

INVESTMENT CONSULTING AND TRUSTEE SERVICES (PTY) LIMITED

Company Registration Number: 1996/000948/07

ICTS TRACING SERVICES (PTY) LIMITED

Company Registration Number: 2008/008464/07

ICTS LEGAL SERVICES (PTY) LIMITED

Company Registration Number: 2018/060090/07

MOTSWEDI EMERGING MANAGER STRATEGISTS (PTY) LIMITED

Company Registration Number: 2011/006602/07

EMPLOYEE BENEFITS NETWORK (PTY) LIMITED

Company Registration Number: 2012/077820/07

ICTS WEALTH (PTY) LIMITED

Company Registration Number: 2020/767731/07

Collectively referred to as:

The ICTS GROUP OF COMPANIES

Promotion of Access to Information Act (PAIA) Manual

Prepared in terms of section 51 of the Promotion of Access to Information

Act 2 of 2000 (as amended)

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When we refer to “we”, “us” or “ICTS” in this Manual, that means the companies specified on page one.

“You” or “your” means you, the requestor of information from us.

The aim of the Promotion of Access to Information Act (PAIA)

The aim 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 your rights.

PAIA provides you with the right of access to information held by public and private bodies (such as ICTS) when you request such information in accordance with the provisions of PAIA, for the exercise or protection of any of your or another person's rights.

If you make such a request, a public or private body must release the information unless PAIA or any other relevant law states that the records containing such information may not be released.

The purpose of this Manual

We want to ensure that persons are aware of how they can make requests for information from us and why we process their personal information.

In addition, the Manual contains information about what records we hold and process, about whom, who the records are available to and whether they are available without you having to submit a formal PAIA request.

The Manual also states whether we may process personal information outside South Africa as well as communication about the security measures securing and ensuring the integrity of information.

You can read the Manual to see who can assist you with your requests and where to get a standard Guide about how to make requests.

We will review this Manual from time to time.

Some useful words to know

- **FSCA** means the Financial Sector Conduct Authority which is a public body that regulates and supervises financial services providers such as ICTS (for some of its services).
- **Information Officer** means the head of each ICTS company. That person may delegate this role to someone else. The information Officer is the person who will handle your PAIA and POPIA requests. See their details below.
- **Information Regulator** means the public body that enforces compliance with POPIA and PAIA.
- **PAIA** means the Promotion of Access to Information Act 2 of 2000, which legislation creates right to access certain information.
- **Personal information** means any information about a living human being or an existing company, close corporation, or other juristic person, provided that the human being or juristic person is capable of being identified. It includes both public and private information. It includes special personal information. It excludes purely statistical information and de-identified information.
- **POPIA** means the Protection of Personal Information Act 4 of 2013, which legislation protects certain people's personal information.
- **Record** means any recorded information of all forms (including written, electronic, labelled, illustrative, or visual records) that we possess or control, whether or not we created them or when they came into existence.
- **Special personal information** means specific types of special personal information which are set out in POPIA with general and special processing grounds. Special Personal information is personal information about religious or philosophical beliefs, race or ethnicity, trade union membership or political persuasion, health or sex life, biometric information and criminal behaviour.

INTRODUCING ICTS

ICTS is a private body under PAIA. For some of its activities ICTS is a responsible party and for others it is an operator under POPIA. Please see our website (www.icts.co.za) for more information about us.

Key contact details for access to information of ICTS Group of Companies

Our Head (Chief Executive Officer) is: Mr David Weil

Our Information Officer can be contacted by using these details:

Our Information Officer is: Ms Nathalie Burrows
Telephone number (during working hours): +27(0)82 339 2697
E-mail address: burrowsn@ebnet.co.za
Postal Address: P O Box 65939, Benmore, 2010
Street Address: Block D, Country Club Estate Office Park, 21 Woodlands Drive, Woodmead, Sandton, 2080

Our Head Office:

Postal Address:	P O Box 65939, Benmore, 2010
Street Address:	Block D, Country Club Estate Office Park, 21 Woodlands Drive, Woodmead, Sandton, 2080
E-mail address:	weild@icts.co.za
Telephone number (during working hours):	+27 11 656 1160
Website:	www.icts.co.za

The Information Regulator's Guide to your rights under PAIA

Because the process of submitting a PAIA request can be quite daunting, the Information Regulator has prepared a Guide to assist you to help you understand how to go about this process. This Guide is available in all the South African official languages and in Braille.

