

**PAIA and PoPIA MANUAL**

**OF**

**EUROP ASSISTANCE WORLDWIDE SERVICES  
(SOUTH AFRICA) PTY LTD ("EASA")  
IN TERMS OF THE PROMOTION OF ACCESS TO  
INFORMATION ACT, 2000 ("the Act")**

**VERSION 2**

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Prepared in accordance with Section 51 of the Promotion of Access to Information Act, 2000  
and requirements of the Protection of Personal Information Act, 2013.

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ANNEXURE A: Request for Information Form

## **1 THE ACT**

The Promotion of Access to Information Act, 2000 (“PAIA”) gives effect to section 32 of the Constitution, which provides that everyone has the right to access information held by the State, as well as information held by another person (or private body) when such privately held information is required to exercise a right or to protect a right.

PAIA, provides that a person requesting information must be given access to any record of a private body, if that record is required for the exercise or the protection of a right. However, such request has to comply with the procedural requirements laid down by the Act.

## **2 COMPANY INFORMATION AND CONTACT DETAILS OF THE INFORMATION OFFICER**

Europ Assistance Worldwide Services (South Africa) (Proprietary) Limited (“EASA”) is a private company and Authorised Financial Services Provider (FSP 5001) that provides value added services and financial services. EASA employs approximately 500 employees.

EASA’s Executive Head of IT has been duly appointed as Information Officer by the Head of EASA, to act as the person to whom requests for access to information must be made in terms of the Act.

### **CONTACT DETAILS**

**Name of body:** Europ Assistance Worldwide Services (South Africa) (Pty) Ltd

**Head of body:** Bobby (Fhatuwani Muananyi) Ramagwede (CEO)

**Information Officer:** Dries Van der Walt (Executive Head of IT)

**Postal address:** Private Bag X20  
Weltevredenpark  
1715  
South Africa

**Physical address:** Valley View Office Park,  
680 Joseph Lister Street  
Constantia Kloof  
Ext 31  
South Africa

**Tel:** +27 11 991 8000/9000

**E-mail:** [compliance@europassistance.co.za](mailto:compliance@europassistance.co.za)

**Website:** [www.europassistance.co.za](http://www.europassistance.co.za)

### **3 THE GUIDE**

The PAIA guide is available in all official South African languages at no cost, and any person may request a copy of the guide. A copy of the guide may be obtained by contacting the South African Human Rights Commission at:

The South African Human Rights Commission  
PAIA Unit - The Research and Documentation Department  
Private Bag X2700  
Houghton  
2041

Telephone: +27 11 877 3600

Facsimile: +27 11 403 0625

Website: [www.sahrc.org.za](http://www.sahrc.org.za)

## **4 APPLICABLE LEGISLATION**

Where applicable to EASA's operations, information is available in accordance with the following legislation, including but not limited to:

- Arbitration Act 42 of 1965
- Basic Conditions of Employment Act 75 of 1997
- Broad Based Black Economic Empowerment Act 53 of 2003
- Companies Act 71 of 2008 (As amended)
- Copyright Act 98 of 1978
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Consumer Protection Act 68 of 2008
- Currency and Exchanges Act 9 of 1933
- Debt Collectors Act 114 of 1998
- Electronic Communications and Transactions Act 25 of 2002
- Employment Equity Act 55 of 1998
- Financial Advisory and Intermediary Services Act 37 of 2002 (as amended)
- Financial Intelligence Centre Act 38 of 2001
- Income Tax Act 95 of 1967
- Insolvency Act 24 of 1936
- Intellectual Property Laws Amendment Act 38 of 1997
- Labour Relations Act 66 of 1995
- National Credit Act 34 of 2005
- Pension Funds Act 24 of 1956
- Prevention of Organised Crime Act 121 of 1998
- Promotion of Access of Information Act 2 of 2000
- Short Term Insurance Act 53 of 1998
- Trade Marks Act 194 of 1993
- Unemployment Insurance Act 30 of 1996

- Value Added Tax Act 89 of 1991

## **5 ACCESS TO RECORDS HELD BY EASA**

### **5.1. SUBJECTS AND CATEGORIES OF RECORDS HELD BY EASA**

The inclusion of any subject or category of records should not be taken as an indication that records falling within those subjects and/or categories will be made available under the Act. In particular, certain grounds of refusal as set out in the Act may be applicable to a request for such records.

