

Liberty Holdings Limited

PAIA Information Manual

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Promotion of Access To Information Act, 2 of 2000

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1. Introduction

This information manual is in respect of Liberty Holdings Limited including all wholly or partially owned subsidiaries and associated juristic persons, hereinafter referred to as “Liberty”. Refer to Annexure 3 of this document for a complete list of subsidiaries.

This information manual (“Manual”) provides an outline of the types of records held by Liberty and explains how one may submit requests for access to these records in terms of the Promotion of Access to Information Act, 2 of 2000 (the “Act”).

The Act gives effect to everyone’s constitutional right of access to information held by private sector bodies (e.g. companies) or public bodies (i.e. Government institutions) that is required for the exercise and/or protection of the requestor’s rights.

A guide to the Act is available from the South African Human Rights Commission (“SAHRC”) website: www.sahrc.org.za. It describes, in each of official language:

- What the objects of this Act are;
- The details of each private body (where possible);
- The process that needs to be followed in order to make a request;
- How to get copies of the Guide at no charge;
- How to get access to the manual of a private body; and
- All the remedies available in law to you.

Should you have any queries in this regard, please contact the SAHRC directly at:

The South African Human Rights Commission: PAIA Unit
The Research and Documentation Department
Postal address: Private Bag 2700
Houghton
2041
Tel: +27 11 484-8300
Fax: +27 11 484-7146
Website: www.sahrc.org.za
E-mail: paia@sahrc.org.za

2. Availability of this Manual

You, the requester, can access this Manual on our www.liberty.co.za and www.libhold.co.za websites, or by requesting a copy by e-mail from the Head of Group Compliance as provided for in paragraph 4 below.

3. Requests for Information

You may submit your request for information records to the Head of Group Compliance as provided for in paragraph 4 below. It is recommended that you read this manual first, in particular paragraphs 6 through 9, before submitting any requests.

4. Head of Group Compliance Contact Details

Head of Group Compliance
P O Box 10499
Johannesburg
2000
Fax: +27 11 408 2326
E-mail: group.compliance@liberty.co.za

5. Records held by Liberty

Liberty maintains records on the following categories and subject matters. However, please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be granted. All requests for access will be evaluated on a case by case basis in accordance with the provisions of the Act.

5.1 Company records

The following are records pertaining to Liberty's own affairs:

- Finance and accounting records
- Human Resources;
- Strategy;
- Shareholders;
- Intermediaries;
- Operational records;
- Technology;
- Compliance and Risk;
- Subsidiary;
- Contractors; and
- Directors.

5.2 Employee records

"Employee" refers to any person who works for or provides services to or on behalf of Liberty and receives or is entitled to receive any remuneration and any other person who assists in carrying out or conducting any work or services for Liberty. This includes, without limitation, heads of departments, managers, all permanent, temporary and part-time staff as well as contract workers. Personnel records include the following:

- Any personal records provided to Liberty by their personnel;
- Any records a third party has provided to Liberty about any of their personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records;
- Internal evaluation records; and
- Other internal records and correspondence.

5.3 Customer Records

Customer records include the following:

- Policyholder and Investor; and
- Marketing.

5.4 Work-related records

Work-related information includes the following:

- Any records a third party has provided to Liberty; and
- Records generated by or within Liberty pertaining to work or services, including transactional records.

5.5 Other Parties

Records are kept in respect of other parties, including without limitation contractors, suppliers, departments, service providers. Alternatively, such other parties may possess records which can be said to belong to Liberty. The following records fall under this category:

- Personnel, work or service related records which are held by another party as opposed to being held by Liberty; and
- Records held by Liberty pertaining to other parties, including financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about the contractors/suppliers.

5.6 Publicly available records

We set out the records which are already publicly available without a request for access in terms of the Act being necessary:

- Group annual Financial statements; and
- Group interim audited report.

