

**PROMOTION OF ACCESS TO INFORMATION ACT MANUAL**



**FAIRTREE**

**FAIRTREE ASSET MANAGEMENT PROPRIETARY LIMITED**

**REGISTRATION NUMBER: 2004/033269/07**

**FAIRTREE CAPITAL HOSPITALITY PROPRIETARY LIMITED**

**REGISTRATION NUMBER: 2014/140361/07**

**FAIRTREE PRIVATE CLIENT PROPRIETARY LIMITED**

**REGISTRATION NUMBER: 2006/013535/07**



## 1. INTRODUCTION

- 1.1. Fairtree Asset Management (Pty) Ltd is an authorised financial services provider in terms of the Financial Advisory & Intermediary Services Act, 37 of 2002 (“**FAIS**”) and regulated by the Financial Sector Conduct Authority (“**FSCA**”) under FSP number 25917.
- 1.2. Fairtree Capital Hospitality (Pty) Ltd is an authorised financial services provider in terms of FAIS and regulated by the FSCA under FSP number 46033.
- 1.3. Fairtree Private Client (Pty) Ltd is an authorised financial services provider in terms of FAIS and regulated by the FSCA under FSP number 12179.
- 1.4. Fairtree Asset Management (Pty) Ltd, Fairtree Capital Hospitality (Pty) Ltd and Fairtree Private Client (Pty) Ltd will hereinafter collectively be referred to as “**Fairtree**”.

## 2. COMPANY CONTACT DETAILS (Section 51(1)(a))

All requests for information in terms of this manual must be directed to Fairtree’s Legal and Compliance Department:

Postal Address: P.O. Box 4124, Tygervalley, 7536

Street Address: Third Floor, Willowbridge Place, corner of Old Oak Road and  
Carl Cronje Drive, Bellville, Western Cape, South Africa, 7530

Telephone Number: 021 943 3760

Email: [notice@fairtree.com](mailto:notice@fairtree.com)

Website: [www.fairtree.com](http://www.fairtree.com)

## 3. ACCESS TO RECORDS (Section 51(1)(b))

- 3.1. 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.
- 3.2. 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 sections 6 and 7.



- 3.3. The South African Human Rights Commission (“**SAHRC**”) has complied and published a useful guide in terms of section 10 of PAIA, containing valuable information for the purposes of exercising any right in terms of PAIA.
- 3.4. The guide is made available in all official languages on the website of the SAHRC at the following URL: <https://www.sahrc.org.za/home/21/files/Section%2010%20guide%202014.pdf>
- 3.5. The contact details of the SAHRC are as follows:
- |                  |  |
|------------------|--|
| Postal Address   | : Private Bag 2700, Houghton, 2041                       |
| Telephone Number | : 011 877 3600   |
| Fax Number       | : 011 403 0625   |
| Website          | : <a href="http://www.sahrc.org.za">www.sahrc.org.za</a> |

#### **4. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION (Section 51(1)(c))**

All records kept and made available in terms of legislation applicable to Fairtree and the financial services industry in general, as it applies to the specific environment in which Fairtree operates, are available in accordance with the said legislation.

#### **5. SCHEDULE OF RECORDS (Section 51 (1)(d))**

- 5.1. Records that are available without having to submit a request in terms of PAIA:
- 5.1.1. Marketing material
  - 5.1.2. Pamphlets
- 5.2. Records that must be requested in terms of PAIA:
- 5.2.1. Personal Records
    - 5.2.1.1. Any personal records provided to Fairtree by its personnel;
    - 5.2.1.2. Any records a third party has provided to Fairtree about any of its personnel;
    - 5.2.1.3. Conditions of employment and other personnel-related contractual and quasi-legal records;
    - 5.2.1.4. Internal evaluation records; and
    - 5.2.1.5. Other internal records and correspondence.
  - 5.2.2. Client-related records
    - 5.2.2.1. Any records a client has provided to a third party acting for or on behalf of Fairtree;



- 5.2.2.2. Any records a third party has provided to Fairtree; and
- 5.2.2.3. Records generated by or within Fairtree pertaining to the client, including transactional records.
- 5.2.3. Company Records
  - 5.2.3.1. Operational records;
  - 5.2.3.2. Databases;
  - 5.2.3.3. Information technology;
  - 5.2.3.4. Marketing records;
  - 5.2.3.5. Internal correspondence;
  - 5.2.3.6. Records relating to products and services;
  - 5.2.3.7. Statutory records;
  - 5.2.3.8. Internal policies and procedures;
  - 5.2.3.9. Treasury-related records; and
  - 5.2.3.10. Securities and equities.

## **6. FORM OF A REQUEST FOR INFORMATION (Section 51(1)(e))**

- 6.1. A requester must use the prescribed Form C (available for download on the Department of Justice and Constitutional Development (“DOJ”) website) to request access to the information as per 5.2. above.
- 6.2. Form C can be downloaded from the following URL:  
[http://www.justice.gov.za/forms/form\\_paia.htm](http://www.justice.gov.za/forms/form_paia.htm)
- 6.3. The request must be addressed to Fairtree’s Legal and Compliance Department, as per the contact details set out in section 2.
- 6.4. The requester must provide sufficient detail on Form C to enable Fairtree to establish who is requesting the said information as well as what information is being requested and in what format.
- 6.5. 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 Fairtree in any specific manner (in addition to written) the manner and particulars thereof.



- 6.6. 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.
- 6.7. After Fairtree has decided on the request, the requester must be notified in the required form.
- 6.8. 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.

## **7. PRESCRIBED FEES (Section 51(1)(f))**

- 7.1. A requester who seeks access to a record containing personal information about that requester is not required to pay a request fee.
- 7.2. Every other requester, who is not a personal requester, must pay the required request fee, as prescribed from time to time.
- 7.3. 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.
- 7.4. Records may be withheld until the fees have been paid.
- 7.5. The fees can be downloaded from the following URL:  
<https://www.sahrc.org.za/home/21/files/PAIA%20Notice%20on%20fees.pdf>

## **8. AVAILABILITY OF THE MANUAL (Section 51(3))**

- 8.1. This manual is available for inspection at Fairtree's offices free of charge upon prior arrangement.
- 8.2. A copy is also made available on Fairtree's website.