- Statutory Company Information
  - The Memorandum and Articles of Association
  - Memorandum of Incorporation
  - Certificate of Incorporation
  - Records of all subsidiary companies
  - The shares register of EASA.
  - Shareholders' agreements of EASA.
  - Minutes of general meetings of the shareholders of EASA.
  - Register or list of directors of EASA.
  - Minute books and internal resolutions of EASA.
  - Power of attorney agreements and a list of persons authorised to bind EASA.
  - Statutory registers of EASA, including a register of bonds and pledges, and a register of directors' interests in contracts.
- Financial and Tax Records of EASA
  - Accounting records, books and documents of EASA.
  - Interim and annual financial reports of EASA.
  - Details of auditors of EASA.

- External auditors' reports in respect of audits conducted on EASA.
- Details of actuaries of the pension scheme utilised by EASA.
- Tax returns of EASA.
- PAYE records
- Skills Development Levies records
- Other documents and agreements relating to taxation.
  
- Banking Details of EASA
  - Bank facilities and account details.
  - Bank statements.
  - Guarantees given by, or in respect of, EASA.
  
- Human Resources / Employment Records
  - List of employees.
  - Contracts of employment with directors, officers and employees of EASA.
  - Expenditure or reimbursement agreements with directors of EASA.
  - Documents relating to employee benefits.
  - Compensation or redundancy payments.
  - Documents and information in respect of the EASA share incentive scheme or trust.
  - Personnel files.
  - Employee code of conduct.
  - Employment equity plan of EASA.
  - Procedural agreements and policies of EASA.
  - Disciplinary records and documentation pertaining to disciplinary proceedings.
  - CCMA records
  - Training manuals.

- Other information relating to employees of EASA.
- Confidentiality agreements
  
- Intellectual Property
  - Trade-marks, patents, copyrights, designs held by EASA.
  - Licences relating to intellectual property rights.
  - Other agreements relating to intellectual property rights.
  
- Permits
  - Licences, material permits, consents, approvals, authorisations and certificates.
  - Applications for permits and licences.
  - Registrations and declarations of permits.
  
- Insurance Records
  - Insurance policies taken out for the benefit of EASA and its employees.
  - Claims records
  
- Immovable and Movable Property
  - Title deeds of land owned by EASA.
  - Agreements for the lease or sale of land and/or other immovable property by EASA.
  - Agreements for the lease or sale of movable property by EASA.
  - Mortgage bonds, liens, notarial bonds or security interests on property.
  - Other agreements for the purchase, ordinary sale, conditional sale, or hire of assets.
  
- Information Technology
  - Computer software support and maintenance agreements.



- Web site development, support and maintenance agreements.
- Computer software licence agreements.
- Agreements in respect of computer hardware used by EASA.
- Agreements with Internet Service Providers, and other telecommunications entities.
- Leased line agreements.
- Other documentation pertaining to computer systems and computer programs held by EASA.
- Individual contracts in respect of usage of cellular telephones.
- SITA agreements.
  
- Specific Agreements Relating to the Business Activities of EASA
  - Indemnity, confidentiality and non-disclosure agreements.
  - Regulatory agreements.
  - Agreements relating to transactions.
  - Presentations to clients.
  - Research information.
  
- Policy Documents
  - Corporate governance.
  - Ethics policy.
  - Environmental policy.
  
- Miscellaneous agreements of EASA
  - Loans from third parties (including banks).
  - Loans to third parties.
  - Suretyship agreements.
  - Agreements restricting the trading activities of EASA.
  - Agency, management and distribution agreements.
  - Royalty agreements.

- Agreements in terms of which EASA is a member of a joint venture, consortium, partnership, incorporated or unincorporated association, and shareholders' agreements of another entity which EASA is a party to.
- Any other agreements.
  