We also set out a description of the records available in accordance with other legislation:

- Long Term Insurance Act 52 of 1998
- Pension Funds Act 24 of 1956
- Medical Schemes Act 131 of 1998
- Collective Investments Schemes Control act 45 of 2002
- Companies Act 61 of 1973
- Skills Development Levies Act 66 of 1995
- Financial Intelligence Centre Act 38 of 2001
- Labour Relations Act 66 of 1995
- Basic Conditions of Employment Act 75 of 1997
- Employment Equity Act 55 of 1998
- Prevention of Organised Crime 121 of 1998
- Financial Intelligence Centre Act 38 of 2001
- Income Tax Act 58 of 1962
- Financial Advisory and Intermediary Services Act 37 of 2002
- Value Added Tax 89 of 1991
- Unemployment Insurance Act 63 of 2001
- Compensation for Occupational Injuries and Diseases Act 130 of 1993

6. Steps to Consider before Submitting a Request

The following steps must be considered before submitting a request:

6.1 Step 1: Are you requesting your own information?

All Liberty clients are allowed access to their own information without having to use the request for access to information procedures as set out in the Promotion of Access to Information Act, including, but not limited to:

- Policy documents
- Account information
- Personal Records
- Voice recordings

All Liberty clients should contact the relevant call centre or department to request access to their own information without having to use the request for access to information procedure. Please note that there may be administration costs associated with retrieval of certain types of information records.

6.2 Step 2: Are you entitled to use the Act to request access?

Please take note of section 7(1) of the Act which states:

“This Act does not apply to a record of a public body or a private body if:

- (a) that record is requested for the purpose of criminal or civil proceedings;
- (b) so requested after the commencement of such criminal or civil proceedings, as the case may be; and
- (c) the production of or access to that record for the purpose referred to in paragraph (a) is provided for in any other law.”

if section 7(1) applies, you may not bring a request in terms of this Act. You must use the rules and procedures for discovery of information of the relevant legal forum and proceedings you are involved in. Liberty reserves the right to claim all expenses and other damages incurred as a result of a requester submitting a request in contravention of section 7(1).

6.3 Step 3: Does the information requested exist in the form of a record?

Please note that the Act only applies to records that are in existence at the time of us receiving your request. The Act does not compel anyone to create a record which is not yet in existence at the time the request is made. For instance, the Act cannot be used to obtain reasons for a decision taken by Liberty if such reasons are not in the form of a record.

6.4 Step 4: Is the record in the possession or under the control of Liberty?

The Act provides that the record requested must be in our possession or under our control. Therefore, even if a record was created by Liberty or at some point in Liberty's possession (but no longer in Liberty's control at the time of your request), you must seek access to the record from the party under whose possession or control it is.

7. How to Submit Request for Access

Please consider the steps in paragraph 6 above before submitting your request. Once you are satisfied that none of the foregoing prohibitions apply to you, you may proceed to submit a request as follows:

7.1 Request form

Please complete the request form in Annexure 1 to this Manual (the "Request Form"). You can send the completed request form as is or under cover of a separate letterhead or fax cover.

In the Request Form, you need to provide sufficient information to enable us to adequately identify:-

- The record or records requested;
- The identity of the requester,
- Which form of access is required, if the request is granted;
- The postal address, fax number or email address of the requester.

7.2 Description of the right

Take care to adequately describe the right which you are seeking to protect or enforce by means of the records requested. Please note that the courts have indicated that access to the records must be "necessary" for the exercise or protection of the right so stated.

It is important to note that Liberty may refuse you access to the records requested if the right is not clearly defined or where the right you claim to seek to exercise or protect does not qualify as a right as contemplated in the Act.

7.3 Representatives

If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of Liberty.

7.4 Illiteracy or disability

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

7.5 Prescribed fees

The prescribed fees, where applicable, as provided for in paragraph 8.2 below must be paid and proof of payment (e.g. copy of deposit slip) must be submitted along with your request. Details of the bank account into which all required fees should be paid follow below:

Bank: Standard Bank of South Africa Limited

Account number: 200377035

Branch name: Braamfontein
Branch number: 004805

Please ensure that you use the following reference for your deposit or we will not be able to identify it as belonging to you:

“PAIA” followed by your initial(s) and surname e.g. If your initials and surname is AN Smith, you must use PAIA AN Smith as your reference.

