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Leppard and Associates (Pty) Ltd – Access to Information and Protection of Personal Information Manual

We respect your right of access to information, and the right to the protection of your personal information. This document will help you exercise those rights as required by section 51 of the Promotion to Access of Information Act 2 of 2000 (PAIA), and the various sections of the Protection of Personal Information Act 4 of 2013 (POPIA).

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Dates

- Date compiled: 1 December 2016
- Date revised: 20 December 2021

ACCESS TO INFORMATION

Introduction

We are Leppard and Associates (Pty) Ltd (Leppard Underwriting), and we conduct business as a specialist underwriting business. Leppard Underwriting activity includes the assessment of risks of and exposures to liability to a variety of professional and business risks, the determination of premium and relevant insurance contract conditions, quoting and acceptance of risk, policy issuing, administration and claims management. This is our 'Access to Information Manual'. Its purpose is to help you 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.

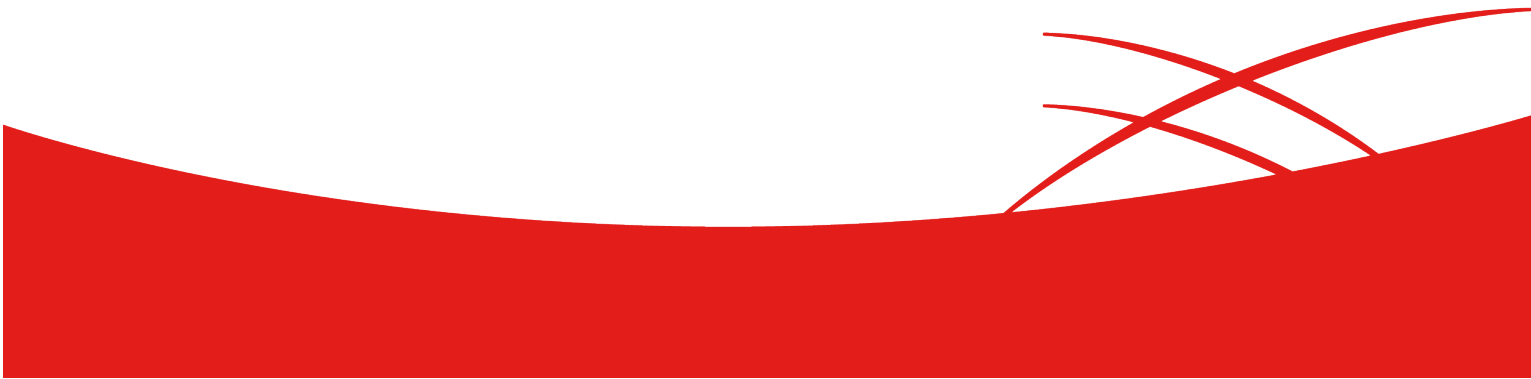
Our details

Our details are as follows:

- Company name: Leppard and Associates (Pty) Ltd
- Registration number: 1991/002788/07
- Financial Services Provider (FSP) number: 274
- Postal address: P O Box 2730, Houghton, 2041
- Physical address: 13 Baker Street, Rosebank, Johannesburg
- Phone number: 011 459 1640
- Contact email: fatima@leppard.co.za
- Information officer: Fatima Ebrahim
- Information officer email: fatima@leppard.co.za
- Website: www.leppard.co.za

Further guidance

If you would like further guidance on how you can get access to information under PAIA, you may contact the Information Regulator (South Africa) to find out more information about PAIA. They have a guide in each official language of



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South Africa on how to exercise any right under PAIA. Their contact details are as follows:

- Phone number: 010 023 5200
- Fax number: None listed on website
- General enquiries: enquiries@infoeregulator.org.za
- PAIA complaints: PAIAComplaints@inforregulator.org.za
- POPIA complaints: POPIAComplaints@infoeregulator.org.za
- Postal address: P O Box 31533, Braamfontein, Johannesburg, 2017
- Physical address: JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001
- Website: www.infoeregulator.org.za



Records we hold

We hold the following subjects and categories of records:

- Company records;
- Business records;
- Financial records;
- Insurance records;
- Personnel records;
- Policies and directives;
- Agreements or contracts;
- Regulatory documents;
- Published information;
- Client information; and
- Reference materials.

Documents are retained, in either electronic or hard copy format, as allowed in applicable legislation and for the respective time periods determined by such legislation. See Annexure 1 for selected retention of records time periods.

Company records

Company records are all our records related to the incorporation and administration of our company. Some of them are available from the Companies and Intellectual Property Commission (CIPC).

Memorandum of incorporation	Automatically available from CIPC
Directors' names	Automatically available from CIPC
Documents of incorporation	Automatically available from CIPC
Minutes of board of directors meetings	Not automatically available
Written resolutions	Not automatically available
Records relating to appointment of directors, auditor, secretary, public officer or other officers	Not automatically available
Share register and other statutory registers	Not automatically available
Other statutory records	Not automatically available

Business records

Business records include any documents that have economic value to the business.

