

Rootstock Investment Management (Pty) Ltd

8 Helderberg Street, Stellenbosch
7600, South Africa
PO Box 722, Stellenbosch
7599, South Africa

T +27 (0)21 883 9256
E info@rootstockinvestments.co.za
www.rootstockinvestments.co.za



ROOTSTOCK INVESTMENT MANAGEMENT (PTY) LTD (the Company)
Registration number: 2008/013785/07

PAIA and POPI Manual

This manual was prepared in accordance with section 51 of the Promotion of Access to Information Act, 2000 (the "Act") and to address requirements of the Protection of Personal Information Act, 2013.

1. INTRODUCTION

The Promotion of Access to Information Act, 2000 (the Act) gives third parties the right to approach private bodies and the government to request information held by them, which is required in the exercise and/or protection of any rights. On request, the private body or government is obliged to release such information unless the Act expressly states that the records containing such information may or must not be released. This manual informs requestors of procedural and other requirements which a request must meet as prescribed by the Act.

1.1 Nature of Business

The company, Rootstock Investment Management (Pty) Ltd, conducts business as an asset manager managing Collective Investment Schemes in Securities in terms of the Collective Investment Schemes Control Act, 45 of 2002. The company is licensed as a Financial Service Provider (FSP) in terms of the Financial Advisory & Intermediary Service Act. The FSP licence number is 36572.

1.2 Contact Details

Name of body:	Rootstock Investment Management (Pty) Ltd
Head of body:	Johan Barkhuysen (CEO)
Information Officer:	Johan Barkhuysen
Physical Address:	8 on Helderberg Helderberg Street Stellenbosch 7600
Postal Address:	P.O. Box 722 Stellenbosch 7599
Telephone Number:	+27 21 883 9256
Email Address:	johan@rootstockinvestments.co.za

2. THE ACT

The Act grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.

Requests in terms of the Act shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.

Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission (SAHRC), which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC and can be obtained from their website.

The contact details of the SAHRC are:

Postal Address: Private Bag 2700
Houghton
2041

Telephone Number: +27 11 877 3600
Fax Number: +27 11 403 0625
Website: www.sahrc.org.za

3. ACCESS TO RECORDS HELD BY THE COMPANY

Records held by the Company may be accessed on request only once the requirements for access have been met. A requester is any person making a request for access to a record of the Company and in this regard, the Act distinguishes between two types of requesters:

Personal Requester

A personal requester is a requester who is seeking access to a record containing personal information about the requester. Subject to the provisions of the Act and applicable law, the Company will provide the requested information, or give access to any record regarding the requester's personal information. A requester who seeks access to a record containing personal information about that requester is not required to pay a request fee.

Other Requester

This requester (other than a personal requester) is entitled to request access to information pertaining to third parties. However, the Company is not obliged to grant access prior to the requester fulfilling the requirements for access in terms of the Act. The prescribed fee for reproduction of the information requested will be charged by the Company.

3.1 Request Procedure

A requester must comply with all the procedural requirements contained in the Act relating to a request for access to a record. A requester must complete the prescribed form and submit same as well as payment of a request fee and a deposit, if applicable, to the Information Officer at the postal address, physical address or electronic mail address stated herein. The prescribed form must be filled in with enough particularity to at least enable the information officer to identify:

- The record or records requested;
- The identity of the requester;
- What form of access is required; and
- The postal address or electronic mail address of the requester.

A requester must state that he or she requires the information to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. The requester must also provide an explanation of why the requested record is required for the exercise or protection of that right.

The Company will process a request within 30 days, unless the requestor has stated special reasons which would satisfy the Information Officer that circumstances dictate that this period not be complied with.

The requester shall be informed in writing whether access has been granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, he or she must state the manner and the particulars required. If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the Information Officer.

If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally to the Information Officer.

3.2 Decision

The Company will, within 30 days of receipt of a request, decide whether to grant or decline a request and give notice with reasons (if required) to that effect. The 30 day period within which the Company has to decide whether to grant or refuse a request, may be extended for a further period of not more than 30 days if the request is for a large quantity of information, or the request requires a search for information held at another office of the Company (other than the head office) and the information cannot reasonably be obtained within the original 30 day period. The Information Officer will notify the requester in writing should an extension be necessary.

3.3 Information requested about a third party

Section 71 of the Act makes provision for a request for information or records about a third party. As per the provisions of Chapter 5 of Part 3 of the Act the company is obliged, in certain circumstances, to advise third parties of requests lodged in respect of information applicable to or concerning such third parties. In addition, the provisions of Chapter 2 of Part 4 of the Act entitle third parties to dispute the decisions of the head of the company or the request liaison officer by referring the matter to the High Court.

3.4 Grounds for refusal

The main grounds for the refusal of a request for information relates to the mandatory protection of the privacy of a third party who is:

- a natural person, which would involve the unreasonable disclosure of personal information of that natural person;
- mandatory protection of the commercial information of a third party, if the record contains
 - trade secrets of that third party;
 - financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;
- information disclosed in confidence by a third party to the private body, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
- mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- mandatory protection of the safety of individuals and the protection of property;
- mandatory protection of records which would be regarded as privileged in legal proceedings;
- the commercial activities of Rootstock Investment Management (Pty) Ltd, which may include trade secrets of the private body;
- Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

4. PRESCRIBED FEES

The following applies to requests (other than personal requests):

- A requestor is required to pay the prescribed fees (R50.00 exclusive of VAT) before a request will be processed;
- If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);
- A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- Records may be withheld until the fees have been paid;
- The fees (exclusive of VAT) for reproduction of a record as referred to in section 52(3) are as follows:
 - for every photocopy of an A4 size page or part thereof R1,10;
 - for every printed copy of an A4-size page or part thereof R0,75;
 - for a copy of a compact disc R70,00;
 - for a transcript of visual images for an A4 size page R40,00 for a copy of visual images R60,00;
 - for a transcript of an audio record, for an A4-size page R20,00;
 - for a copy of an audio record R30,00 per hour or part thereof, excluding the first hour, reasonably required for the search and preparation.