8. Prescribed Fees

8.1 The Act provides for two types of fees, namely:

- A request fee, which will be a standard fee; and
- An access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.

8.2 The requester, other than a personal requester*, must pay the prescribed R50.00 (fifty rand) request fee, before submitting the request and provide a deposit slip as proof of payment which must accompany the Request Form.

* “personal requester” means a requester seeking access to a record containing personal information** about the requester.

** “personal information” means information about an identifiable individual, including, but not limited to—

- (a) information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the individual;
- (b) information relating to the education or the medical, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved;
- (c) any identifying number, symbol or other particular assigned to the individual;
- (d) the address, fingerprints or blood type of the individual;
- (e) the personal opinions, views or preferences of the individual, except where they are about another individual or about a proposal for a grant, an award or a prize to be made to another individual;
- (f) correspondence sent by the individual that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
- (g) the views or opinions of another individual about the individual;
- (h) the views or opinions of another individual about a proposal for a grant, an award or a prize to be made to the individual, but excluding the name of the other individual where it appears with the views or opinions of the other individual; and
- (i) the name of the individual where it appears with other personal information relating to the individual or where the disclosure of the name itself would reveal information about the individual, but excludes information about an individual who has been dead for more than 20 years.

8.3 If the search for and preparation of the record (for disclosure), including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, liberty will request you to pay as a deposit the prescribed portion of the access fee which would be payable if the request is granted.

8.4 Liberty may withhold a record until the requester has paid the fees as indicated in **Annexure 2**.

8.5 A requester whose request has been granted must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.

8.6 You may ask for a refund of the deposit if your request for access is refused.

9. Considering your Request

- 9.1 Liberty will have deemed to have received your request when all of the requirements in respect of the Act have been met.
- 9.2 Subject to the provisions in the Act in respect of extension of time periods, Liberty will process the request within 30 days, unless you have stated special reasons which would satisfy Liberty that circumstances dictate that the above time periods not be complied with.
- 9.3 You will be informed in writing whether access has been granted or denied.
- 9.4 The main grounds for Liberty to refuse a request for information relate to the:
- 9.4.1 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;
- 9.4.2 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; and
 - information disclosed in confidence by a third party to Liberty, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
- 9.4.3 mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- 9.4.4 mandatory protection of the safety of individuals and the protection of property;
- 9.4.5 mandatory protection of records which would be regarded as privileged in legal proceedings;
- 9.4.6 the commercial activities of Liberty, which may include:
- trade secrets of Liberty;
 - financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of Liberty; and
 - information which, if disclosed could put Liberty at a disadvantage in negotiations or commercial competition;
 - a computer program which is owned by Liberty, and which is protected by copyright; and
- 9.4.7 the research information of Liberty or a third party, if its disclosure would disclose the identity of Liberty, the researcher or the subject matter of the research and would place the research at a serious disadvantage.

10. Your Remedies

Liberty does not have internal appeal procedures. As such, the decision made by the Liberty is final. If your request is denied, you are entitled to apply to a court with appropriate jurisdiction for relief.

Annexure 1

REQUEST FOR ACCESS TO RECORDS OF PRIVATE BODY

This annexure must accompany the cover letter addressed to the Head of Group Compliance

A. Particulars of Liberty (or Division of Liberty)

Head of Group Compliance
P O Box 10499
Johannesburg
2000
Fax: +27 11 408 2326
E-mail: group.compliance@liberty.co.za

B. Particulars of person requesting access to the record

- (a) The particulars of the person who requests access to the record must be given below.
- (b) The address and/or fax number in the Republic to which the information is to be sent must be given.
- (c) Proof of the capacity in which the request is made, if applicable, must be attached.

