

PROMOTION OF ACCESS TO INFORMATION ACT MANUAL



MPANDE PROPERTY FUND MANAGER PROPRIETARY LIMITED

Registration Number: 2018/581471/07

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1. INTRODUCTION

- 1.1. Mpande Property Fund Manager (Pty) Ltd is an authorised financial services provider in terms of the Financial Advisory & Intermediary Service Act and regulated by the Financial Sector Conduct Authority ("FSCA"). The FSP number is 51556.
- 1.2. Mpande Property Fund Manager (Pty) Ltd and or its subsidiaries (hereinafter referred to as "Mpande" or "the FSP") is a majority Black owned and managed property fund. Focused on investments within the unlisted property sector with an asset allocation in Retail, Commercial Offices, Industrial and Residential sub-sectors.

2. PURPOSE OF PAIA MANUAL

- 2.1. This PAIA Manual may be used by the public to:
 - 2.1.1. check the categories of Records held by the FSP that are available without having to submit a formal PAIA request;
 - 2.1.2. understand how to make a request for access to a Record of the FSP, by providing a description of the subjects on which the FSP holds Records and the categories of Records held on each subject;
 - 2.1.3. know which Records of the FSP are available in accordance with other legislation;
 - 2.1.4. access the relevant contact details of the persons who will assist the public with the Records they intend to access;
 - 2.1.5. know where to access the Information Regulators guide on how to use PAIA;
 - 2.1.6. know whether the FSP will process personal information, for what purpose personal information is processed and the description of the categories of data subjects and of the information or categories of information relating thereto;
 - 2.1.7. know the recipients or categories of recipients to whom the personal information may be supplied;
 - 2.1.8. know if the FSP has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
 - 2.1.9. know whether the FSP has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. COMPANY CONTACT DETAILS (Section 51(1)(a))

- 3.1. Information Officer: Ms. Nomzamo Letswele
- 3.2. Postal Address: Fulham House, Ground Floor, Hampton Office Park, 20
Georgian Crescent, Bryanston, 2191
- 3.3. Street Address: Fulham House, Ground Floor, Hampton Office Park, 20
Georgian Crescent, Bryanston, 2191
- 3.4. Telephone Number: +27 10 746 0410 (switchboard)
- 3.5. Information Officer: Nomzamo Letswele
- 3.6. Email: nomzamo.letswele@mpandeasset.com

4. ACCESS TO RECORDS (Section 51(1)(b))

- 4.1. The Promotion of Access to Information Act ("PAIA"), grants a requester access to certain records of a private body if the said records are required to exercise or protect any rights of the requester. Should a public body lodge such a request, it must be acting in the public interest.
- 4.2. Any request for information in terms of PAIA, must be made in accordance with the prescribed form and manner, at the rates provided. The prescribed form and manner and the tariff are dealt with in section 6 and 7.
- 4.3. The contact details of the Information Regulator are as follows:
 - Postal Address: : P.O Box 31533, Braamfontein, Johannesburg, 2017
 - E-mail address : infoereg@justice.gov.za
 - Website : <https://justice.gov.za/infoereg/>
- 4.4. The Information Regulator has, in terms of section 10(1) of PAIA, as amended, made available a Guide on how to use PAIA (the Guide), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA. The Guide is available in each of the official languages and in braille, and can be obtained from the Information Regulator's website at <https://infoeregulator.org.za/paia-guidelines/>
- 4.5. If your PAIA request is denied, or there is no response from a public or private body for access to records, a complaint can be lodged with PAIAComplaints@infoeregulator.org.za.

5. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION (Section 51(1)(c))

5.1. Records are available in terms of the following legislation:

- 5.1.1. Basic Conditions of Employment Act, 75 of 1997;
- 5.1.2. Companies' Act, 71 of 2008;
- 5.1.3. Compensation for Occupational Injuries and Disease Act, 130 of 1993;
- 5.1.4. Competition Act, 89 of 1998
- 5.1.5. Employment Equity Act, 55 of 1998;
- 5.1.6. Labour Relations Act, 66 of 1995;
- 5.1.7. Occupational Health and Safety Act, 85 of 1993;
- 5.1.8. Skills Development Act, 97 of 1998;
- 5.1.9. Trademarks Act, 194 of 1993;
- 5.1.10. Unemployment Insurance Act, 63 of 2001;
- 5.1.11. Value Added Tax Act, 89 of 1991

