

Capitec PAIA Manual



Purpose

Capitec is a private body as defined in PAIA and has compiled this Capitec PAIA Manual in compliance with the requirements of PAIA and POPIA. This manual is intended to foster a culture of transparency and accountability, in support of and to promote a society in which the people of South Africa have effective access to information to enable them to exercise and protect their rights

Read along with this content

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[PAIA Manual - Addendum A](#)
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[Privacy Notice | Privacy Centre | Capitec Bank](#)
[Exercise Your POPIA Rights | Privacy Centre \(capitecbank.co.za\)](https://capitecbank.co.za)

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Information Technology Governance Risk and Compliance Committee (IT GRC)

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1. Introduction

- 1.1 Capitec Bank Holdings Limited ("Capitec") is a public company listed on the Johannesburg Stock Exchange. Capitec is committed to the Constitution of the Republic of South Africa ("Constitution") and strives to ensure that the rights of all enshrined in the Bill of Rights are protected and respected. Section 32 of the Constitution affords everyone the right to access any information that is held by another person and is required for the protection or exercise of any rights. The Promotion of Access to Information Act 2 of 2000 (PAIA) gives effect to the constitutional right to access to information. In terms of section 51 of PAIA and section 17 of the Protection of Personal Information Act 4 of 2013 (POPIA); a private body is required to compile a manual documenting all processing operations under its responsibility.
- 1.2 Capitec is a private body as defined in PAIA and has compiled this Capitec PAIA Manual in compliance with the requirements of PAIA and POPIA. This manual is intended to foster a culture of transparency and accountability, in support of and to promote a society in which the people of South Africa have effective access to information to enable them to exercise and protect their rights.
- 1.3 This manual applies to Capitec and all of its affiliates.

2. Purpose of this Information Manual

This Manual is intended to provide an outline of the types of records and the personal information held by Capitec and sets out the procedure to request access to these records and personal information, the requirements to meet such requests, as well as the grounds for refusal or partial refusal of such request by Capitec.

3. Contact Details

All requests for access to records in terms of PAIA must be in writing and must be addressed to the contact details below:

3.1 The Information Officer and Deputy Information Officers

The Information Officer and Deputy Information Officers may be contacted at the details below.

| | |
|-------------------------|--|
| Postal Address | P O Box 12451, Die Boord, Stellenbosch, 7613 |
| Physical Address | 5 Neutron Road, Techno Park, Stellenbosch, 7600 |
| Telephone Number | (021) 809 5900 |
| Fax | (021) 880 1130 |
| E-mail | InformationOfficer@capitecbank.co.za |

| | |
|----------------|---|
| Website | https://www.capitecbank.co.za/ |
|----------------|---|

3.2 General Information

| | |
|-----------------------------|--|
| Name of Private Body | Capitec Bank Holdings Limited |
| Postal Address | P O Box 12451, Die Boord, Stellenbosch, 7613 |
| Physical Address | 5 Neutron Road, Techno Park, Stellenbosch, 7600 |
| Tel | (021) 809 5900 |
| Fax | (021) 880 1130 |
| E-mail | InformationOfficer@capitecbank.co.za |

4. The Information Regulator's Guidance on PAIA Usage

The Information Regulator has compiled a **PAIA Guide** as per Section 10 of PAIA to assist with the understanding and how to exercise your rights under PAIA. A copy of the Guide in all official languages can be obtained from the Information Regulator [PAIA Guidelines - Information Regulator \(info regulator.org.za\)](http://info regulator.org.za) link.

| | |
|----------------------------|--|
| Visit their website | Home - Information Regulator (info regulator.org.za) |
| Postal address | P.O Box 3153, Braamfontein, Johannesburg, 2017 |
| Physical address | The Information Regulator (South Africa) JD House 27 Stiemens Street Braamfontein Johannesburg 2001 |
| Phone number | 010 023 5200 |
| Email | enquiries@info regulator.org.za - to request the guide PAIAComplaints@info regulator.org.za - should your PAIA request be denied or there is no response from Capitec for access to records you may use this email address to lodge a complaint. |