The Guide will also help you with, among other things, what assistance you can get from us and the Information Regulator, the format of the request, fees that are payable and your legal remedies (including complaints to the Information Regulator and applications to court).

How to get the Guide:

You can inspect the Guide at our Head Office (see above) in the languages of English and isiZulu or in any official language and Braille at the offices of the Information Regulator (see contact details below), during normal working hours.

You can also ask our Information Officer or the Information Regulator for copies of the Guide (using a Form One).

The Guide and Form One is available on the website of the Information Regulator at <https://infoeregulator.org.za/>

Other relevant documents

Our Privacy Notice is also available on our website.

Information that is automatically available without a formal PAIA request – voluntary section 52 information

We do not have a list of information that is available without a formal PAIA request, as referred to in section 52 of PAIA. However, information relating to ICTS and its operations is available on our website and this may be requested from our Information Officer by email or post on the details specified above. Further information in the form of marketing brochures, advertising material and other public communication is made available from time to time.

What records are held by ICTS which must be formally requested before the information is supplied to a person?

- Personnel records, including for directors and learners including (where relevant): full names, identity numbers, bank account details, contact details (telephone, email, postal and home addresses), academic and experience information, details on race and disabilities (B-BBEE information), credit and criminal checks (new employees), signature, travel records. Academic information (e.g. certificates, transcripts), contact details (mobile numbers, proof of address), leave, credit and criminal checks (if any), association membership numbers. Tax number, ID number, salary and bonus information, certain medical scheme and dependents information, bank account information, photo, disciplinary information, marital status.
- Shareholders non-public details and information.
- Service provider or supplier related records: contracting, bank account details, contact names and details of suppliers.
- Client related records: contracting, FICA information, investment strategy type, complaints or litigation (if any), fees, expenses, conflicts, registration number, registered address, contacts and contact details, members/spouses/dependants/guardians information for client retirement funds, service providers to clients contact and bank account details, bank account details, fund rules, authorised signatory lists, information related to providing our services to clients and their underlying data subjects
- Marketing distribution information: subscribers names and email addresses/ contact details.
- ICTS company records (financial and company secretarial)
- Legal records: agreements, mandates, litigation and privileged information
- Board and internal meeting minutes, recordings and agenda packs
- Tender documentation
- Resolutions of directors and documentation of Board decisions
- Property leases and agreements.
- Insurance and policy records and correspondence with insurers
- Correspondence with and returns to our regulators, other authorities and public bodies
- Financial: financial year end results, financial analysis and reports, budgets, invoicing and accounting records
- Tax and levies
- Marketing and advertising records
- Health and safety records and accidents and incidents reports
- Internal policies, processes and procedures.

In terms of what legislation does ICTS hold records that may be accessed by certain persons?

ICTS is subject to many different laws and some of them require us to produce documentation or make it available, for example:

- Constitution of the Republic of South Africa 108 of 1996 – general access to information rights.
- The Financial Sector Regulation Act 9 of 2017 – rights of Regulators, Ombud and Financial Services Tribunal to access information from us for example in relation to licencing, supervision, transformation, register, on-site inspections, investigations and enforcement action. Standards issued under this Act may also require provision of information.

- Financial Advisory and Intermediary Services Act 37 of 2002 – insofar as this legislation and the Codes issued under this legislation apply to ICTS, this legislation creates certain rights to information by customers of ICTS.
- Income Tax Act 58 of 1962- contains rights of the South African Revenue Service to information from ICTS.
- Broad-Based Black Economic Empowerment Act 53 of 2003 and the Financial Sector Charter- rights to information about transformation plans and statistics.
- Financial Institutions (Protection of Funds) Act 28 of 2001 – FSCA rights to information about investments, for example for enforcement purposes.
- Financial Intelligence Centre Act 38 of 2001 – rights to information by Financial Intelligence Centre to protect against money-laundering and other financial crimes.
- Prevention of Organised Crime Act 121 of 1998 - rights to information by certain public institutions to protect against financial crimes.
- Insurance Act 18 of 2017 – rights to information related to insurances
- Long-term Insurance Act 52 of 1988– rights to information related to insurances
- Pension Funds Act 24 of 1956
- Maintenance Act 99 of 1998 may require us to provide information about employee’s remuneration.
- PAIA and POPIA - rights to this Manual and the Guide and certain information about personal information we process as explained in this Manual.
- The Unemployment Insurance Act 30 of 1966
- Value Added Tax Act 89 of 1991
- Consumer Protection Act 68 of 2008
- Occupational Health and Safety Act 85 of 1993
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Labour Relations Act 66 of 1995
- Basic Conditions of Employment Act 75 of 1997
- The Employment Equity Act 55 of 1998
- The Skills and Development Act 97 of 1998
- Electronic Communications and Transactions Act 25 of 2002
- Disaster Management Act 57 of 2002 and Regulations
- Companies Act 71 of 2008 and Regulations
- Competition Act 89 of 1998
- Prevention of Organised Crime Act 121 of 1998
- Prevention and Combatting of Corrupt Activities Act 12 of 2004

