



# Access to Information Manual

(version 2 - September 2016)

Prepared in accordance with

Section 51 of

The Promotion of Access to Information Act No 2 of 2000

(PAIA)

For

**Macquarie Securities South Africa Ltd**

(Registration Number 2006/023546/07)

(Macquarie)

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## Introduction

Macquarie respects your right of access to information. This document will help you exercise that right as required by section 51 of the Promotion to Access of Information Act 2 of 2000 (PAIA). The purpose of this manual is to help you request access our information and any other information that we have. PAIA requires us to make it available to you so that you:

- know what types of information we have; and
- can request access to it.

## Company Overview

Macquarie Securities South Africa Ltd is a public company incorporated under the laws of South Africa that carries on the business of offering equity derivative products from the Macquarie Group franchise to South African clients.

## Part I: Contact details

(Information required under Section 51(1)(a) of PAIA)

Name of body:	Macquarie Securities South Africa Ltd
Registration number:	2006/023546/07
Physical address:	2nd floor, North Wing, Great Westerford 240 Main Road Rondebosch 7700
Postal address:	PO Box 50525 Waterfront 8002
Information officer:	Graham Crawford
Information officer email:	graham.crawford@macquarie.com
Telephone no:	+27 21 813 2600
Fax no:	+27 21 813 2850
Website:	<a href="http://www.macquarie.com/za/corporate">http://www.macquarie.com/za/corporate</a>

## Part II: Section 10 Guide on how to use PAIA

(Information required under Section 51(1)(b) of PAIA)

The South African Human Rights Commission (SAHRC) has compiled a guide to PAIA, which you can access at <http://www.sahrc.org.za/home/21/files/Section%2010%20guide%202014.pdf>. Any queries should be directed to:

### The South African Human Rights Commission:

Physical address:	Braampark Forum 3 33 Hoofd Street Braamfontein Johannesburg 2041
Postal address:	Private Bag X2700 Houghton 2041
Telephone:	+27 11 877 3825
Website:	<a href="http://www.sahrc.org.za/index.php/understanding-paia">http://www.sahrc.org.za/index.php/understanding-paia</a>

### Part III: Records we hold

(Information required under Section 51(1)(d) and (c) of PAIA)

We hold records for the purposes of PAIA in terms of but not limited to the following main laws:

- Basic Conditions of Employment 1962;
- Companies Act No. 71 of 2008;
- Compensation for Occupational Injuries and Disease Act 130 of 1993;
- Employment Equity Act No. 55 of 1998;
- Exchange Control Regulations, 1961;
- Financial Advisory and Intermediary Services Act No 37 of 2002.
- Financial Intelligence Centre Act No 28 of 2011
- Income Tax Act 58 of and Safety Act No. 85 of 1993;
- Johannesburg Securities Exchange Rules;
- Labour Relations Act No. 66 of 1995;
- Occupational Health Act No. 75 of 1997;
- Protection of Personal Information Act 4 of 2013;
- Skills Development Levies Act 9 of 1999;
- Unemployment Insurance Act 63 of 2001; and
- Value-Added Tax Act No. 89 of 1991;

The above records that are of a public nature, are available automatically without a person having to request access thereto in terms of PAIA, as envisaged in Section 52 of PAIA.

The records kept according to the above main laws (that are not of a public nature) are not freely available to any requester but only to those specifically entitled to said records in terms of the legislation. Should a requester wish to access any of the records that apply to these laws, a request must be made in accordance with the procedure set out in Part V below. Each request will be evaluated according to the requirements set out in PAIA and the applicable laws.

For the purposes of this manual and PAIA, we hold the following subjects and categories of records:

#### **Corporate records**

Records relating to the commercial, financial and professional interests of Macquarie including but not limited to its client data base, fee structures, commercial contracts with third parties and its business plans, systems and procedures.

#### **Personnel records**

Records of personal information of present, past and prospective employees and directors of Macquarie.

#### **Client records**

Records of clients of Macquarie containing personal information, commercial and financial information, information pertaining to contemplated, existing and past litigation, information on agreements, proposals and intellectual and other property of such clients.

Please note that not all requests for access to records would be honoured. All requests will be evaluated in accordance with the provisions of PAIA.

## Part IV: The Request Procedure

(Information required under Section 51(1)(e) of PAIA)

### **Form of Request**

We have authorised and designated our information officer to deal with all matters relating to PAIA in order to comply with our obligations in terms of PAIA. To request access to a record, please complete the prescribed form to make the request for access to a record of Macquarie. The form can be found in **Schedule 1** of this manual.

The request must be made to our information officer indicated in Part I of the manual and must be made to the address, fax number or electronic mail address of Macquarie.

You must provide sufficient detail on the request form to enable our information officer to identify you and the relevant requested record. You should also indicate which form of access you require and specify a postal address or fax number in South Africa. You should also indicate if, in addition to a written reply, any other manner is to be used to inform you, and state the necessary particulars to be so informed.

You must identify the right that is sought to be exercised or protected and provide an explanation of why the requested record is required for the exercise or protection of the right.

If a request is made on behalf of another person, you must submit proof of the capacity in which you are making the request to the satisfaction of our information officer.

### **Fees**

If you seek access to a record containing your personal information, you are not required to pay the request fee. Every other requester who is not a personal requester, must pay the required request fee.

Our information officer will give you notice, requiring you to pay the prescribed request fee (if any) before processing the request further.

The fee you must pay is R50. You may lodge an application to the court against the tender or payment of the request fee.

After our information officer has made a decision on the request, you will be notified in the required form.