5. Categories of Records of Capitec which are Publicly Available or can be Requested Outside of PAIA

| Category of records | Types of the Record | Available on Website | Available upon request (not under PAIA) |
|---------------------|---|----------------------|---|
| Marketing | Product flyers (global one, credit, save, transact, insurance, transactional fees flyers; | √ | |

| Category of records | Types of the Record | Available on Website | Available upon request (not under PAIA) |
|------------------------------------|---|----------------------|---|
| | Financial Education Articles) | | |
| Client | Forms and documents (debit orders, foreign exchange, CSI documents, various credit insurance forms, funeral plans documents, general, financial health, send cash, mobile banking, FOREX: once off Integrated Balance of Payment form & Standing Instruction and Indemnity Form; Exchange Control Application Form; Exchange Control Fee Brochure) | √ | |
| | Forms and documents (Credit Insurance Cession Form) | | √ |
| | Policy (Conflict of Interest Management Policy re FAIS; Privacy Policy) | √ | |
| | Guideline (On how to receive international payments) | √ | |
| Third Parties | PAIA Manual | √ | |
| | Supplier Code of Conduct | √ | |
| Corporate Social Investment | CSI (information and application documents) | | √ (info@capitecfoundation.org) |
| Legislative | Basic Conditions of Employment Act; Employment Equity Act; Financial Advisory and Intermediary Services Act; Occupational Health and Safety Act | | √ |
| Corporate Financial | Capitec Bank Holdings Limited Unaudited Financial Results along with annual reports | √ | |
| Media Releases | Various Capitec Media Articles | √ | |
| Capitec Connect Product | End User Charter, Code of Conduct | √ | |
| Certificates | NCR Credit Provider Registration Certificate; Financial Service Provider Registration Certificate (FSB); Occupancy certificate | | √ |

6. Records Available in Accordance with any other Legislation

A description of the records of Capitec which are available in accordance with other legislation, is annexed hereto marked PAIA Manual - Addendum A. These categories of records are not exhaustive and are subject to change. If you ask for access to these records, we do not automatically grant your request, but we will evaluate it in accordance with the provisions of PAIA, any other legal requirements and our policies.

7. Types of Records held per Capitec Subject

The table provided below indicates the Subjects on which the body holds records & Categories of records for Capitec.

| Subjects on which the body holds records | Categories of records |
|--|---|
| Employee Records | Personal records provided by permanent, temporary and part-time employees or prospective employees, contractors; Records provided by a third party relating to employees; Conditions of employment and other personnel-related contractual and quasi-legal records; Internal evaluation records and other internal records; Correspondence relating to employees; Training schedules and material. |
| Client records | Records provided by a client to a third party acting for or on behalf of Capitec; Records provided by a third party; Records generated by or within Capitec pertaining to its clients, including transactional records. |
| Private body records | Financial records; Operational records; Databases; Information Technology; Marketing records; Internal correspondence; Product records; Statutory records; Internal Policies and Procedures; Treasury-related records; Securities and Equities; Records held by officials of Capitec. |
| Other records | Personnel, client or private body records which are held by another party, as opposed to the records held by Capitec itself; Records held by Capitec pertaining to other parties, including without limitation, financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about the contractors/suppliers. Capitec may possess records pertaining to other parties, including without limitation contractors, suppliers, subsidiary/holding/sister companies, joint venture companies, and service providers. Alternatively, such other parties may possess records that can be said to belong to Capitec. |

8. Categories of Records Automatically Available

All records related to a client's own relationship with Capitec are automatically available to the client or Requester in their own capacity, without having to request these records in terms of PAIA, on receipt of positive proof of identification from the Requester. These records include, amongst others, settlement letters, granting of credit (including account applications), insurance products held, terms and conditions, and statements of accounts or banking statements. These records may be requested by contacting Capitec Client Care or visiting a Capitec Branch. Details of contact can be found on: <https://www.capitecbank.co.za/contact-us/>

9. Processing of Personal Information

Capitec's declaration on the processing of personal information can be found in Capitec's Privacy Notice available through the Capitec Privacy Centre:

<https://www.capitecbank.co.za/privacy-centre/privacy-notice/>

Any request for information that forms part of a data subject exercising their rights in accordance with POPIA, will not be dealt with in accordance with PAIA. Refer to <https://www.capitecbank.co.za/privacy-centre/data-subject-servicing/> to log such a request.

