

The PAIA Manual

for Jacana Administration Services (Pty) Ltd



Document Title:	Promotion of Access to Information Act (PAIA) MANUAL		
FSP:	JACANA ADMINISTRATION SERVICES FSP 32595		
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Prepared in accordance with Section 51 of the Promotion of Access to Information act 2 of 2000 (“the Act”)

Introduction:

Jacana Administration Services (Pty) Ltd conducts business as a Short-Term Insurance Administrator. We are an Authorized Service Provider in terms of the Financial Advisory and Intermediary Service (FAIS) Act. Our FSP license number is FSP 32595

Particulars in Terms of the Section 51 Manual:

Information Officer: Jessica Frew

Contact details [Section 51(1) (a) – The following contact details can be used to obtain Information from Jacana Administration Services (Pty) Ltd in accordance with the Act and this Manual:

Company Contact Details:

Directors: Mrs. H Ashton

Mr. M Maree

Non-Exec Director: Adv. B Mdluli

Physical Address:

Jacana Administration Services (Pty) Ltd
44 Mostert Street
Nelspruit
1201

Telephone: +27 (0)86 111 6642

Email (Information Officer): popia@jacana.africa

Website: www.jacana.africa

Background to the Promotion of Access to Information Act:

The Promotion of Access to Information Act 2 of 2000 ("the Act") was enacted on 3 February 2000. The purpose of the Promotion of Access to Information Act is to give effect to the constitutional right of access to any information held by the State and any information that is held by another person and that is required for the exercise or protection of any rights; and to provide for matters connected therewith.

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

The Section 10 Guide on how to use the Act [Section 51(1)(b)]:

The Guide is available from the South African Human Rights Commission or [click here](#) to view guide (online version).

Please direct any queries to:

The South African Human Rights Commission: PAIA Unit

The Research and Documentation Department

Telephone: (011) 877 3600 (Switchboard)

Website: www.sahrc.org.za

Email: paia@sahrc.org.za

Applicable Legislation:

Number	Reference	Act
1	No 61 of 1973	Companies Act
2	No 98 of 1978	Copyright Act
3	No 55 of 1998	Employment Equity Act
4	No 95 of 1967	Income Tax Act
5	No 66 of 1995	Labour Relations Act
6	No 89 of 1991	Value Added Tax Act
7	No 37 of 2002	Financial Advisory and Intermediary Services Act
8	No 75 of 1997	Basic Conditions of Employment Act
9	No 25 of 2002	Electronic Communications and Transactions Act
10	No 2 of 2000	Promotion of Access of Information
11	No 30 of 1996	Unemployment Insurance Act
12	No 24 of 1956	Pension Fund Act
13	No 9 of 1999	Skill development Levies Act
14	No 24 of 1936	Insolvency Act
15	No 130 of 1993	Compensation of Occupation Injuries and Diseases Act

Categories of information [Section 51 (1) (e)]:

The records mentioned below are not automatically available and a request for access to the information is subject to Section 63 (1) of the Act, providing that a head of a private body must refuse a request for access to a record of the body if its disclosure would involve the unreasonable disclosure or perusal of personal information about a third party, including a deceased individual, therefore inclusion in this list does not imply that the request for the record will be granted.

Personnel Records:

Includes records relating to temporary employees, fixed-term employees, part-time employees, permanent employees, locums, associates, contractors, partners, directors, executive directors, non-executive directors. It includes personal files and similar records, records a third parties have provided to us about their personnel; employment contracts, conditions of employment; workplace policies; disciplinary records; termination records; minutes of staff meetings; performance management records and systems and all employment-related records and correspondence.

Customer Related Records:

Includes client lists, agreements, consents, needs assessments, financial and accounts information, profiling and similar information. It must be noted that, in the financial sector, personal information is protected by legislation and ethical rules, and disclosure can only take place, if at all, within those frameworks.