Operational records	Not automatically available
Databases	Not automatically available
Published works	Not automatically available
Internal correspondence	Not automatically available
Product records	Not automatically available

Financial records

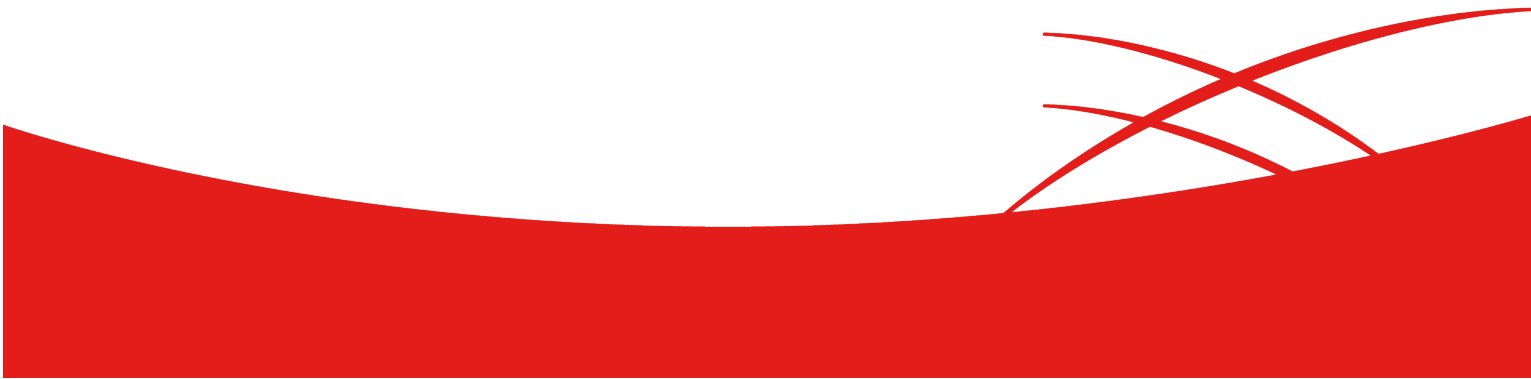
Financial records are all our records related to our finances.

Financial statements	Not automatically available (we will require a non-disclosure agreement)
Tax returns	Not automatically available
Other documents relating to taxation of the company	Not automatically available
Accounting records	Not automatically available
Banking records	Not automatically available
Banking details	Automatically available on request
Bank statements	Not automatically available
Electronic banking records	Not automatically available
Paid cheques	Not automatically available
Asset register	Not automatically available
Rental agreements	Not automatically available
Invoices	Not automatically available
Financial agreements	Not automatically available

Insurance records

Insurance records are all our records related to our insurable assets.

Insurance policies held by the company	Not automatically available
Register of all immovable property owned by the company	Not automatically available



Income tax records

Income tax records are all our records related to our income tax obligations.

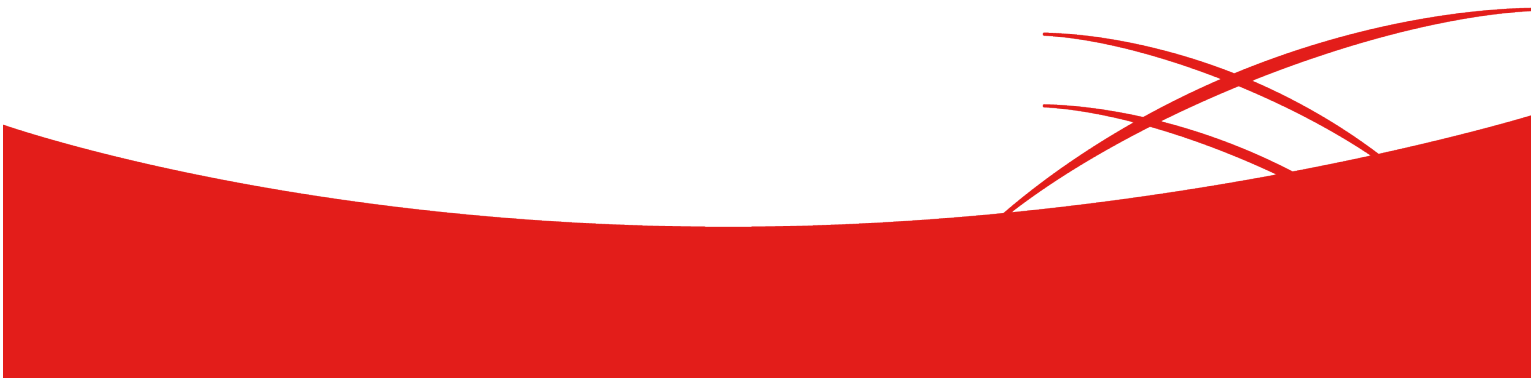
PAYE Records	Not automatically available
Corporate tax records	Not automatically available
Customs tax	Not automatically available
Documents issued to employees for income tax purposes	Not automatically available
Records of payments made to SARS on behalf of employees	Not automatically available
VAT records	Not automatically available
Skills Development Levies	Not automatically available
UIF	Not automatically available
Workmen's Compensation	Not automatically available

Personnel records

Personnel records are all our records about anyone who works for us, provides services to us, or provides services on our behalf and who receives or is entitled to receive remuneration, including our employees, contractors, and other personnel.

List of employees	Not automatically available
Employee personal information	Not automatically available
Employee employment contracts	Not automatically available
Employment policies and procedures	Not automatically available
Employment Equity Plan	Not automatically available
Salaries of employees	Not automatically available
Leave records	Not automatically available
Internal evaluations	Not automatically available
Disciplinary records	Not automatically available
Disciplinary codes	Not automatically available
Training records	Not automatically available
Operating manuals	Not automatically available
Personal records provided by personnel	Not automatically available
Other statutory records	Not automatically available
Related correspondence	Not automatically available

Policies and directives



Policies and directives include both internal and external documents.