We are also subject to subordinate legislation, such as Conduct Standards issued by the FSCA (as well as Joint Standards and Prudential Standards).

The above legislation may require additional procedural or substantive requirements for accessing information.

What procedure should you follow to obtain information or records from us that require a formal request?

Format of the request

You must please do both of the following:

Please use the prescribed form - Form 2. You can find Form 2 on the Information Regulator's website: <https://info regulator.org.za/>

The request must be made to the Information Officer using the contact details provided in this Manual

If you are unable to read or write you may make a verbal request to our Information Officer.

When you complete your PAIA form you must please:

Provide sufficient detail on the request form to enable us to identify your record and the requestor (you, if you are the requestor)

Indicate which form of access is required e.g. electronic, paper

Indicate if there is a particular manner (way) to be used to inform the requestor (e.g. email or post) and state the particulars needed to be informed this way (e.g. email address)

Identify the right that the requestor is seeking to exercise or protect

Give an explanation of why the requested record is required for the exercise or protection of that right

If the request is being made on behalf of someone else - give proof of the capacity of the requestor (we will need to be satisfied of this)

Note: if you do not use the prescribed form or do not complete it properly, your request may be rejected, refused (if sufficient information is not provided) or delayed.

All PAIA requests that we receive are evaluated and carefully considered in accordance with PAIA. Sometimes, we may have to refuse your request and sometimes we are required to refuse your request. For example, we must protect the personal information of third parties.

How long will we take to make a decision about your request?

We will, within 30 (thirty) days of receipt of your request or less, decide whether to grant or refuse the request and give you notice with reasons (if required).

The 30 (thirty) day period which we have to decide whether to grant or refuse the request, may be extended for a further period of not more than (30) thirty days if the request is for a large number of information, or the request requires a search for information held at another office of ICTS and the information cannot reasonably be obtained within the original 30 (thirty) day period. We will contact you if we need an extension.

Remedies available to you if we refuse your request

Internal remedies

We do not have internal appeal procedures. The decision made by the Information Officer is final. You will have to exercise external legal remedies at your disposal if the request for information is refused, and you are not satisfied with the answer.

External remedies

If you are not satisfied by our decision, for example for refusing access, for imposing access fees, or for extending the time period in which the response is due, you may apply to court for relief within 180 days of receiving the decision. Our decision will be reviewed by a court and a decision will be made by the courts as to whether or not to provide access to the requested records. Please see the Information Regulator's Guide referred to above for more information about your remedies.

Fees

Generally, fees need to be paid both for making a request and to cover the cost of providing access to records in terms of a request. There are, however, some exceptions. If the requester is granted access to the records they requested and they are not exempted from paying any fees, we can charge prescribed fees. We may decide not to charge fees. Please see the Information Regulator's Guide referred to above for further information about fees.

Protection of Personal Information

WHY WE PROCESS PERSONAL INFORMATION

The ICTS Group of Companies process Personal Information for the following purposes:

INVESTMENT CONSULTING AND TRUSTEE SERVICES (PTY) LIMITED

- Contributing to the development of an investment policy statement for our clients (retirement funds, companies and medical schemes) and reviewing of the investment policy statement
- To serve on the boards of retirement funds to assist boards to comply with the requirements of the Pension Funds Act
- To provide funds, consultants, members and any service providers in the retirement industry with training on relevant and current topics
- Providing death benefit investigation and allocation services to a number of retirement funds
- To appoint employees and contractors, maintain employee records, process termination of employment
- Payment of salaries, retirement fund contributions, medical aid contributions, leave pay.