Personal Information Records:

Includes our business's founding and other documents, minutes and policies, annual and other reports, financial records, operational records, policies and procedures, contracts, licences, trademarks and other intellectual property, production, marketing records, other internal policies and procedures, internal correspondence, statutory records, insurance policies and records, etc.

Other Records:

Includes supplier registrations, contracts, confidentiality agreements and non-disclosure agreements, communications, logs, delivery records, commissioned work and similar information, some of which might be provided to us by such suppliers and providers under service and other contacts. Technical records, which include manuals, logs, electronic and cached information, product registrations, product dossiers, health professional's council/statutory body records, approvals, conditions and requirements, trade association information and similar product information.

Form of Request:

- The requester must use the prescribed form (Form 2) to make the request for access to a record. This must be made to the Information Officer of the private body. This request must be made to the address, fax number or electronic mail address of the body concerned [section 53(1)]. A request will be deemed to be received by Jacana Administration Services (Pty) Ltd when Jacana Administration Services (Pty) Ltd acknowledge receipt thereof, for the purposes of this clause an auto response shall not be considered a response by Jacana Administration Services (Pty) Ltd;
- The requester must provide sufficient detail on the request form to enable the head of the private body to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed [section 53(2)(a) and (b) and (c)];
- The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right [section 53(2) (d)];
- 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 head of the private body [section 53(2) (f)].

Fees:

ACTIVITY	FEE
Request fee, payable by every requester	R140.00
Photocopy or printed black & white copy for every A4 page	R2.00 per page or part of the page
Printed copy of A4-size page	R2.00 per page or part of the page
For a copy in a computer-readable form on: - a flash drive (provided by the requester) - a compact disc (CD) if the requester provides the CD to us - a compact disc (CD) if we give the CD to the requested	R40.00 R40.00 R60.00
For a transcription of visual images, for an A4-size page or part of the page	This service will be outsourced. The fee will depend on the quotation from the service provider.
For a copy of visual images	This service will be outsourced. The fee will depend on the quotation from the service provider.
For a transcription of an audio record, per A4-size page	R24.00
For a copy of an audio record on a flash drive (provided by the requester)	R40.00
For a copy of an audio record on compact disc (CD) if the requester provides the CD to us	R40.00
For a copy of an audio record on compact disc (CD) if we give the CD to the requester	R60.00
For each hour or part of an hour (excluding the first hour) reasonably required to search for, and prepare the record for disclosure	R145.00
The search and preparation fee cannot exceed	R435.00
Deposit: if the search exceeds 6 hours	One-third of the amount per request as calculated in terms of items 2 to 8 above.
Postage, email or any other electronic transfer	Actual expense if any

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester (request for personal information), must pay the required request fee as stipulated in the Regulations promulgated in terms of the Act (as indicated hereunder).

Payment of the fees must take place prior to making available the requested record/s.

Potential Grounds for Refusing Access to Records

Protection of Third-Party Privacy

- Prevents unreasonable disclosure of personal information of natural persons.

Protection of Confidential Information

- Information protected by any confidentiality agreement

Protection of Safety and Property

- Records that could endanger individuals or compromise property security

Privileged Legal Records

- Information protected by legal privilege

Protection of the Responsible Party/Third Party Commercial Interests

- Trade secrets
- Financial, commercial, scientific, or technical information that could cause harm
- Information that may disadvantage the Responsible Party in negotiations or competition
- Proprietary computer programs protected by copyright

Protection of Research Information

- If disclosure would reveal the identity of the researcher, Responsible Party, or subject matter
- If disclosure would place the research at a serious disadvantage

Requests for information that are clearly frivolous or vexatious, or which would involve an unreasonable diversion of resources shall be refused.

Remedies Should an Information Request be Denied

Details of the reason for refusal would be provided in the Information Officer's feedback to the request. You may query the decision with the Information Officer. If your request is still refused, you may apply to a Court for relief within 30 calendar days of receiving the refusal. Similarly, if a third party is unhappy with the Information Officer's decision they also have 30 calendar days to apply to a Court.