Internal relating to employees and the company	Not automatically available
External relating to clients and other third parties	Not automatically available

Agreements or contracts

Agreements or contracts include the documents themselves and all related documents.

Standard Agreements	Not automatically available
Contracts concluded with brokers	Not automatically available
Letters of Intent, MOUs	Not automatically available
Third party contracts (such as JV agreements, etc.)	Not automatically available
Office management contracts	Not automatically available
Supplier contracts	Not automatically available

Regulatory documents

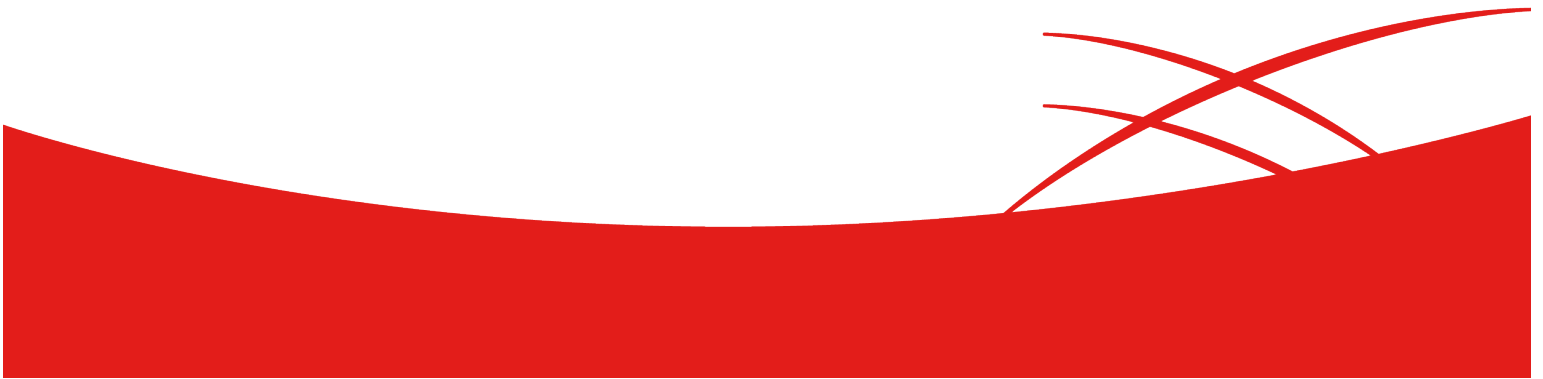
Regulatory documents include any documents required to comply with any laws.

Permits	Not automatically available
Licences	Automatically available
Authorities	Not automatically available

Published information

Published information includes any document that we prepare and produce.

External newsletters and circulars	Automatically available
Internal newsletters and circulars	Not automatically available
Information on the company published by third parties	Not automatically available



Client information

Client information includes any information about anyone that we provide services to.

Client details	Not automatically available
Contact details of individuals within clients	Not automatically available
Communications with clients	Not automatically available
Business production records	Not automatically available
Transactional information	Not automatically available
Marketing records	Not automatically available

Information we hold to comply with the law

We hold records for the purposes of PAIA in terms of the following main laws, among others:

- Basic Conditions of Employment Act 75 of 1997;
- Companies Act 61 of 1973;
- Companies Act 71 of 2008;
- Compensation for Occupational Injuries and Disease Act 130 of 1993;
- Consumer Protection Act 68 of 2008;
- Electronic Communications and Transactions Act 25 of 2002;
- Employment Equity Act 55 of 1998;
- Income Tax Act 58 of 1962;
- Income Tax Act 95 of 1967;
- Labour Relations Act 66 of 1995;
- Occupational Health and Safety Act 85 of 1993;
- Protection of Personal Information Act 4 of 2013;
- Skills Development Act 9 of 1999;
- Unemployment Insurance Act 63 of 2001; and
- Value Added Tax Act 89 of 1991.

This list is not exhaustive.

How to request access

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 Form 2 which is available from:

- the Information Regulator (South Africa) website at www.inforegulator.org.za at this link: <http://www.inforegulator.org.za/docs2-f.html>

Please submit the completed form to our information officer at our information officer's email address, or our physical address, together with the request fee which is payable by every requester. Please ensure that the completed form:

- has enough information for the information officer to identify you, the requested records,
- and which form of access you require;
- specifies your email address, postal address, or fax number;
- describes the right that you seek to exercise or protect;
- explains why you need the requested record to exercise or protect that right;
- provides any other way you would like to be informed of our decision other than in writing; and
- provides proof of the capacity in which you are making the request if you are making it on behalf of someone else (we will decide whether this proof is satisfactory).

If you do not use the standard form we may:


- reject the request due to lack of procedural compliance;
- refuse it if you do not provide sufficient information; or
- delay it.

Other prescribed information

The Minister of Justice and Constitutional Development has not made any regulations prescribing any other information that needs to appear in this manual.

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 notify you by way of affidavit that it is not possible to give access to that particular record.

How we will give you access

We will evaluate and consider all requests to us in terms of PAIA. If we approve your 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.

