THE PROMOTION OF ACCESS TO INFORMATION

Act 2 of 2000 Section 51 Manual

Corporate Governance & Compliance

Version 1.0 (2026)

1 INTRODUCTION

Section 32 of the Constitution of South Africa provides that everyone has the right to access any information held by the State or a private body that is required for the exercise or protection of any rights, except where PAIA expressly provides that the information must not or need not be released.

It also prescribes that national legislation (PAIA) must be enacted to give effect to this right, and may provide for reasonable measures to alleviate the administrative and financial burden on the State. In the event that a request is made, the said person/body must release such information speedily, inexpensively and effortlessly as reasonably possible.

2 PURPOSE OF THE MANUAL

The Promotion of Access to Information Act 2 of 2000 (commonly known as PAIA) is South Africa's access to information law and it enables people to gain access to information held by both public and private bodies. All organisations in South Africa must comply with it.

3 CONTACT INFORMATION

iMPAC

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THE INFORMATION REGULATOR

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4 WHO MAY REQUEST INFORMATION

In terms of section 50(1) of PAIA any person may request information from

- iMPAC Underwriting Managers (Pty) Ltd

(herein collectively referred to as "iMPAC").

When such a request is made, iMPAC is obliged to give access to the requested information, except where the law expressly provides that the information must not be released. It is important to note that PAIA recognises certain limitations to the right of access to information, which includes:

- Limitations aimed at the reasonable protection of the right to privacy.
- Commercial confidentiality.
- Effective, efficient, and good governance. The limitation should be in a manner that balances that right of access to information with any other rights.

5 RECORDS THAT MAY BE REQUESTED

The following iMPAC records may be requested:

PERSONAL RECORDS	**Records include but are not limited to the following:** • Personnel records provided to iMPAC by their personnel. • Records a third party has provided about any of iMPAC's personnel. • Conditions of employment and other contractual and quasi-legal documents. • Internal evaluation records. • Salary information.
COMPANY RECORDS	**Records include but are not limited to the following:** • Annual Financial Statements • Product information, policy documents and terms and conditions • Marketing • Newsletters • Databases • Internal policies and procedures
	• Operational information (sales, customer care and claims) • Statutory records • Administrative records, such as contracts and service-level agreements
CLIENT RECORDS (all natural and juristic persons who receives services or products from iMPAC)	**Records which contain information of clients that receive a service or product from iMPAC:** • Any records a client has provided to a third party acting for or on behalf of iMPAC. • Any records a third party has provided to iMPAC. • Records generated by or within iMPAC pertaining to its clients. • Recorded call centre calls. • Correspondence with a client that is implicitly or explicitly of a private or confidential nature. • Records pertaining to a client retrieved from other sources, such as any credit bureau or credit provider's industry association.
OTHER PARTY RECORDS	• Records include but are not limited to suppliers and service providers.

6 ACCESS PROCEDURE

The request must be received in the prescribed format by completing the attached form marked Annexure A. In terms of PAIA, the Requester must provide the following information:

- Sufficient information to enable the Information Officer to identify the Requestor.
- Sufficient information to enable the Information Officer to identify the record(s) requested.
- The form of access required.
- The Requestor's nominated email address or mobile number.
- Identification of the right sought to be exercised or protected.
- An explanation on why the record is required to exercise or protect that right.
- The manner in which the Requestor wishes to be informed of the decision on the request, if in a manner in addition to written notification.
- If the request is made on behalf of a person, the submission of proof of the capacity in which the Requestor makes the request, to the satisfaction of the Information Officer.
- If the Requestor is acting on behalf of another person, the capacity in what the Requestor is acting as well as proof of thereof must be attached.

iMPAC will process the request within thirty (30) days, unless the Requestor has stated special reasons which would satisfy the Information Officer that circumstances dictate that the above time periods not be complied with. The Requester shall be informed whether access has been granted or denied in writing. If, in addition, the Requester requires the reasons for the decision in any other manner, he must state the manner and the particulars so required.

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

The Requester must pay the prescribed fee, before any further processing can take place.

7 PRESCRIBED FEES

In terms of PAIA, a prescribed fee may be levied for any requests to access of any records. The request fee is not applicable to personal requests i.e. records containing personal information that concerns the Requestor.

An access fee is payable by all Requestors when access is granted. The purpose of this fee is to reimburse the private body for the costs involved in searching for the record and preparing it for delivery to the Requestor. Prescribed fees for public bodies can be accessed on www.justice.gov.za/PAIA

8 RECORDS THAT CANNOT BE FOUND OR DOES NOT EXIST

In the event that a record is requested and could not be found **section 55** of PAIA stipulates that, if:

- all reasonable steps have been taken to find a record requested, and there are reasonable grounds for believing that the record, is in the private body's possession but cannot be found; or
- does not exist.

