



Colourfield Liability Solutions (Pty) Limited (Registration Number: 2006/011272/07)

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 “Colourfield” in this Manual that means Colourfield Liability Solutions (Pty) Ltd.

“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 Colourfield) 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 Colourfield (for some of its services).

Information Officer means the head of Colourfield. 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 Colourfield

Colourfield is a private body under PAIA. For some of its activities Colourfield is a responsible party and for others it is an operator under POPIA. Please see our website for more information about us.

Key contact details for access to information of Colourfield

Our Head (Chief Executive Officer) is: Mr Costa Economou

Our Information Officer can be contacted by using these details:

Our Information Officer is: Ms Tarri Gavson

Telephone number (during working hours): +2786 100 7656

E-mail address: tarri@colourfield.co.za

Postal Address: Unit 16b 3rd Floor, 3 Melrose Boulevard, Melrose Arch, Johannesburg, 2076

Street Address: Unit 16b 3rd Floor, 3 Melrose Boulevard, Melrose Arch, Johannesburg, 2076

Access to information general contact email: tarri@colourfield.co.za

Our Head Office:

Postal Address: Unit 16b 3rd Floor, 3 Melrose Boulevard, Melrose Arch, Johannesburg, 2076

Street Address: Unit 16b 3rd Floor, 3 Melrose Boulevard, Melrose Arch, Johannesburg, 2076

E-mail address: info@colourfield.co.za

Telephone number (during working hours): +27(0)861 007 656.

Website: www.colourfield.co.za

A 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 understand how to exercise your rights to information under PAIA. This Guide is available in all the South African official languages and in Braille.

The Guide is helpful and can assist you in making your request and understanding PAIA. 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: <https://www.justice.gov.za/infoereg/>.

Other relevant documents

We have a Data Protection Policy and a Privacy Notice, which are available for free in electronic format by email from our Information Officer. 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 Colourfield and its operations is available on its 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 Colourfield 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 & 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), membership numbers (for ASSA, CFA, Institute and Faculty of Actuaries). 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, actuarial; reports.
Newsletter distribution information: subscribers names and email addresses/ contact details.

Colourfield 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.

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 Colourfield hold records that may be accessed by certain persons?

Colourfield 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 Colourfield, this legislation creates certain rights to information by customers of Colourfield.
- Income Tax Act 58 of 1962- contains rights of the South African Revenue Service to information from Colourfield.
- 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://www.justice.gov.za/infoereg/>

The request must be made to the Information Officer using the contact details included above 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. Sometime 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) to that effect.

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 Colourfield 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. Please see the Guide referred to above for further information about your remedies.

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 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 Guide referred to above for further information about fees.

Protection of personal information

Colourfield processes personal information for the following purposes

We may use your personal information for one or more of the following purposes:

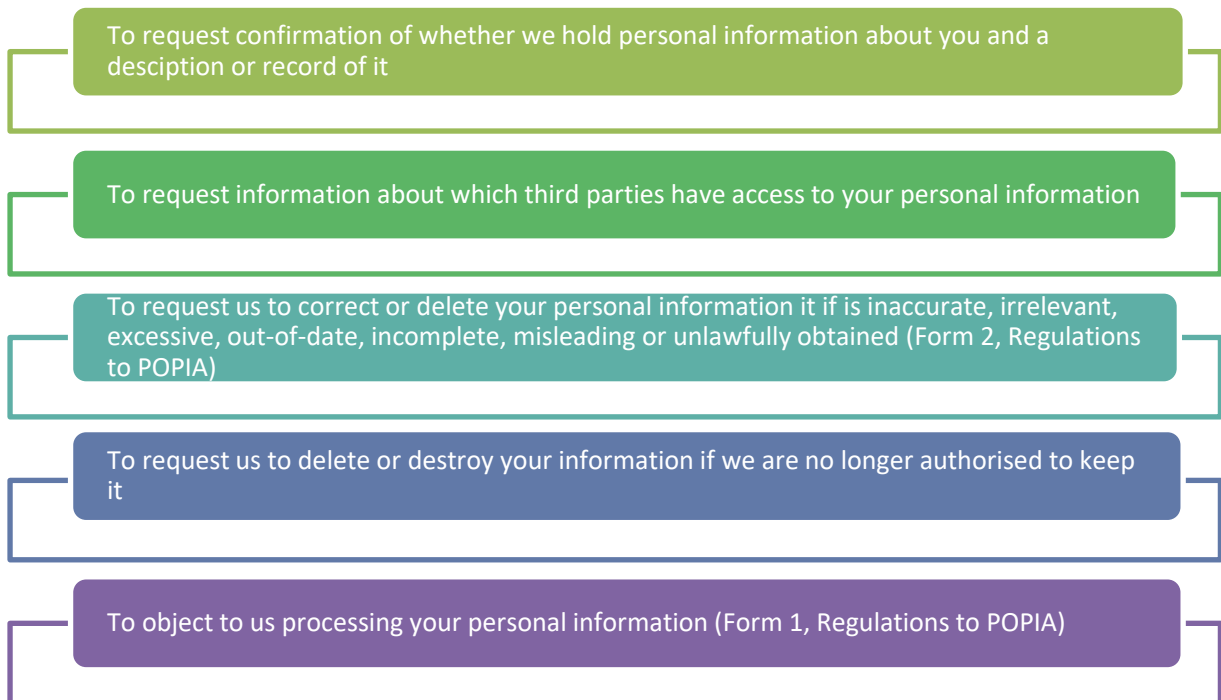
1. To run our business in an efficient and lawful way. This includes testing our systems, managing our financial position, business capability, planning, communications, corporate governance, and audit.
2. To allow Clients and prospective Clients to use our products and services.
3. To carry out our responsibilities resulting from any agreements clients have entered into with the company, including for:
 - Discretionary asset management services – including, but limited to, Liability Driven Investment (LDI) solutions for mainly institutional clients of the following types:
 - a. Defined benefit, post-retirement medical aid, beneficiary funds, and insurance solutions
 - b. Defined contribution – goals-based investment solutions for retirement funds
 - Equity “Smart Beta” investment fund
4. To assess client and prospective client applications and agreements for our products and services.
5. Set-up/ on-boarding of clients, including fraud, credit and anti-money laundering and sanctions checks (if applicable).
6. To draft and conclude Investment Management Agreements with clients.
7. General client care, including communicating with clients and reporting to clients. To provide newsletters to interested persons. Inform clients about changes to our services and products.
8. Marketing of the company’s products and services.
9. To understand complaints, requests and feedback on, as well as provide information about, our products and services.
10. To comply, assess compliance and report on compliance with our legal, regulatory and policy obligations, including disclosure and reporting requirements.
11. To monitor, administer and maintain IT systems (including back-up, storage, website, applications and file server) in order to ensure they operate efficiently, uphold standards of service and internal requirements and to protect against cyber threats or malicious activity including abuse and misuse.
12. To insure the company and manage company insurance claims.
13. To appoint, manage and pay our internally focused service and product providers.
14. To manage employee membership of a medical scheme (or other applicable employee benefits), including communication and taking advice from and liaison with brokers, insurers and medical schemes.
15. Ongoing management of payroll, employee benefits and human resources records of employees, learners, directors and shareholders.
16. To obtain and store FICA, fit and proper or KYC records.
17. To comply with transformation requirements, including information collection, monitoring, rating and reporting.
18. Recruitment: managing applications (including, in some cases, verifying qualifications, fit and proper checks and references with third parties) and contracting as well as to maintain consistent practices and procedures with respect to the recruitment process.
19. Reporting to management and the board.