How much it will cost you

You must pay us a request fee as required by law when submitting a request for access to information. The prescribed fees are as set out in the Fee Schedule which is available from the Information Regulator (South Africa) (see contact details on page 5 above). You must pay us the fees before we will hand over any information. You may have to pay a further access fee if we grant the request for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

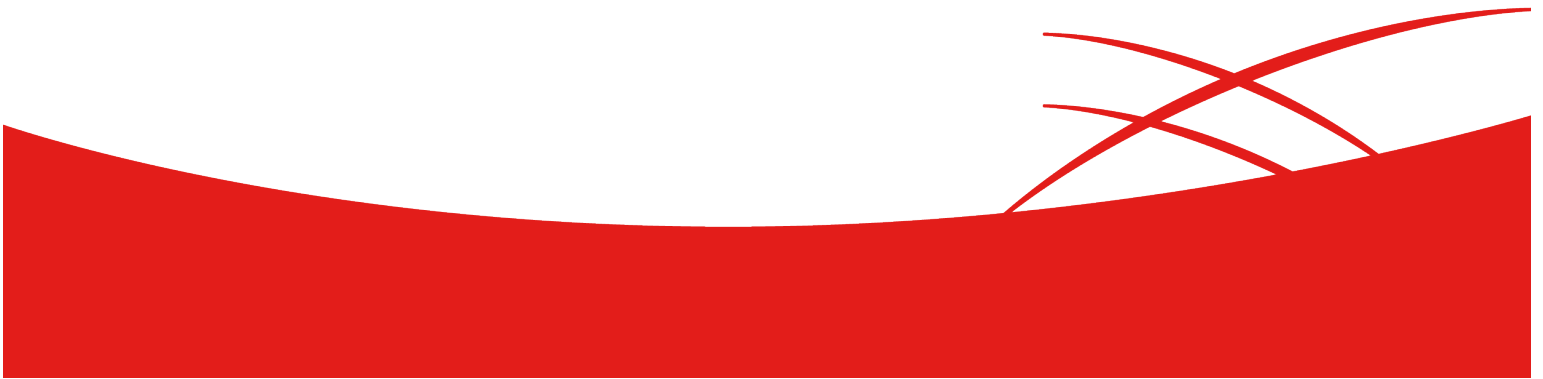
PROTECTION OF PERSONAL INFORMATION

Introduction

Leppard Underwriting conducts business as a specialist underwriting business and we are obliged to comply with The Protection of Personal Information Act ('POPI'). POPI requires Leppard Underwriting to inform you as to how your Personal Information is used, disclosed and destroyed. Leppard Underwriting guarantees its commitment to protecting your privacy and ensuring your Personal Information is used appropriately, transparently, securely and in accordance with applicable laws. Section 9 of POPI states that "Personal Information may only be processed if given the purpose for which it is processed, it is adequate, relevant and not excessive."

This Policy sets out how Leppard Underwriting deals with your Personal Information and in addition for what purpose said information is used. This Policy is made available on our company website www.leppard.co.za.

In the general conduct of our business, Leppard Underwriting collects and processes your Personal Information pertaining to you and your clients underwriting



requirements. The type of information will depend on the need for which it is collected and will be processed for that purpose only. Whenever possible, we will inform you what information you are required to provide us with and what information is optional.

How we process and protect personal information

We process the personal information of various categories of people for various purposes as set out in this clause.

Categories of people

We process the personal information of the following categories of people:

- brokers and their clients;
- employees;
- contractors, vendors, or suppliers;
- debtors and creditors; and
- directors and shareholders.

This list is not exhaustive.

Categories of personal information

We process many different categories of personal information, including:

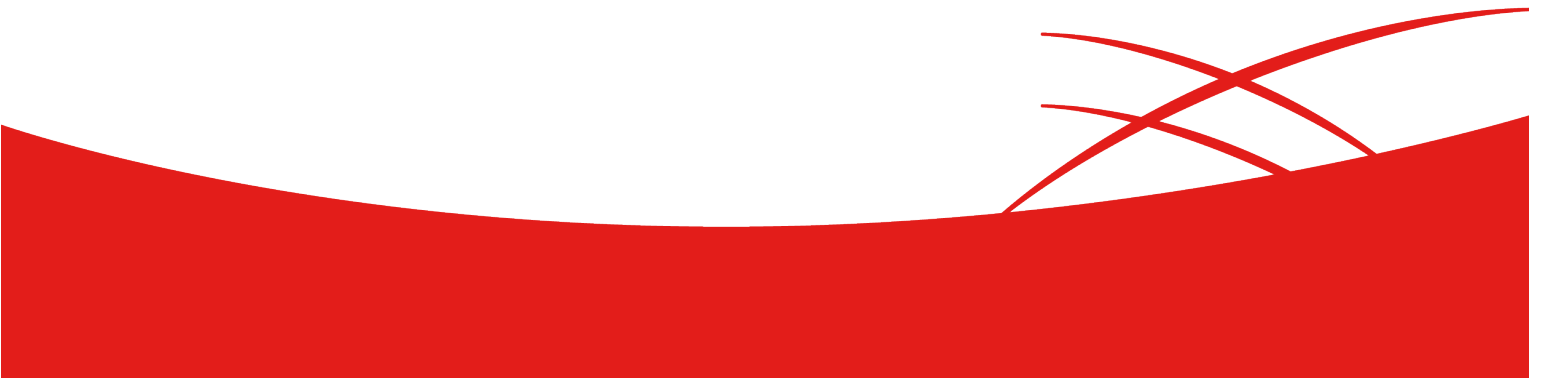
- contact details, such as phone numbers, physical and postal addresses, and email addresses;
- personal details, such as names and ages, identity numbers;
- demographic details, such as races and age groups;
- account numbers, and other financial information;
- contract information; and
- market intelligence information;

This list is not exhaustive.