The head of a private body must, by way of affidavit or affirmation, notify the Requester that it is not possible to give access to that record.

If the document cannot be found it is deemed to be a refusal of the request. If, however, the record is later found, the Requestor must be given access if the request would otherwise have been granted.

9 DECISIONS ON REQUEST

On receipt of a request, the private body to which the request is made must decide in accordance with PAIA to grant the request and notify the Requestor of the decision and must state:

- the access fee (if any) to be paid upon access.
- the form in which access will be given; and
- that the Requester may lodge an application with a court against the access fee.
- Should the request be refused the private body in question must:
- State adequate reasons for the refusal, including the provisions of the Act relied on.
- Exclude, from any such reasons, any reference to the content of the record.
- State that the Requester may lodge an application with a court against the refusal of the request, and the procedure (including the period) for lodging the application.

10 GROUNDS FOR REFUSAL

iMPAC reserves its right to refuse and or grant access to records in accordance with the sections and subsections of PAIA Chapter 4. Grounds for refusal of access of records, for the following reasons:

- Mandatory protection of privacy of third party who is natural person.
- Mandatory protection of certain records of South African Revenue Service.
- Mandatory protection of commercial information of third party.
- Mandatory protection of certain confidential information, and protection of certain other confidential information, of third party.
- Mandatory protection of safety of individuals, and protection of property.
- Mandatory protection of police dockets in bail proceedings, and protection of law enforcement and legal proceedings.
- Mandatory protection of records privileged from production in legal proceedings.
- Defence, security and international relations of Republic.
- Economic interests and financial welfare of Republic and commercial activities of public bodies.

- Mandatory protection of research information of third party, and protection of research information of public body.
- Operations of public bodies.
- Manifestly frivolous or vexatious requests, or substantial and unreasonable diversion of resources.
- Mandatory disclosure in public interest.
- Trade secrets of the company and the third party.
- Information disclosed in confidence by a third party to the company.
- Financial, commercial, scientific or technical, the disclosure of which could harm the financial or commercial interests of the company or third party.
- Computer programs and related information technology software owned by iMPAC and protected by copyright.
- Any research information accumulated by iMPAC or a third party that would place the research at a serious disadvantage.

11 THIRD PARTY NOTIFICATION AND INTERVENTION

If the request is for a record pertaining to third parties, the Information Officer must take all reasonable steps to notify the relevant third party of the request. This must be done within twenty-one (21) days of receipt of the request. The third party may within twenty-one (21) days thereafter either make representation to iMPAC as to why the request should be refused; alternatively grant written consent to the disclosure of the record

12 RIGHT OF APPEAL

A Requestor that is dissatisfied with the Information Officer's refusal to grant access to any information may, within thirty(30) days of notification of the decision, apply to court for relief. Likewise, a third party dissatisfied with the Information Officer's decision to grant a request may, within thirty (30) days of notification of the decision, apply to court for relief.

13 AVAILABILITY OF THE MANUAL

The manual is available via email request at compliance@impacuma.co.za

14 DISCLAIMER

The manual does not purport to be exhaustive of or to comprehensively deal with every procedure provided for in the Act.

ANNEXURE A

FORM 02: REQUEST FOR ACCESS TO RECORD [REGULATION 7] - PUBLIC & PRIVATE BODIES

Form 02 is a prescribed document under PAIA, which allows individuals to formally request access to specific records held by both public and private bodies in South Africa. This form is used to initiate the process of obtaining information and is an essential tool for individuals seeking access to records that may not be readily available to the public.

FORM 03: OUTCOME OF REQUEST AND OF FEES PAYABLE [REGULATION 8] - PUBLIC & PRIVATE BODIES

Form 03 is another prescribed document under PAIA, designed to provide requesters with information about the outcome of their access request and any associated fees that may be payable for obtaining the requested records. This form is applicable to both public and private bodies and serves to ensure transparency and accountability in the access-to-information process.

FORM 04: INTERNAL APPEAL FORM [REGULATION 9] - PUBLIC BODIES ONLY

Form 04 is a specific prescribed form under PAIA meant exclusively for use by public bodies in South Africa. This form allows individuals who have been denied access to information by a public body to file an internal appeal. It is a critical step in the appeals process and enables requesters to seek a review of the initial decision made by the public body regarding their access request.