- To supply and administer the group’s information technology needs.
- Ensuring that the company complies with all requirements of regulators.
- Preparation of company’s accounts for external auditors
- To appoint and liaise with insurers to ensure that the company is adequately insured for all purposes
- Marketing of services to clients and potential clients through email
- To appoint and liaise with attorneys regarding any matters in which the company becomes involved

ICTS TRACING SERVICES (PTY) LIMITED

- Tracing activities performed by the company on behalf of retirement funds, insurers and share incentive schemes (“Funds”) and their members and/or beneficiaries
- Meetings, committee and sub-committee meetings, packs, agendas, resolutions, minutes, receiving and storage of company information

ICTS LEGAL SERVICES (PTY) LIMITED

- Drafting of retirement fund rules and amendments, revisions and consolidations
- To collect the fund documentation electronically and submit it to the FSCA using their online system. To forward queries from the FSCA to the fund and fund replies to the FSCA.
- To provide financial institutions and sometimes natural persons with answers to their queries, including providing draft responses (or other documentation).
- To draft and amend agreements, policies and forms of financial institutions
- To train financial institutions, fund officials and others on legal, regulatory and employee benefits based topics. Plus administering assessments.
- To administer the organisation and roll out of training (excluding invoicing which is done by a central function but including of checking of invoicing) plus obtaining CPD approval.
- Assisting financial institutions to reach compliance with regulatory and legislative requirements but providing answers to queries, documentation, processes and sometimes templates.
- To draft (or vet) a draft response/complaint/reply for a financial institution or natural person in relation to a complaint to the Pension Funds Adjudicator
- To contract with our independent contractors in order to provide services to our clients.
- To provide a quote to potential clients. Proposal and tender information to obtain new business
- Marketing of services to clients and potential clients through email

MOTSWEDI EMERGING MANAGER STRATEGISTS (PTY) LIMITED

- Investment consulting and asset management services performed by the Company on behalf of retirement funds and medical schemes
- Meetings, committee and sub-committee meetings, packs, agendas, resolutions, minutes, receiving and storage of Company information

EMPLOYEE BENEFITS NETWORK (PTY) LIMITED

- Providing subscribers with an online retirement industry knowledge portal to enable them to comply with relevant legislation and industry regulators
- Provision of Network to EBnet Clients (Companies and Associations / Industry Bodies)
- Management of the Company – meetings of the Company’s board; agendas, resolutions, minutes.

ICTS WEALTH (PTY) LIMITED

- Formulating solutions for individuals and businesses in various aspects of financial health, including:
 - Wealth management;
 - Financial planning;
 - Local and offshore investments;
 - Life assurance;
 - Estate planning;
 - Tax planning;
 - Healthcare planning..
 - Retirement funds;
 - Employee benefits;

- Group risk schemes;
- Group medical aid;
- Business assurance;
- Tax planning;
- Cash management;
- Management of the Company – meetings of the Company’s board; agendas, resolutions, minutes.

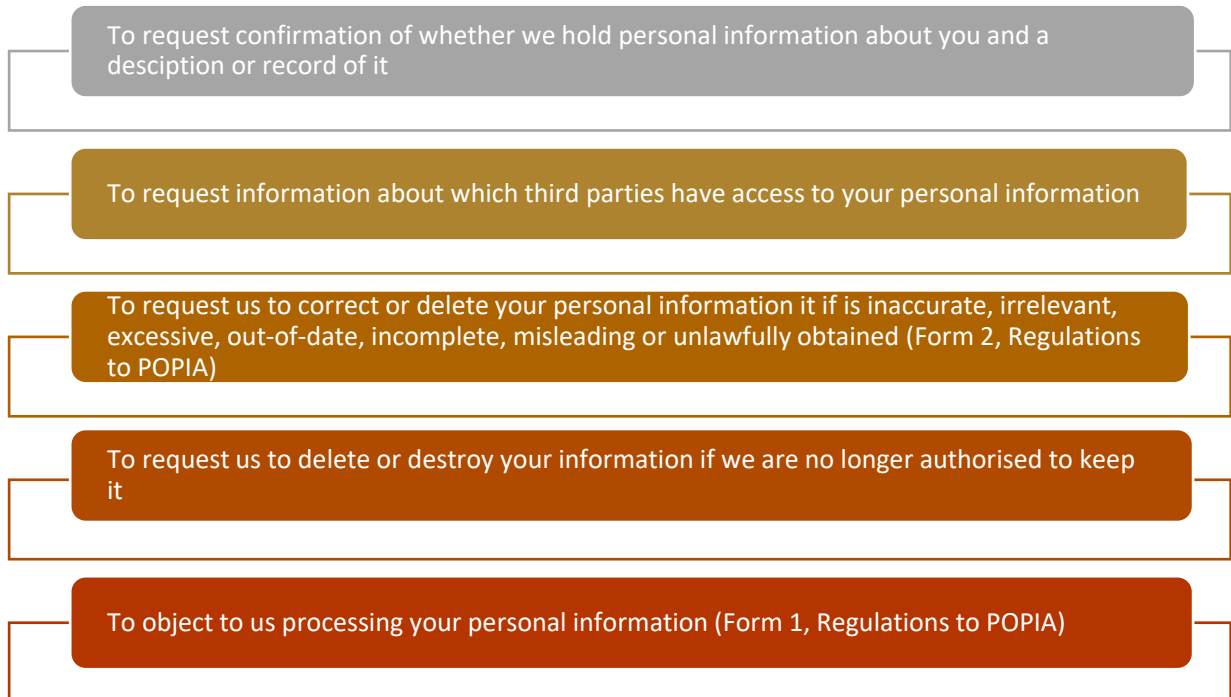
How do you request information from us about personal information that we process?