Purposes

We process the personal information:

- to supply our services;
- for assessing and processing claims;
- for purposes of claims history;
- for the detection and prevention of fraud, crime, money laundering and other



- malpractices;
- to conduct market or client satisfaction research;
- for audit and record-keeping purposes;
- to keep our client's records up-to-date;
- to provide the services requested and to maintain and constantly improve the client relationship;
- to provide communications in respect of Leppard Underwriting and regulatory matters that may affect clients;
- to comply with legal and regulatory requirements or when it is otherwise allowed by law;
- to manage employees in general;
- to manage supplier contracts in general;
- to manage broker relationships in general;
- to process client requests or complaints; and
- process personal information of employees for forensic purposes.

According to section 10 of POPI, Personal Information may only be processed if certain conditions are met, some of which are listed below:

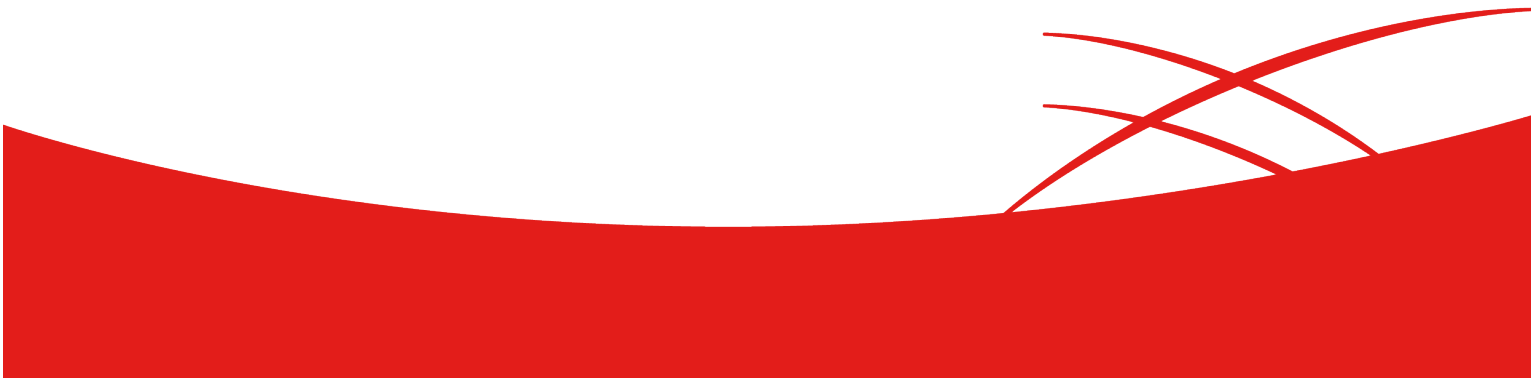
- Client consents to the processing;
- The processing is necessary;
- Processing complies with an obligation imposed by law on Leppard Underwriting;
- Processing protects a legitimate interest of the client;
- Processing is necessary for pursuing the legitimate interests of Leppard Underwriting or of a third party to whom information is supplied – in order to provide you with the appropriate products both ourselves and our Product suppliers and insurers need certain Personal Information from you and your clients to make an expert decision on the unique and specific product they require.

Disclosure of personal information

We may disclose your and/or your clients' Personal Information to our providers whose services or products clients elect to use. We have agreements in place to ensure that they comply with confidentiality and privacy conditions.

We may also share client Personal Information with, and obtain information about clients from third parties for the reasons already discussed above.

We may also disclose clients' information where we have a duty or a right to disclose in terms of applicable legislation, the law or where it may be necessary to protect our rights.



Access and correction of personal information

You have the right to access the Personal Information we hold about you. You also have the right to ask us to update, correct or delete your Personal Information on reasonable grounds. Once an objection to the processing of your Personal Information has been received, Leppard Underwriting may no longer process said Personal Information. We will take all reasonable steps to confirm your identity before providing details of your Personal Information or making changes to your Personal Information.

The details of our Information Officer are as follows:

- Contact email: fatima@leppard.co.za
- Information officer: Fatima Ebrahim
- Information officer email: fatima@leppard.co.za

Cross-border transfers

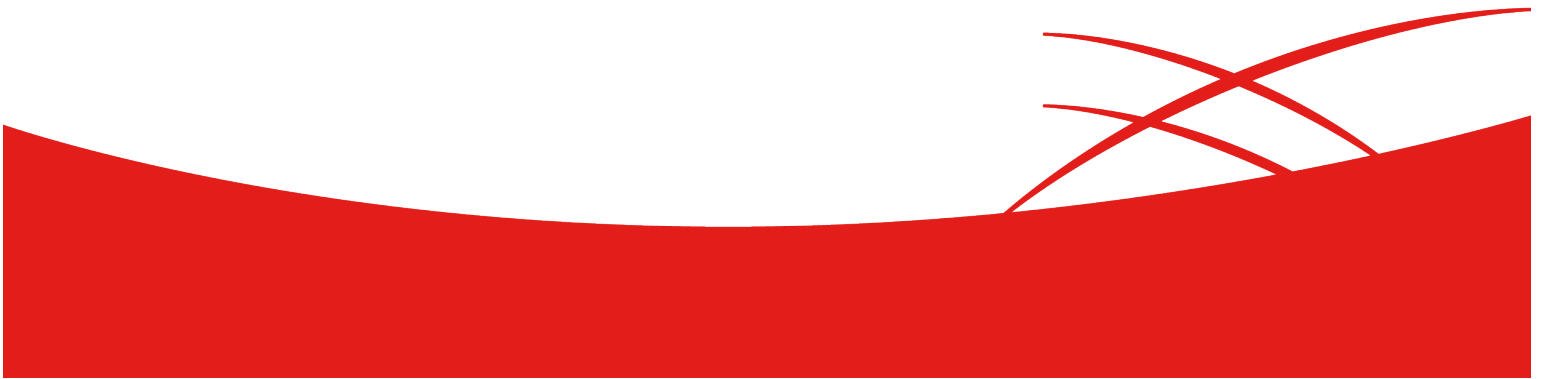
We send personal information outside of South Africa to various countries. We will only transfer data to other countries that have similar privacy laws to South Africa's, or recipients who can guarantee the protection of personal information to the same standard we must protect it.