The fee structure is also available on the website of the SAHRC at www.sahrc.org.za.

5. APPLICABLE LEGISLATION

Where applicable to our operations, information is also available in terms of certain provisions of the following Acts:

Collective Investment Schemes Control Act No 45 of 2002
Companies Act no 71 of 2008
Financial Advisory and Intermediary Services Act No 37 of 2002
Financial Intelligence Centre Act No 38 of 2001
Value Added Tax Act No 89 of 1991
Employment Equity Act No 55 of 1998
Income Tax Act No 95 of 1967
Labour Relations Act No 66 of 1995
Basic Conditions of Employment Act No 75 of 1997
Electronic Communications and Transactions Act No 25 of 2002
Promotion of Access of Information Act No 2 of 2000
Unemployment Insurance Act No 30 of 1996
Compensation for Occupational Injuries and Disease Act No 130 of 1993
Skills Development Act No 9 of 1999

6. SCHEDULE OF RECORDS

The following records are automatically available to all employees and need not be requested in accordance with the procedure outlined in paragraph 3:

Employee Records

- Employee's own personnel records including names, dates of birth and occupations
- Employee's own contract of employment and remuneration paid
- Employee's own records of sick leave, leave and overtime
- Employee's own expense accounts
- Employee's own tax returns
- Training manuals
- Training records

Company Policy Documents

- Business Continuity Plan
- Best Execution Policy
- Complaints Procedures and Register
- Conflict of Interest Policy
- Debarment Policy
- Financial Recovery and Resolution Plan
- Personal Account Trading Policy
- Risk Management and Compliance Programme
- Risk Management Policy
- Treating Customers Fairly Policy

The following records are not automatically available without a request in terms of the Act. A request in terms of this section is subject to section 63(1) of the Act, which provides that the head of a company must refuse a request for access to a record of the company if the disclosure of the record would involve the unreasonable disclosure of personal information about a third party including a deceased individual.

Companies Act Records

- Memorandum of Incorporation
- Minutes of Board of Directors meetings
- Records relating to the appointment of directors / auditor / secretary / public officer and other officers
- Share Register and other statutory registers

Financial Records

- Annual Financial Statements
- Monthly Management Statements
- Tax Returns
- Accounting Records
- Banking Records
- Bank Statements
- Asset Register
- Rental Agreements
- Invoices
- Investment Records

Tax Records

- PAYE Records
- VAT records
- Skills Development Levies Records
- UIF Records
- Workmen's Compensation Records

Legal

- Material licenses
- Permits and authorisations

Insurance

- Insurance policies
- Claim records
- Details of insurance coverage, limits and insurers

Information Technology

- Hardware
- Operating systems and software packages
- Disaster recovery
- Internal systems support and programming
- Capacity and utilization of current systems
- Agreements and licenses

Client Related Records

- Research reports
- Market information
- Clients
- Newsletters and advertising materials
- Records generated within the company relating to the client including transactional records

Other Party Records

The company may process records pertaining to other parties, including without limitation contractors, suppliers, subsidiary/holding/sister companies, joint venture companies, and service providers.

7. PROCESSING OF PERSONAL INFORMATION

7.1 Purpose of Processing

The Company uses the Personal Information under its care in the following ways:

- Administration of collective investment schemes
- Rendering service according to instructions given by clients
- Staff administration
- Keeping of accounts and records
- Complying with tax laws

7.2 Categories of Data Subjects and their Personal Information

The Company may possess records relating to suppliers, shareholders, contractors service providers, staff and clients:

Entity Type	Personal Information Processed
Clients: Natural Persons	Names; contact details; physical and postal addresses; date of birth; ID number; Tax related information; nationality; gender; confidential correspondence
Clients: Juristic Persons / Entities	Names of contact persons; Name of Legal Entity; Physical and Postal address and contact details; Financial information; Registration Number; Founding documents; Tax related information; authorised signatories, beneficiaries, ultimate beneficial owners
Clients: Foreign Persons / Entities	Names; contact details; physical and postal addresses; date of birth; Passport number Tax related information; nationality; gender; confidential correspondence
Intermediary / Advisor	Names of contact persons; Name of Legal Entity; Physical and Postal address and contact details; Financial information; Registration Number; Founding documents; Tax related information; authorised signatories, beneficiaries, ultimate beneficial owners
Contracted Service Providers	Names of contact persons; Name of Legal Entity; Physical and Postal address and contact details; Financial information; Registration Number; Founding documents; Tax related information; authorised signatories, beneficiaries, ultimate beneficial owners
Employees / Directors	Gender, Pregnancy; Marital Status; Race, Age, Language, Education information; Financial Information; Employment History; ID number; Physical and Postal address; Contact details; Opinions, Criminal behaviour; Well-being;

7.3 Categories of Recipients for Processing the Personal Information

The Company may supply the Personal Information to service providers who render the following services:

- Capturing and organising of data;
- Storing of data;
- Sending of emails and other correspondence to clients
- Conducting due diligence checks;
- Administration of the Collective Investment Schemes;

7.4 General Description of Information Security Measures

The Company employs up to date technology to ensure the confidentiality, integrity and availability of the Personal Information under its care. Measures include:

- Firewalls
- Virus protection software and update protocols
- Logical and physical access control;
- Secure setup of hardware and software making up the IT infrastructure;
- Outsourced Service Providers who process Personal Information on behalf of the Company are contracted to implement security controls.