6. SCHEDULE OF RECORDS (Section 51 (1)(d))

6.1. Mpande keeps, inter alia, records in terms of various regulatory requirements that have an impact on its operations. These records are not automatically available and any request for access thereto will be assessed in accordance with the applicable internal policies and legislation requirements

6.1.1. Companies' Act Records:

- 6.1.2. Memorandum of Incorporation;
- 6.1.3. Minutes of meeting of the Board of Directors;
- 6.1.4. Minutes of meetings of the Advisory Board of Directors;
- 6.1.5. Records relating to the appointment of:
 - 6.1.6. Directors;
 - 6.1.7. Auditors;
 - 6.1.8. Secretary;
 - 6.1.9. Fund Administrator;
 - 6.1.10. Any other Officer.

- 6.1.11. Share Register and other statutory registers and/or records and/or documents.
- 6.1.12. Income Tax Act Records:
 - 6.1.13. Pay-as-you-earn (PAYE) Records;
 - 6.1.14. Documents issued to employees for income tax purposes;
 - 6.1.15. Records of payments made to South African Revenue Services on behalf of Employees;
 - 6.1.16. All or any statutory compliances;
 - 6.1.17. Value Added Tax;
 - 6.1.18. Skills Development Levies;
 - 6.1.19. Unemployment Insurance Fund;
 - 6.1.20. Workman's Compensation;
 - 6.1.21. Customs and Excise.
- 6.1.22. Labour Relations Records:
 - 6.1.23. Personnel Documents and Records:
 - 6.1.24. Employment Contracts;
 - 6.1.25. Employment Equity Plan (If applicable);
 - 6.1.26. Disciplinary Records;
 - 6.1.27. Salary Records;
 - 6.1.28. Disciplinary Code and /or procedures;
 - 6.1.29. Leave Records;
 - 6.1.30. Training Records;
 - 6.1.31. Address Lists;
 - 6.1.32. Internal Telephone Lists.
- 6.2. Third Party Records:
 - 6.2.1. Records held by Mpande pertaining to third parties, including, but not limited to financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about any contractors and / or suppliers;
 - 6.2.2. Records held by Mpande pertaining to contractors, joint venture companies, special purpose vehicle companies and service providers. In cases where information requested by the requester may impact on a third party, the

Information Officer is obliged to comply with the requirements as set out in terms of the Act (especially Sections 71 to 73 of the Act).

7. FORM OF A REQUEST FOR INFORMATION (Section 51(1)(e))

- 4.6. A requester must use the prescribed form “Form 2” to request access the information above. Form 2 can be accessed at the following URL: <https://inforegulator.org.za/wp-content/uploads/2020/07/InfoRegSA-PAIA-Form02-Reg7.pdf>
- 7.1. The request must be addressed to the Information Officer as indicated in section 2.
- 7.2. The requester must provide sufficient detail on Form 2 to enable the contact person of the company to establish who is requesting the said information as well as what information is being requested and in what format.
- 7.3. The requester must provide sufficient detail in respect of his/her contact details and if the requester wishes to be informed of the decision of the company in any manner (in addition to written) the manner and particulars thereof.
- 7.4. Lastly, the right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.
- 7.5. After the company has decided on the request, the requester must be notified in the required form.
- 7.6. If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hour to search and prepare the record for disclosure.

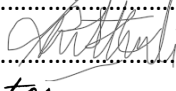
8. PRESCRIBED FEES (Section 51(1)(f))

- 8.1. A requester who seeks access to a record containing personal information about that requester is not required to pay a request fee.
- 8.2. Every other requester, who is not a personal requester, must pay the required request fee, as prescribed from time to time.
- 8.3. 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.
- 8.4. Records may be withheld until the fees have been paid.

8.5. Fees applicable in respect of private bodies are as per Annexure B of the regulations to PAIA.

9. AVAILABILITY OF THE MANUAL (Section 51(3))

9.1. This manual is available for inspection at the offices of the company free of charge upon prior arrangement with the Information Officer of the company as per section 2.

Name : Sibusiso Luthuli
Signature : 
Designation : Director

Signed on this day of 30 June 2022 at Bryanston

Date of Compilation: 30 June 2022
Date updated: 30 June 2022
Version Control: Version 1