Security

We secure our data by maintaining reasonable measures to protect Personal Information from loss, misuse, and unauthorized access, disclosure, alteration and destruction. We also take reasonable steps to keep personal information accurate, current, complete, and reliable for its intended use.

Staff training and acceptance of responsibilities

Information for Leppard Underwriting staff is contained in this Manual and other materials made available by the Information Officer. The Information Officer will ensure that all staff that has access to any kind of personal information will have their responsibilities outlined during their induction procedures. We will provide opportunities for staff to explore any POPI issues through training, team meetings and other staff interactions. Staff rights and responsibilities in terms of POPI are set out in this Manual and our Human Resources Policies and Practices document, which all staff accepts on commencement of employment.



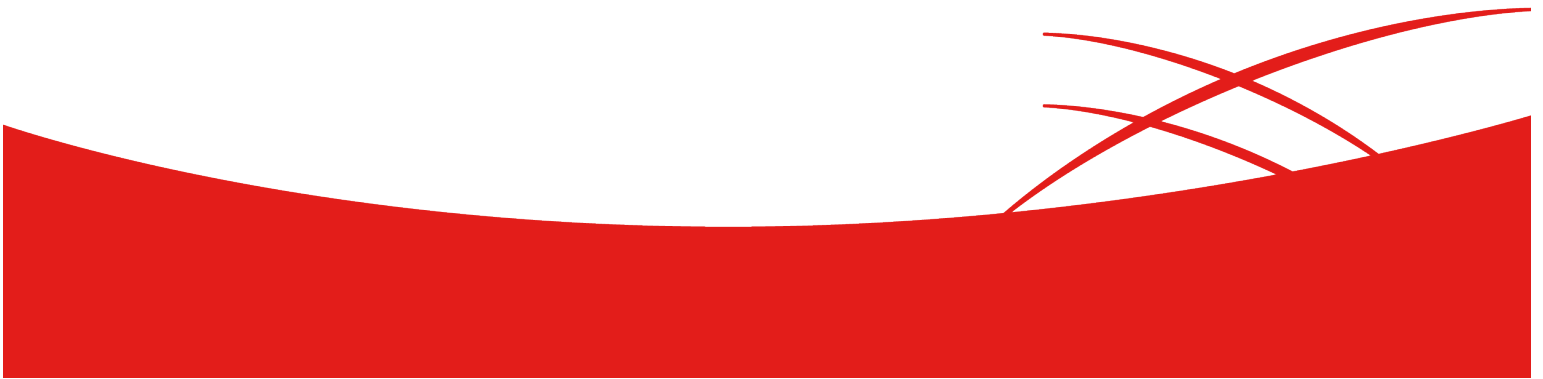
Availability of this Manual

This manual is available in English and will be available on our website, and at our company offices. The manual is also electronically available on our website at: <http://www.leppard.co.za> .

Updates to this Manual

This manual will be updated whenever we make material changes to the current information.

Last updated 20 December 2021



ANNEXURE 1: SELECTED ‘RETENTION OF RECORDS’ TIME PERIODS

Different pieces of legislation determine different time periods for which documents must be retained. This annexure does not attempt to cover all legislation, but only refers to selected general legislation that has an impact on the documents which Leppard Underwriting is obliged to retain (or not, as the case may be).

In general, where documents may be subject to different pieces of legislation, the longer retention periods must be adhered to. For example, whereas most taxation legislation requires a retention period of 5 years, tax documentation also has an impact on the financial records of a company, and as the Companies Act as a general requirement stipulates a period of retention of 7 years, the longer period must be adhered to.

Companies Act, 71 of 2008

The Act provides that records must be kept in written form, or other form or manner that allows that information be converted into written form within a reasonable time.

Document	Retention period
General rule for company records: Any documents, accounts, books, writing, records or other information that a company is required to keep in terms of the Act and other public regulation	7 years or longer (as specified in other public regulation)
Notice of Incorporation (Registration certificate)	Indefinite
Memorandum of Incorporation and alterations or amendments	Indefinite
Rules	Indefinite
Register of company secretary and auditors	Indefinite
Notice and minutes of all shareholders meeting including: - Resolutions adopted - Document made available to holders of securities	7 years
Copies of reports presented at the annual general meeting of the company	7 years
Copies of annual financial statements required by the Act	7 years
Copies of accounting records as required by the Act	7 years
Record of directors and past directors, after the director has retired from the company	7 years
Written communication to holders of securities	7 years



Minutes and resolutions of directors' meetings, audit committee and directors' committees	7 years
Securities register and uncertificated securities register	Indefinite