Requests for information under POPIA about your personal information that we process must be made in accordance with the provisions of PAIA, as set out above in this Manual, or as set out below.

All prescribed forms are available on the Information Regulator’s website:

<https://info regulator.org.za/>

You have the following rights to information under POPIA



Description of categories of data subjects and the personal information we hold for them

We hold the following personal information for the following categories of data subjects. Some of this personal information may be special personal information and some of it may be about children.

Category of data subject	Category or personal information we hold for them
Employees, prospective employees and independent contractors	Full names, identity numbers, bank account details, contact details, academic & experience information, details on race and disabilities (B-BBEE information), credit and criminal background (new employees), signature, travel records. Leave, membership numbers (for professional bodies). Details on race and disabilities, contracting information, tax

	number, salary and bonus information, medical scheme information, marital status. Criminal/objectionable behaviour information and information related to litigation. Photos and personal information in emails.
Shareholders	Names, contact details, shareholding details
Directors	Names, contact details, fit and proper information. Identity numbers, B-BBEE information, academic and experience information
Institutional clients, such as retirement funds and administrators	Names, contact employee details, complaints or litigation (if any), fees, FICA information, registration number and service providers,
Board of institutional clients	Name, role, contact details, FICA information
Suppliers and service providers	Bank account details, employee contact names, contact details, contracting details, registration number, employee names
Newsletter subscribers	Subscribers' names and contact details
Insurers	Bank account details, contact details
Members and other data subjects of institutional clients and their spouses/partners and children	Member number, date joined the fund, normal retirement age, date of birth, date of death (if applicable), gender, pension, actuarial reserve, gender, salary, fund balance, investment portfolios, additions/withdrawals from fund balance over the period, date of exit for preserved members, disability category (sometimes), spouse name, spouse date of birth, child name, child date of birth/ identity number, dependant's name (includes children), dependant's pension amount.
Beneficiaries of retirement funds	Deceased member's name, address, identity number, salary details, amount of benefit, beneficiary's ID number, date of birth, name, financial circumstances, education, witness names

The categories of recipient to whom personal information may be provided by ICTS

We may provide certain of the personal information of data subjects to the following persons for our purposes (specified above), for example to the extent that they may provide services contracted by us, to perform statutory duties, as required by legislation, to determine complaints, to provide services to clients and to manage ICTS.

To whom do we provide personal information?	What personal information do we provide?
Medical scheme and broker	Employees medical scheme choices and dependant's information
Retirement Fund and administrator	Employees' and dependants' information
Marketing/ advertising provider	Employees' details, CV, photo
SARS	Employees' remuneration details (if required)
Rating Agency	Transformation information of employees and directors
FIC	Information required under FICA related to clients

FSCA, the Information Regulator and relevant Authorities	Employee, director and client information as requested by the Authority. Fit and proper information
Ombud, the Financial Services Tribunal and court appointees	Employee, director and client information as relevant
Our auditors	Information requested as part of the audit
Our compliance providers	Information requested for compliance purposes
Our lawyers and legal providers	Personal information related to litigation, opinions and regulatory work
Our insurers and brokers	Personal information related to taking out insurances, claims and correspondence - employees, directors and clients' information.
Our clients and potential clients (and their service providers)	Employees and directors – due diligence and fit and proper information, name, contact details, memberships,
Retirement fund administrators	Details of traced members, former members and potential beneficiaries
Our website and IT and application providers	Access to systems e.g. email, employee, director and client information
Other companies in the ICTS group of companies	Client related information
Other persons lawfully entitled to receive personal information from us	As relevant

Planned flow of personal information out of South Africa

We may lawfully transfer or process personal information out of South Africa but will ensure that the relevant security measures are in place before it does so. Currently, we do not plan to transfer or processes personal information out of South Africa.