If the request is granted then a further access fee must be paid for reproduction, search, preparation, and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

A description of the fees can be accessed here: [http://www.sahrc.org.za/home/21/files/PAIA Notice on fees.pdf](http://www.sahrc.org.za/home/21/files/PAIA_Note_on_fees.pdf)

### **Grounds for refusal**

We may have to refuse you access to certain records in terms of PAIA to protect:

- someone else's privacy;
- another company's commercial information;
- someone else's confidential information;
- the safety of individuals and property;
- records privileged from production in legal proceedings; or
- research information.

We will notify you in writing whether your request has been approved or denied within 30 calendar days after we have received a completed request for access form. If we cannot find any requested record or it

does not exist, then we will use an affidavit to notify you that it is not possible to give you access to that particular record.

We will evaluate and consider all requests to us in terms of PAIA. If we approve the request for access to our records, then we will decide how to provide access to you – unless you have asked for access in a specific form. Publication of this manual does not give rise to any rights to access information records, except in terms of PAIA.

## **Part V: Personal Information**

We process the personal information of various categories of people for various purposes as set out in the terms of Macquarie Privacy Policy at <http://www.macquarie.com/za/about/disclosures/privacy-and-cookies>.

## **Part VI: Other Prescribed Information**

(Other information as may be prescribed under Section 51(1)(f) of PAIA)

The Minister of Justice and Correctional Services has not made any regulations in this regard.

## **Part VII: Availability of this Manual**

(Availability of manual under Section 51(3) of PAIA)

A copy of this manual is available for inspection by the general public upon request, during office hours and free of charge at the office of Macquarie, and on our website at <http://www.macquarie.com/za/corporate>. You can request a copy from the South African Human Rights Commission.



GRAHAM CRAWFORD

# Schedule 1

## REQUEST FOR ACCESS TO A RECORD OF

### **Macquarie Securities South Africa Ltd**

(Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))

#### **[Regulation 10]**

#### **A. Particulars:**

Macquarie Securities South Africa Ltd  
**physical address:** 2nd floor, North Wing, Great Westford, 240 Main Road, Rondebosch 7700  
**Postal address:** PO Box 50525, Waterfront 8002  
**Telephone number:** +27 21 813 2600

Information Officer:                                  Graham Crawford

#### **B. Particulars of person requesting access to the record**

1. *The particulars of the person who requests access to the record must be given below.*
2. *Furnish an address or fax number in the Republic to which information must be sent.*
3. *Proof of the capacity in which the request is made, if applicable, must be attached.*

Full names and surname: \_\_\_\_\_

Identity number: \_\_\_\_\_

Postal address: \_\_\_\_\_  
\_\_\_\_\_

Fax number: \_\_\_\_\_

Contact telephone number: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Capacity in which request is made, when made on behalf of another person: (attach proof of capacity, power of attorney, resolution, etc.)  
\_\_\_\_\_

#### **C. Particulars of person on whose behalf request is made**

*This section must only be completed if a request for information is made on behalf of another person.*

Full names and surname: \_\_\_\_\_

Identity number: \_\_\_\_\_

#### **D. Particulars of record**

1. *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.

2. If the space provided for is not sufficient to complete this section, please continue on a separate folio and attach it to this form. **The requester must sign all the additional folios.**

1. Description of record or relevant part of the record:

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2. Reference number, if available: \_\_\_\_\_

3. Any further particulars of record:

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#### E. Fees

1. A request for access to the record will only be processed after a request fee has been paid, unless you are exempted from paying such fee.
2. You will be notified of the amount required to be paid as the request fee.
3. The fee payable for access to the record depends on the form in which access is required.
4. If you believe that you qualify for exemption of the payment of the prescribed fee, please state the reason for your belief.

Reason for exemption from payment of fees:

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#### F. Form of access to record

Mark the appropriate box with an "X".

NOTES:

1. Your indication as to the required form of access depends on the form in which the record is available.
2. Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
3. The fee payable for access to the record, if any, will partly be determined by the form in which access is requested.

- |    |  |                          |  |
|----|--|--------------------------|--|
| 1. | <b>If the record is in written or printed form -</b>   |                          |  |
|    | copy of record   | <input type="checkbox"/> | inspection of record                                       |
| 2. | <b>If record consists of visual images</b> – this includes photographs, slides, video recordings, computer generated images, sketches, etc.) |                          |  |
|    | view the images  | <input type="checkbox"/> | copy the images* <input type="checkbox"/>                  |
|    |  |                          | transcription of the images* <input type="checkbox"/>      |
| 3. | <b>If record consists of recorded words or information which can be reproduced in sound -</b>  |                          |  |
|    | listen to the soundtrack<br>(audio cassette)   | <input type="checkbox"/> | transcription of soundtrack* (written or printed document) |

4. <b>If record is held on computer or in an electronic or machine-readable form -</b>		
printed copy of record*	printed copy of information derived from the record*	copy in computer readable form* (stiffy or compact disk)

Mark your choice below. **REMEMBER:** If you require a record to be posted to you, you will have to pay a postal fee.

\*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? 

YES	NO
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**G. Particulars of right to be exercised or protected**

*If the space provided for is insufficient to complete this section, please continue on a separate folio and attach it to this form. **The requester must sign all the additional folios.***

1. Indicate which right is to be exercised or protected:

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2. Explain why the requested record is required for the exercising or protection of the aforementioned right:

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**H. Notice of decision regarding request for access**

*You will be notified in writing whether your request has been approved. If you wish to be informed thereof in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.*

How will you be informed of the decision regarding your request for access to the record?

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

\_\_\_\_\_  
SIGNATURE OF REQUESTER/PERSON  
ON WHOSE BEHALF REQUEST IS MADE