20. To carry out market research and statistical analysis to help us to improve our processes, products and services.
To define our pricing strategies.
21. Defending or prosecuting legal claims or obtaining advice.
22. General risk modelling in order to evaluate risks and provide advice.
23. To keep our records up to date.
24. To protect our premises from unauthorised access or use, or any unlawful activity.
25. To protect against and maintain reports about Covid 19 or other illnesses.

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://www.justice.gov.za/inforeg/>

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 subject. 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 and prospective employees	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/objectable 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	Names, termination reasons, investment strategy type, 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
Learners	Learners: name, identity number, contact details, details on race and disabilities, contracting information and bank account details
Newsletter subscribers	Subscribers' names and contact details
Insurers	Bank account details, contact details
Members of institutional clients and their spouses/partners and children (Defined benefit, post-retirement medical aid, and insurance solutions)	Member number, date joined the fund, normal retirement age, date of birth, date of death (if applicable), gender, pension, actuarial Reserve, spouse name, spouse date of birth, child name, child date of birth/ identity number, dependant's name (includes children), dependant's pension amount.
Members of institutional clients (Managed Defined Contribution activities)	Membership number, date joined the fund, normal retirement age, date of birth, gender, salary, fund balance, investment portfolios, default indicator, net contribution rate towards retirement savings, additional voluntary contributions, Rand contributions over the period, additions/ withdrawals from fund balance over the period, date of exit for preserved members, disability category (sometimes)
Equity Smart Beta Fund investors	Names, contact details
Beneficiaries of beneficiary funds	Guardian details, deceased member name, children's ID number, children's date of birth, children's name, children's surname, children's fund credit

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

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 Colourfield.

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
Marketing/ advertising provider	Employees details, CV, photo
SARS	Employees remuneration details (if required)
Banks and Trading Line service providers, FSCA, Prospective Clients (due diligences), Brokers, Custodians	Employees and non-executive directors: IDs, academic information (e.g. certificates, transcripts), contact details (mobile numbers, proof of address), leave, credit and criminal checks, membership numbers (for ASSA, CFA, Institute and Faculty of Actuaries). Funds: name, registration number, address (FICA information), contact details, account details. Board members of the fund: FICA documents which includes name, DOB, physical address, contact numbers, IDs. Company: name, address, contact details. Trust details of main shareholders
Rating Agency	Transformation information of employees, directors and learners
FIC	Information required under FICA related to clients
FSCA, Prudential Authority, South African Reserve Bank, 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,
Our website and IT and application providers	Access to systems e.g. email, employee, director and client 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.

If you require more information about our security measures, please request this from our Information Officer who will provide you with the relevant policies by email or post (should you not have access to email).

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 our Data Protection Policy from our Information Officer.

Information Regulator's contact details

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

Information Officer and Chief Executive Officer: Mr. Mosalanyane Mosala

Contact Person: Ms. Pfano Nenweli

Email: PNenweli@justice.gov.za

Deputy Information Officer: Ms. Varsha Sewlal

Email: VarSewlal@justice.gov.za

Complaints to the Information Regulator (complete POPIA/PAIA form 5)

PAIAComplaints@inforegulator.org.za - should your PAIA request be denied or there is no response from Colourfield for access to records you can use this email address to lodge a complaint with the Information Regulator.

POPIAComplaints@inforegulator.org.za – should you feel that your personal information has been violated, you can use this e-mail address to lodge a complaint with the Information Regulator.

Physical address and postal address:

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

Physical address and postal address:
JD House, 27 Stiemens Street P.O. Box 31533
Braamfontein Braamfontein
Johannesburg Johannesburg
2001 2017

Telephone: 010 023 5200

Website: <https://www.justice.gov.za/inforeg/>

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 upon request.

Signed on this 26th day of October 2021



Tarri Gavson
Information Officer