10. Access to Records held by Capitec

- 10.1 Records held by Capitec may be accessed by requests only once the prerequisite requirements for access have been met.
- 10.2 A requester is any person making a request for access to information which Capitec is in possession of. There are two types of requesters: a personal requester and other requester.
 - 10.1.1 A personal requester is a requester who is seeking access to their own records and in their own capacity. Capitec will voluntarily provide the requested information or give access to any record with regard to the requester's information, on successful verification of the requester and according to the correct process, e.g. PAIA vs POPIA vs records automatically available.
 - 10.1.2 Other requesters are entitled to request access to information on third parties. Capitec is not obliged to voluntarily grant access. The requester must fulfil the prerequisite requirements for access in terms of PAIA. The prescribed fee for reproduction of the information requested will be charged.

11. Request Procedure

- 11.1 The requester must comply with all the procedural requirements contained in PAIA relating to the request for access to a record.

- 11.2 The requester must complete the prescribed form (Form 02) as found Information Regulator's website ([link](#)).
- 11.3 The completed form as well as payment of the request fee and a deposit, if applicable, must be sent to the Information Officer at the postal or physical address, fax number or electronic mail as provided in section 3 within this document.
- 11.4 The prescribed form must be filled in with enough particularity and the valid supporting legal & identity documents to at least enable the Information Officer to identify:
 - 11.4.1 The record or records requested
 - 11.4.2 The identity of the requester
 - 11.4.3 Where an agent is lodging the request, agent's identity and proof of capacity
 - 11.4.4 Which form of access is required if the request is granted
 - 11.4.5 The postal address or fax number of the requester
- 11.5 The requester must state that he/she require the information in order to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. In addition, the requester must clearly specify why the record is necessary to exercise or protect such a right.
- 11.6 Capitec will process the request within 30 days on successful verification of requestor or third party, unless the requestor has stated special reasons which would satisfy the Information Officer that circumstances dictate that the above time periods cannot be complied with.
- 11.7 The requester will be informed whether access is granted or denied. If, in addition, the requester requires the reasons for the decision, he/she must state the manner and the particulars so required.
- 11.8 If a request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the Information Officer.
- 11.9 If a requester is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally through Capitec Client Care, who may complete the form on the Requester's behalf whereafter a copy of the completed form will be provided to the Requester.
- 11.10 The requester must pay the prescribed fee before any processing can take place.

12. Grounds for refusal of access to records

PAIA chapter 4 provides circumstances under which a request for access to records may / must be refused by Capitec, including:

- 12.1 Mandatory protection of the privacy of a third party who is a natural person, who would involve the unreasonable disclosure of personal information of that natural person
- 12.2 Mandatory protection of the commercial information of a third party, if the record contains:

- 12.2.1 trade secrets of that third party
- 12.2.2 financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party
- 12.2.3 information disclosed in confidence by a third party to Capitec, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition
- 12.3 Mandatory protection of confidential information of third parties if it is protected in terms of any agreement
- 12.4 Mandatory protection of the safety of individuals and the protection of property
- 12.5 Mandatory protection of records which would be regarded as privileged in legal proceedings
- 12.6 The commercial activities of Capitec, which may include:
 - 12.6.1 trade secrets of Capitec
 - 12.6.2 financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of Capitec
 - 12.6.3 Information which, if disclosed could put Capitec at a disadvantage in negotiations or commercial competition
 - 12.6.4 a computer program which is owned by Capitec, and which is protected by copyright
 - 12.6.5 The research information of Capitec or a third party, if its disclosure would disclose the identity of Capitec, the researcher or the subject matter of the research and would place the research at a serious disadvantage

13. Remedies Available on Refusal of Request for Information

13.1 Internal remedies

Capitec does not have internal appeal procedures. The decision made by the Information Officer and / or the delegated Deputy Information Officers is final, and requesters will have to exercise such external remedies at their disposal if the request for information is refused, and the requester is not satisfied with the answer supplied.