- Correspondence
  - Correspondence of EASA, including internal and external memoranda.
  
- Information Relating to Legal proceedings
  - Records relating to legal proceedings involving EASA.
  - Records relating to arbitration matters involving EASA
  
- Overseas Interests and Investments
  - Agreements with foreign entities.
  
- Records pertaining to clients of EASA
  - Agreements with clients of EASA.
  - Service Level Agreements
  - Agency Agreements.
  - Business strategies
  - Budgets
  - Creative (artwork)
  - Signed Cost Estimates
  - Organograms
  - Contact lists
  - Brand/Corporate Identity documents
  - Contact/Status Reports
  - Agenda's and minutes of meetings
  - Marketing plans

- Sales results
- Dealer letters/sheets
- Client briefs
- Client access card lists
- Media schedules/chase lists
- Client E-mails
- Faxes to and from Client
- ASA Complaints and outcomes
- Birthday lists
- Client's supplier lists
- Sponsorship plans
- Image library
- Lists of Purchase Order numbers
- Legal clauses
- Sponsorship sports library

## **5.2. THE REQUEST PROCEDURE AND FEES**

- The requester must use the prescribed form (Annexure A) to make the request for access to a record. This must be made to the Information Officer of EASA (refer to Clause 2). This request must be made to the address or electronic mail address of the Information Officer of EASA.
- The requester must provide sufficient detail on the request form to enable the Information Officer to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also indicate if he or she wishes to be informed in any other manner and state the necessary particulars to be so informed.
- The requester must identify the right that he or she is seeking to exercise or protect and provide an explanation as to why the requested record is required for the exercise or protection of that right.

- If a request is made on behalf of a person, the requester must submit proof of the capacity in which the requester is making the request to the satisfaction of the Information Officer.
- The Information Officer must notify the requester (other than a personal requester) by notice, requiring the requester to pay the fee of R50 before further processing the request. A personal requester does not pay such fee.
- The requester may lodge an internal appeal or an application to the court against the tender or payment of the request fee.
- The Information Officer will then make a decision on the request and notify the requester in the required form.
- If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that had exceeded the prescribed hours to search and prepare the record for disclosure.

## 6 AVAILABILITY OF THE MANUAL

The manual is available for inspection at the offices of EASA at no cost and on the EASA website - [www.europassistance.co.za](http://www.europassistance.co.za). Copies are also available with the SAHRC.

## 7 PRESCRIBED FEES

The applicable fees are prescribed in terms of the Regulations promulgated under the Act. There are two types of fees payable:

- **Request fee:** A non-refundable request fee of R50 (excluding VAT) is payable on submission of any request for access to any record. This does not apply if the request is for personal records of the person requesting – in this instance no fee is payable.

- **Access fee:** An access fee is payable prior to being granted access to the records in the form required. These fees are prescribed in Part III of Annexure A as defined in Government gazette Notice No. 187, Regulation 11.

## **8 GROUNDS FOR REFUSAL TO ACCESS RECORDS**

The Promotion of Access to Information Act provides several grounds on which a request for access to information must be refused. These grounds mainly concern instances where the privacy and interests of other individuals are protected, where such records are already otherwise publicly available, where public interests are not served, the mandatory protection of commercial information of a third party, and the mandatory protection of certain confidential information of a third party. A complete list of the grounds for refusal is available in Chapter 4 of the Act.

## **9 PROTECTION OF PERSONAL INFORMATION ACT (POPIA)**

### **Purpose of processing:**

- Rendering service according to instructions given by clients
- Provision of value added services
- Provision of financial services and advice
- Maintain our accounts and records
- Support and manage our employees
- Use of CCTV systems to prevent and detect crime
- Assessment and processing of claims
- Fraud prevention & detection
- Market research and statistical analysis
- Compliance with legal and regulatory requirements
- Verifying identity

**Categories of data subjects:**

- Shareholders
- Board members
- Directors
- Employees
- Consultants
- Complainants & enquirers
- Trustees
- Employers and employees of other organisations
- Subsidiary companies
- External companies / contractors
- Suppliers and service providers
- Clients and their members / policyholders / subscribers
- Individuals captured by CCTV images / video
- Individuals who have indicated an interest in our products / services