Consumer Protection Act, 68 of 2008

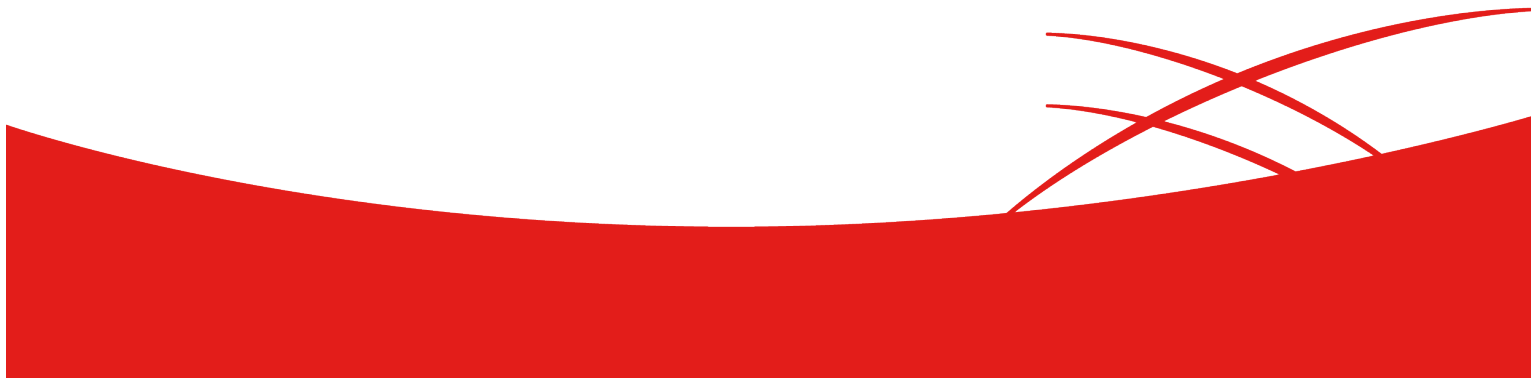
Document	Retention period
Information provided to a consumer by an intermediary - - Full names, physical address, postal address and contact details; - Id number and registration number; - Contact details of public officer in case of a juristic person; - Service rendered; - Intermediary fee;	3 years
- Cost to be recovered from the consumer; - Frequency of accounting to the consumer; - Amounts, sums, values, charges, fees or remuneration specified in monetary terms	3 years
Disclosure in writing of a conflict of interest by the intermediary in relevance to goods or service to be provided	3 years
Record of advice furnished to the consumer reflecting the basis on which the advice was given	3 years
Written instruction sent by intermediary to the consumer	3 years

Protection of Personal Information Act, 4 of 2013

This Act states that personal information must **not** be retained for any longer than is necessary to achieve the purpose for its collection. If there is no legal requirement to keep the information, it should be deleted. There is therefore an obligation on the collector of the information to delete or remove it at a certain time. This is discussed in the body of this Manual above.

Electronic Communication and Transaction Act, 25 of 2002

Document	Retention period
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Personal information and the purpose for which the data was collected must be kept by the person who electronically requests, collects, collates, processes or stores the information	As long as information is used, and at least 1 year thereafter
A record of any third party to whom the information was disclosed must be kept for as long as the information is used	As long as information is used and at least 1 year thereafter
All personal data which has become obsolete	Destroy

Financial Advisory and Intermediary Services Act, 37 of 2002

Document	Retention period
<p>An authorised financial services provider must maintain the following records regarding-</p> <ul style="list-style-type: none"> - known premature cancellations of transactions or financial products by clients of the provider; - complaints received together with an indication whether or not any such complaint has been resolved; - the continued compliance with the requirements referred to in section 8; - cases of non-compliance with this Act, and the reasons for such non-compliance; and - the continued compliance by representatives with the requirements referred to in section 13(1) and (2). 	5 years (except to the extent exempted by the registrar)



<p>Specific duties of provider</p> <p>A provider must have appropriate procedures and systems in place to-</p> <ul style="list-style-type: none"> - record such verbal and written communications relating to a financial service rendered to a client as are contemplated in the Act, the General Code of Conduct or any other Code drafted in terms of section 15 of the Act; - store and retrieve such records and any other material documentation relating to the client or financial service rendered to the client; and - keep such client records and documentation safe from destruction. <p>All such records must be kept for a period after termination, to the knowledge of the provider, of the product concerned or, in any other case, after the rendering of the financial service concerned.</p> <p>Providers are not required to keep the records themselves but must ensure that they are available for inspection within seven days of the registrar's request.</p> <p>Records may be kept in an appropriate electronic or recorded format, which are accessible and readily reducible to written or printed form.</p>	<p>5 years</p>
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Financial Intelligence Centre Act, 38 of 2001

Document	Retention period
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<p>Whenever an accountable institution establishes a business relationship or concludes a transaction with a client, the accountable institution must keep record of:</p> <ul style="list-style-type: none"> - the identity of the client; - if the client is acting on behalf of another person, <ul style="list-style-type: none"> • the identity of the person on whose behalf the client is acting; and <ul style="list-style-type: none"> • the client’s authority to act on behalf of that other person; - if another person is acting on behalf of the client— <ul style="list-style-type: none"> • the identity of that other person; and • that other person’s authority to act on behalf of the client; - the manner in which the identity of the persons referred to above was established. - the nature of that business relationship or transaction; - in the case of a transaction— <ul style="list-style-type: none"> • the amount involved; and • the parties to that transaction; - all accounts that are involved in— <ul style="list-style-type: none"> • transactions concluded by that accountable institution in the course of that business relationship; and • that single transaction; - the name of the person who obtained the identity of the person transacting on behalf of the accountable institution; and - any document or copy of a document obtained by the accountable institution 	
<p>The records may be kept in electronic format. Records must be kept: From termination of business relationship From the date the transaction is concluded</p>	<p>5 years 5 years</p>

