email:	info@optimawealth.co.za
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3.3 National or Head Office

Postal Address:

97 Ravens Hill Estate, 30 Turley Road, Lonehill, Johannesburg, 2191

Physical Address:

97 Ravens Hill Estate, 30 Turley Road, Lonehill, Johannesburg, 2191

Telephone: +27 82 826 5543

Email: info@optimawealth.co.za

Website: www.optimawealth.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 PAIA¹ and section 56 of POPIA²;
- 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 11³; and
 - 4.3.3.2. access to a record of a private body contemplated in section 50⁴;
- 4.3.4. the assistance available from the IO 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

¹ Section 17(1) of PAIA- *For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.*

² Section 56(a) of POPIA- *Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.*

³ Section 11(1) of PAIA- *A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

⁴ Section 50(1) of PAIA- *A requester must be given access to any record of a private body if-*

- a) *that record is required for the exercise or protection of any rights;*
- b) *that person complies with the procedural requirements in PAIA relating to a request for access to that record; and*
- c) *access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

decision by the Regulator or a decision of the head of a private body;

4.3.7. the provisions of sections 14⁵ and 51⁶ 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 15⁷ and 52⁸ 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 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and

4.3.10. the regulations made in terms of section 92¹¹.

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 Section 14(1) of PAIA- The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.

⁶ Section 51(1) of PAIA- The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.

⁷ Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access

⁸ Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access

⁹ Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹⁰ Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹¹ Section 92(1) of PAIA provides that –“The Minister may, by notice in the Gazette, make regulations regarding-

- (a) any matter which is required or permitted by this Act to be prescribed;
- (b) any matter relating to the fees contemplated in sections 22 and 54;
- (c) any notice required by this Act;
- (d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and
- (e) any administrative or procedural matter necessary to give effect to the provisions of this Act.”

5. CATEGORIES OF RECORDS OF OPTIMA WEALTH WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

Category of records	Available on Website	Available upon request
Privacy Policy	X	X
TCF Policy	X	X
Complaints procedure	X	X
Conflict of interest policy	X	X
Disclaimer	X	X

6. DESCRIPTION OF THE RECORDS OF OPTIMA WEALTH WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

Category of Records	Applicable Legislation
Memorandum of incorporation	Companies Act 71 of 2008
PAIA Manual	Promotion of Access to Information Act 2 of 2000

7. DESCRIPTION OF THE SUBJECTS ON WHICH OPTIMA WEALTH HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY OPTIMA WEALTH.

Subjects on which the body holds records	Categories of records
Strategic Documents, Plans, Proposals	Annual Reports, Business Plan, Licensing Requirements.
Human Resources	- Employee Records and Contracts

8. PROCESSING OF PERSONAL INFORMATION

8.1 Purpose of Processing Personal Information

In order for us to provide clients with the financial products and services they have requested and to notify them of important changes to such products and services, we need to collect, use and disclose the personal information of clients, their representatives, controlling persons of entities, business contacts, staff of clients and service providers. We collect and use personal information to conclude a contract with clients and to carry out the obligations in terms of that contract (including managing the account and complying with instructions and requests). We also process contact information so that we can report to clients and keep clients informed of the status of any instruction.

We have regulatory obligations, including compliance with anti-money laundering legislation, to process your personal information. This includes verifying your identity or the identity of your beneficial owner and/or controlling persons. We are also required by various laws (among others the Collective Investments Schemes Control Act, 2002, the Financial Advisory and Intermediary Services Act, 2002, and the Financial Intelligence Centre Act, 2001 including any legislation which may amend or substitute such laws from time to time) to maintain a record of our dealings with clients.

We may use your personal information to pursue our legitimate interests such as to compile reports, to comply with requests for information from any internal or external auditor, or any regulatory or supervisory body, or to correspond with you. If we require funding from an investor, bank or other financing institution or if a third party is investing in or considers investing in us or any of our affiliated entities then we may, in our legitimate interest, provide information to such investor, bank or other financing institution.

You may refuse to provide us with your personal information in which case it is likely that we will not be able to provide you with a relevant service or would have to terminate our business relationship. The supply of certain items of personal information, especially those collected to comply with regulation, is legally mandatory.

8.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto.

Categories of Data Subjects	Personal Information that may be processed
Customers / Clients	Name, address, registration numbers or identity numbers, employment status and bank details, race (as required by law), gender, marital status, nationality, language preference, tax number, contact details, bank details, etc.
Employees	Name, address, qualifications, gender and race, contact details, bank details, identity numbers, etc

8.3 The recipients or categories of recipients to whom the personal information may be supplied.

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Identity number and names, for criminal checks	South African Police Services
Qualifications, for qualification verifications	South African Qualifications Authority
Credit and payment history, for credit information	Credit Bureaus

8.4 Planned transborder flows of personal information.

We may, depending on the type of service, transfer personal information to: an auditor, a local or foreign regulator (including but not limited to the Financial Sector Conduct Authority, Reserve Bank, South African Revenue Services, the Financial Intelligence Centre), a tax administrator, a legal advisor, a financial intermediary appointed by the data subject (either directly or indirectly through an information exchange platform), a forensic investigation service (internal or external), a service provider providing administrative support services or accounting services to you or us. We may provide your limited personal information to our fund managers,

distribution and co- brand partners, or third parties that manage the funds you invest in, for purposes of fee calculations and distribution-related activities. We will ensure that such third parties are restricted by obligations of confidentiality to only use the information for the required purpose and that they will apply strict security measures to the personal information we share with them.

We may enter personal information into our systems and the systems of our service providers and operators that may use technology or services outside South Africa. Your personal information may also for cloud storage purposes or through the use of any of our websites, be transferred or processed outside of the Republic of South Africa.

We may also, in the course of providing a service to you, engage with financial service providers, custodians, banks or regulators outside South Africa and then transfer your personal information to them for purposes of providing you with a financial service or to comply with applicable law.

Recipients of your information may be situated in countries which do not have data protection laws similar to South Africa. We will, however, use all reasonable endeavors to ensure that the contracts entered into with such third parties contain the necessary appropriate safeguards if personal information is processed outside South Africa or rely on other legally permitted safeguards.

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

Optima Wealth will be the responsible party for your personal information. We are responsible to ensure that your personal information is processed in compliance with the conditions for lawful processing set out in POPIA. Optima Wealth uses Microsoft 365 and its cloud storage solutions to store personal and business information.

Microsoft 365 employs a robust and multi-layered approach to ensure the secure storage of clients' personal data and information. The platform leverages advanced encryption techniques, both in transit and at rest, to safeguard data as it travels across networks and when stored in Microsoft's servers. Client data is stored in highly secure and compliant data centres, which adhere to stringent industry standards and regulatory requirements. Additionally, Microsoft 365 incorporates access controls, authentication mechanisms, and identity management features to restrict and monitor user access, ensuring that only authorized individuals can view or modify sensitive information. Regular security updates and patches are consistently applied to fortify

defenses against evolving threats. With a focus on privacy and compliance, Microsoft 365 enables clients to maintain control over their data while benefiting from a comprehensive and secure environment for storing and managing personal information.

9. AVAILABILITY OF THE MANUAL

9.1 A copy of the Manual is available-

9.1.1 head office of the Optima Wealth for public inspection during normal business hours;

9.1.2 to any person upon request and upon the payment of a reasonable prescribed fee; and

9.1.3 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 head of Optima Wealth will on a regular basis update this manual.

Issued by



James Ferreira
Managing Director