**Types / classes of information processed:**

- Personal details
- Lifestyle and social circumstances
- Business activities
- Goods / services provided
- Personal views / preferences
- Family details
- Education & employment details
- Visual images of individuals captured on CCTV
- Financial details

**Types / classes of special information processed:**

- Racial / ethnic origin
- Trade union membership

- Offences / alleged offences
- Religious or other beliefs
- Physical / mental health details
- Criminal proceedings, outcomes & sentences
- Health data (when processing medical claims)

**Who the information may be shared with:**

We sometimes need to share the personal information we process with the individual themselves and/or with other organisations. Where this is necessary we are required to comply with all aspects of the Protection of Personal Information Act. What follows is a description of the types of organisations we may need to share some of the personal information we process with for one or more reasons. Where necessary or required we share information with:

- Family, associates and representatives of the person whose personal information we are processing
- Employment and recruitment agencies
- Financial organisations
- Credit reference agencies
- Healthcare, social and welfare organisations
- Healthcare professionals
- Central government
- Police / courts where necessary
- Business associates
- Claimants / beneficiaries
- Persons making an enquiry / complaint
- Private investigators
- Educators and examining bodies
- Claims investigators
- Suppliers and service providers
- Industry bodies

- Ombudsman and regulatory authorities
- Debt collection and tracing agencies
- Other companies within the Europ Assistance group
- Auditors
- Pension fund administrators
- Trade unions
- Security organisations

**Trans-border / cross border flows of personal information:**

Europ Assistance may from time to time need to share personal information of data subjects with third parties in other countries. We are required to ensure that when we need to do this we comply with the Protection of Personal Information Act. This will only be done if one of the following requirements are met:

- 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—
  - 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 the Protection of Personal Information Act; and
  - 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;
- the data subject consents to the transfer;
- the transfer is necessary for the performance of a contract between the data subject and the company in question, or for the implementation of pre-contractual measures taken in response to the data subject's request;





- 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
- the transfer is for the benefit of the data subject, and—
  - it is not reasonably practicable to obtain the consent of the data subject to that transfer; and
  - if it were reasonably practicable to obtain such consent, the data subject would be likely to give it.

Transborder sharing of information may be necessary where services need to be arranged for an individual in another country.

### **General**

Europ Assistance has a comprehensive Data Management Framework in place in order to comply with POPIA and ensure that the best efforts are employed to ensure the protection of personal information. The Company employs up to date technology to ensure the confidentiality, integrity and availability of the Personal Information under its care.



REQUEST FOR INFORMATION FORM

**1. PARTICULARS OF PERSON REQUESTING ACCESS TO INFORMATION**

Full Names & Surname: \_\_\_\_\_  
Identification Number: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
E-Mail Address: \_\_\_\_\_  
Postal Address: \_\_\_\_\_  
\_\_\_\_\_ Code: \_\_\_\_\_

**2. PARTICULARS OF PERSON ON WHOSE BEHALF THE REQUEST IS MADE**

Only complete this section if a request for information is made on behalf of another person.

Full Names & Surname: \_\_\_\_\_  
Identification / Company Number: \_\_\_\_\_

**3. PARTICULARS OF REQUESTED INFORMATION**

Provide full particulars of the information to which access is requested. If the provided space is not sufficient, please continue on a separate page and attach it to this form. Any additional pages submitted must be signed.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**4. FORMAT IN WHICH INFORMATION IS REQUESTED**

Indicate the format in which the information requested is required. Please note that the request for access in the specified format may depend on the format in which the record is available and access in the requested format may be refused under certain circumstances.

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**5. RIGHT TO BE EXERCISED OR PROTECTED**

Indicate what right is to be exercised and/or protected and why the information is required to protect and/or to exercise this right.

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**6. NOTICE OF APPROVAL / REJECTION OF REQUEST**

You will be notified via e-mail and/or post whether your request has been approved or denied. If you wish to be informed in another manner, please specify the manner and provide the necessary details:

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Signed at: \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
Signature of person submitting the request