Full names and surname:

Identity number:

Postal address:

Fax number:

Telephone number:

E-mail address:

Capacity in which the request is made, when made on behalf of another person:

C. Particulars of person on whose behalf request is made

This section must be completed only if a request for information is made on behalf of another person.

Full names and surname:

Identity number:

D. Particulars of record

- (a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.
- (b) If the provided space is inadequate, please continue on a separate folio and attach it to this form.
The requester must sign all the additional folios.

1 Description of record or relevant part of the record:

2 Reference number, if available:

3 Any further particulars of record:

G. Particulars of right to be exercised or protected

If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Indicate which right is to be exercised or protected:

2. Explain why the record requested is required for the exercise or protection of the aforementioned right:



H. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved/denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at _____ this _____ day of _____ 200 _____

Signature of requester / person on whose behalf request is made

FOR LIBERTY INTERNAL USE ONLY

Reference number: _____

Head of Group Compliance: _____

Request fee (if any): R _____

Deposit (if any): R _____

Access fee: R _____

SIGNATURE OF HEAD OF GROUP COMPLIANCE (or duly authorised representative)

Annexure 2

FEES IN RESPECT OF PRIVATE BODIES

DESCRIPTION	Rand
1. The fee for a copy of the manual as contemplated in regulation 9(2)(c) - for every photocopy of an A4-size page or part thereof.	1,10
2. The fees for reproduction referred to in regulation 11 (1) are as follows:	
(a) For every photocopy of an A4-size page or part thereof	1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c) For a copy in a computer-readable form on-	
(i) Stiffy disc	7,50
(ii) Compact disc	70,00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof	40,00
(ii) For a copy of visual images	60,00
(e) (i) For a transcription of an audio record, for an A4-size page or part thereof	20,00
(ii) For a copy of an audio record	30,00
3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2)	50,00
4. The access fees payable by a requester referred to in regulation 11 (3) are as follows:	
4.1. (a) For every photocopy of an A4-size page or part thereof	1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c) For a copy in a computer-readable form on-	
(i) Stiffy disc	7,50
(ii) Compact disc	70,00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof	40,00
(ii) For a copy of visual images	60,00
(e) (i) For a transcription of an audio record, for an A4-size page or part thereof	20,00
(ii) For a copy of an audio record	30,00
(f) To search for and prepare the record for disclosure, R30.00 for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation.	
4.2. For purposes of section 54 (2) of the Act, the following applies:	
(a) Six hours as the hours to be exceeded before a deposit is payable; and	
(b) One third of the access fee is payable as a deposit by the requester.	
4.3. The actual postage is payable when a copy of a record must be posted to a requester.	

Annexure 3

WHOLLY AND PARTIALLY OWNED SUBSIDIARIES OF LIBERTY

Wholly Owned Subsidiaries

Liberty Group
Blue Line Management Limited
CAL Limited (Isle of Man)
Capital Alliance Australia Holdings (Proprietary) Limited
Capital Alliance Executive Share Trust
Capital Alliance Holdings Share Scheme
Capital Alliance Investment Holdings (Proprietary) Limited
Capital Alliance Life Limited
Capital Alliance Special Finance (Proprietary) Limited
Cell with Novia Life Partners Limited
Group Solutions at Capital Alliance (Proprietary) Limited
Jorlove (Proprietary) Limited
Killyman Estates (Proprietary) Limited
Liberty Ermitage Luxembourg SA
Liberty Group Property Development (Proprietary) Limited
Liberty Group Property Management (Proprietary) Limited
Liberty Life Namibia Limited
Liberty Private Fund Administrators (Proprietary) Limited
Lodestone Holdings (Proprietary) Limited
Mooi and Anderson Street Properties (Proprietary) Limited
Rentmeester Versekeraars Beperk
Shoebill (Proprietary) Limited
Sillena Ontwikkelingsmaatskappy (Proprietary) Limited
Standard Bank Unit Trusts (Proprietary) Limited
STANLIB Asset Management Limited
STANLIB Collective Investments Limited
STANLIB Multi-Manager Limited
STANLIB Wealth Management Limited
The Big Rock (Proprietary) Limited
Traduna property Holdings Limited