Compensation for Occupational Injuries and Diseases Act, 130 of 1993

Document	Retention period
A register or other record of the earnings and other prescribed particulars of all the employees	4 years

Occupational Health and Safety Act, 85 of 1993



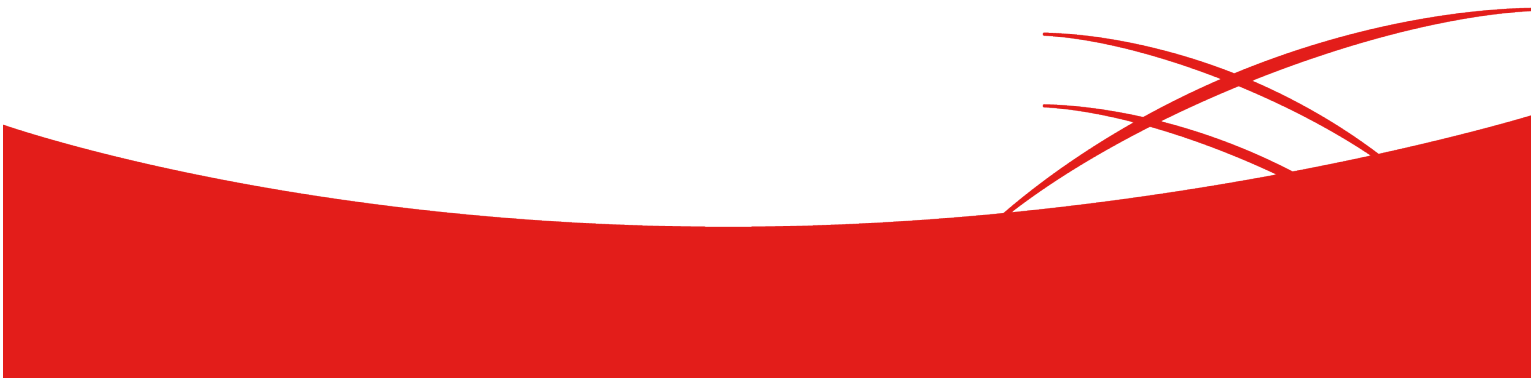
Document	Retention period
A health and safety committee shall keep record of each recommendation made to an employer in terms of issues affecting the health of employees and of any report made to an inspector in terms of the recommendation	3 years
Records of incidents reported at work (Annexure 1 of the General Administration Regulations, 2003)	3 years

Basic Conditions of Employment Act, 75 of 1997

Document	Retention period
Written particulars of employee must be kept after termination of employment	3 years from the date of the last entry in the record
Employee's name and occupation	
Time worked by each employee	
Remuneration paid to each employee	
Date of birth of any employee under 18 years of age	
Any other prescribed information	

Labour Relations Act, 66 of 1995

Document	Retention period
Every employer must keep the records in their original form or a reproduced form that an employer is required to keep in compliance with any applicable: <ul style="list-style-type: none"> - collective agreement; - arbitration award; - determination made in terms of the Wage Act 	3 years from the date of the event or end of the period to which they relate
Employer must keep prescribed details of any strike, lock-out or protest action involving its employees	Indefinite
Employers should keep records for each employee specifying the nature of any disciplinary transgressions, the actions taken by the employer and the reasons for the actions	Indefinite



Unemployment Insurance Act, 63 of 2002

Document	Retention period
Employers must maintain personal records of each of their current employees in terms of <ul style="list-style-type: none">- names;- identification numbers;- monthly remuneration; and- address where the employee is employed	5 years from the date of submission of the return evidencing payment

Tax Administration Act, 28 of 2011

Document	Retention period
Taxpayers that have submitted a return	5 years from date of submission
Taxpayers who were meant to submit a return, but haven't for that period	Indefinite, until the return is submitted – then the 5-year rule applies
Taxpayers who were not required to submit a return, but received income, had capital gains/losses or engaged in any other activity that is subject to tax or would be subject to tax but for the application of a threshold or exemption	5 years from the end of the relevant tax period
A person who has been notified or is aware that the records are subject to an audit or investigation	In addition to the 5-year rule, records must be retained until the audit is concluded or the assessment or decision becomes final. In this regard the extended retention period will apply irrespective of whether the assessments have prescribed in terms of section 99.

<p>A person who has lodged an objection or appeal against an assessment or decision under the TAA</p>	<p>In addition to the 5-year rule, records must be retained until the audit is concluded or the assessment or decision becomes final</p>
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Income Tax Act, 58 of 1962

Document	Retention period
In addition to the records required in section 29 TAA, in respect of each employee the employer shall keep a record showing: <ul style="list-style-type: none">- amount of remuneration paid or due by him to the employee;- the amount of employees' tax deducted or withheld from the remuneration paid or due;- the income tax reference number of that employee;- any further prescribed information	5 years from the date of submission of the return evidencing payment

Value Added Tax, 89 of 1991

Document	Retention period
Vendors are obliged to keep the following records: <ul style="list-style-type: none">- record of all goods and services supplied by and to the vendor- the rate of tax applicable to the abovementioned supplies; and- invoices- tax invoices- credit notes- debit notes- bank statements- deposit slips- stock lists- paid cheques relating thereto	5 years from date of submission of the return