13.2 External remedies

A requestor that is dissatisfied with the Information Officer's refusal to disclose information, may within 30 days of notification of the decision, apply to a Court for relief. Likewise, a third party dissatisfied with the Information Officer's decision to grant a request for information, may within 30 days of notification of the decision, apply to a Court for relief. For purposes of PAIA, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status.

14. Fees

The fees & the structure of the fees in Respect of Private Bodies is mentioned in the table below.

| Sr. No. | Description | Amount |
|---------|---|---|
| 1 | The request fee payable by every requester | R140.00 |
| 2 | Photocopy/printed black & white copy of A4-size page | R2.00 per page or part thereof. |
| 3 | Printed copy of A4-size page | R2.00 per page or part thereof. |
| 4 | For a copy in a computer-readable form on: | |
| | Flash drive (to be provided by requestor) | R40 |
| | Compact disc if provided by requestor | R40 |
| | Compact disc if provided to the requestor | R60 |
| 5 | For a transcription of visual images per A4-size page | Service to be outsourced. Will depend on quotation from Service provider. |
| 6 | Copy of visual images | Service to be outsourced. Will depend on quotation from Service provider. |
| 7 | Transcription of an audio record, per A4-size page | R24.00 |
| 8 | Copy of an audio record on: | |
| | Flash drive (to be provided by requestor) | R40 |
| | Compact disc if provided by requestor | R40 |
| | Compact disc if provided to the requestor | R60 |
| 9 | To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation | R145.00 |
| | To not exceed a total cost of | R435.00 |
| 10 | Deposit: If search exceeds 6 hours | Deposit: If search exceeds 6 hours |
| 11 | Postage, e-mail or any other electronic transfer | Actual expense, if any." |

- 14.1. Please note the fees & the structure of the fees may change time to time and the latest information in that regards can be found at the (Info Regulator's website: <https://info regulator.org.za/information-regulator-paia-manuals/>).
- 14.2. The Information Officer and / or Deputy Information Officer will withhold a record until the requester has paid the required fees.

15. Decision

- 15.1 Capitec will, within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons, if required.
- 15.2 The 30 day period within which Capitec has to decide whether to grant or refuse the request, may be extended for a further period but not exceeding another 30 days, if the request is for vast amounts of information or the request requires a search for information held at another office of Capitec and the information cannot reasonably be obtained within the original 30 day period. Capitec will notify the requester in writing should an extension be required.

16. Availability of the Manual

- 16.1 A copy of the Manual is available on [Privacy Centre | Privacy Centre | Capitec Bank](#)
- 16.2 Head office of Capitec for public inspection during normal business hours;
- 16.3 This manual can be provided in an alternative official South African language upon request.

17. Appendix – Copy of Form 02

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)

E-mail address:

| |
|--|
| |
|--|

Fax number:

| |
|--|
| |
|--|

Mark with an "X"

☐

Request is made in my own name

☐

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 | | | |
| E-mail Address | | | |
| Contact Numbers | Tel. (B): | | Facsimile: |
| | Cellular: | | |
| Full names of person on whose behalf request is made (if applicable): | | | |
| Identity Number | | | |
| Postal Address | | | |

| | | | |
|--|----------|--|-----------|
| Street Address | | | |
| E-mail Address | | | |
| Contact Numbers | Tel. (B) | | Facsimile |
| | Cellular | | |
| <p align="center">PARTICULARS OF RECORD REQUESTED</p> <p><i>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.)</i></p> | | | |
| Description of record or relevant part of the record: | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| Reference number, if available | | | |
| Any further particulars of record | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| <p align="center">TYPE OF RECORD (Mark the applicable box with an "X")</p> | | | |
| 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 computer or in an electronic or machine-readable form) | |
| Written or printed transcription of virtual images (this includes 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) | <i>A request fee must be paid before the request will be considered.</i> |
| b) | <i>You will be notified of the amount of the access fee to be paid.</i> |
| c) | <i>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.</i> |
| d) | <i>If you qualify for exemption of the payment of any fee, please state the reason for exemption</i> |
| Reason | |
| | |
| | |

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

FOR OFFICIAL USE

| | |
|---|--|
| Reference number: | |
| Request received by: (State Rank, Name And Surname of Information Officer) | |
| Date received: | |
| Access fees: | |
| Deposit (if any): | |

Signature of Information Officer