Partially Owned Subsidiaries

Africa and International Recovery Services (Proprietary) Limited
CAL AIL investments Limited
Liberty Health Holdings (Proprietary) Limited
Liberty Life Assurance Uganda Limited
Stanbic Investment Management Services (Proprietary) Limited
Stanbic Investment Management Services (East Africa) Limited
Stanbic Investment Management Services - Lesotho (Proprietary) Limited
Standard Lesotho Bank Unit Trust (Proprietary) Limited
VMed Administrators (Proprietary) Limited
VMedical Solutions (Proprietary) Limited
Vision Equity Living (Proprietary) Limited

Associated Juristic Persons

Amalgam Defined Benefit Pension Fund (36817)
Amalgam Defined Benefit Provident Fund (36818)
Amalgam Defined Contribution Pension Fund (The) (35871)
Amalgam Defined Contribution Provident Fund (34152)
Amalgam Investment Choice Pension Fund (36241)
Amalgam Investment Choice Provident Fund (36224)
Corporate Selection Pension Fund (36006)
Corporate Selection Pension Fund No 2 (36440)
Corporate Selection Retirement Fund (27024)
Corporate Selection Retirement Fund No 2 (36438)
Liberty Defined Contribution Pension Fund (36943)
Liberty Pension Fund (16176)
Liberty Provident Fund (15367)
Lifestyle Provident Fund (Umbrella) (25693)
Lifestyle Retirement Annuity Fund (6776)
Lifestyle Retirement Preserver Pension Plan (27974)
Lifestyle Retirement Preserver Provident Fund (27975)
LPFA Umbrella Pension Fund (37866)
LPFA Umbrella Provident Fund (37867)
Vantage Umbrella Fund
Vantage DC Umbrella Pension Fund – 12/8/35234
Vantage DC Umbrella Provident Fund – 12/8/35289
Vantage DB Umbrella Pension Fund – 12/8/35297

Quantum Umbrella Funds

1. Business Benefit Solutions Pension Fund – 12/8/34197
2. Business Benefit Solutions Plan Provident Fund – 12/8/34160
3. Contract Support Services Provident Fund – 12/8/34797
4. Davis Provident Fund – 12/8/20719
5. Fincorp Group Staff Provident Fund – 12/8/26489
6. Gemstone Provident, Life And Disability Umbrella Fund [12/8/35949]
7. Heritage Execufund – 12/8/22732
8. IPC Gilt Edge Provident Fund – 12/8/21202
9. International Compensation Provident Fund – 12/8/25498
10. Maxima Group Life Assurance Brokers Provident Fund – 12/8/22376
11. Nevin & Associates – 12/8/25860
12. Norman Isaacs Insurances Provident Fund – 12/8/27205
13. Pomeroy Emmott Umbrella Fund – 12/8/26858
14. Pride Group Umbrella Provident Fund (Berns Block) – 12/8/25439
15. Samore Umbrella Provident Fund – 12/8/30086
16. Security Provident Fund – 12/8/26958
17. Sitex Provident Fund [12/8/23449]
18. Transvaal Jewellery Manufacturers Association Provident Fund – 12/8/27250

ANNEXURE 4

LIBERTY HOLDINGS LIMITED – BASIC INFORMATION

Physical Address

Liberty Group Limited
Liberty Centre
1 Ameshoff Street
Braamfontein
Johannesburg
2001

Postal Address

P O Box 10499
Johannesburg
2000

Other contact details

Tel: (011) 408 3911

Telegram “Liblife”

Fax: (011) 408 2326

Internet site: <http://www.liberty.co.za>

<http://www.libhold.co.za>

Company Registration Number

Registration no: 1957/002788/06