General description of our security measures

We employ appropriate and reasonable technical and organisational measures to prevent loss of, damage to, or unauthorised destruction of, your personal information and unlawful access to, or processing of, your personal information. We maintain security breach processes for in case there is a breach and notify to the Information Regulator as we are required to.

The following policies, protocols and documents will be finalised and updated from time-to-time to govern the way that we process personal information:

- Data Protection Policy (including a breach process)
- Privacy Impact Assessment
- Access to Information manual
- POPIA compliance framework
- POPIA clauses in operator and independent contractor agreements
- Request register
- Breach register
- Insurances
- Updated forms
- Training and awareness

If you require more information about our security measures, please request specific information from the Information Officer.

What do we rely on to use your personal information?

Many times, we rely on justifications, other than your consent, to use your personal information to do what we need to do. In some instances, we do rely on your consent, for example where we receive a form signed by you. But often we will rely on one of the following grounds to use your personal information:

- It is necessary to carry out actions for a contract with the data subject
- It complies with an obligation imposed by law on us,
- It protects the legitimate interest of the data subject; or
- It is necessary to pursue our legitimate interests or a third party to whom the information is supplied.

For more specific information about the grounds we rely on to use your personal information, please request the specific information you require from the Information Officer.

Information Regulator's contact details

You can contact or complain to the Information Regulator using the following contact details:

Telephone: 010 023 5200

Email: enquiries@infoeregulator.org.za

Website: <https://infoeregulator.org.za/>

Physical address and postal address:

JD House 27 Stiemens Street Braamfontein Johannesburg 2001	P.O. Box 31533 Braamfontein Johannesburg 2017
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POPIA Complaints

Any person may submit a complaint to the Regulator in the prescribed manner and form alleging interference with the protection of the personal information of a data subject. Should you feel that your personal information has been violated, a complaint to the Regulator must be made in writing.

Complete the prescribed [POPIA form 5](#) available on the Information Regulator's website (<https://infoeregulator.org.za/complaints/>) and send it to POPIAComplaints@infoeregulator.org.za.

The Regulator must as soon as reasonably practicable advise the complainant and the responsible party to whom the complaint relates of the course of action that the Regulator will take.

The Regulator may on its own initiative commence an investigation into the interference with the protection of the personal information.

Should you feel that your personal information has been violated, complete the prescribed form and send it to POPIAComplaints@infoeregulator.org.za

Should for any reason and circumstance the person wishing to lodge a complaint not able to do so in writing, the Regulator must give reasonable assistance to the person.

PAIA Complaints

A requester or third party may only submit a complaint to the Regulator after that requester or third party has exhausted the internal appeal procedure against a decision of the Information Officer of a public body or head of private body.

Should your PAIA request be denied or there is no response from public or private bodies for access to records, a complaint to the Regulator must be made in writing. Should for any reason and circumstance the person wishing to lodge a complaint is not able to do so in writing, the Regulator must give reasonable assistance to the person.

You may use and complete the prescribed [PAIA form 5](#) which is available at (<https://infoeregulator.org.za/complaints/>) and send it to PAIAComplaints@infoeregulator.org.za.

The Regulator after receipt of a complaint may either investigate the complaint in the prescribed manner or refer the complaint to the Enforcement Committee. it may also decide to take no action on complaint if the case requires no further action.

The Regulator must also as soon as reasonably possible after receipt of a complaint, advise the complainant and information officer or head of a private body to whom the complaint relates on the course of action that the Regulator proposes.

Should your PAIA request be denied or there is no response from a public or private bodies for access to records you may use complete the prescribed form and send it to PAIAComplaints@infoeregulator.org.za

Availability of this Manual

A copy of this Manual is available for inspection free of charge at our Head Office (which is our place of business) within normal working hours and on our website. Fees may be charged for copies. The Manual is also available to the Information Regulator by email upon request.

Signed on this 27th day of September 2024



Information Officer
ICTS GROUP OF COMPANIES