



T 021 913 8865 F 021 913 8866 info@ternary.co.za www.ternary.co.za

Farm 3, The Vineyard Office Estate, 99 Jip De Jager Avenue, Bellville 7530, P.O. Box 4754, Tygervalley 7536

MANUAL PREPARED IN TERMS OF SECTION 51 OF THE PROMOTION  
OF ACCESS TO INFORMATION ACT, 2 OF 2000 FOR THE FOLLOWING  
ENTITY:

**TERNARY FINANCIAL SERVICES CC**



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## INTRODUCTION TO ENTITY

Ternary Financial Services CC is registered with the Financial Services Board (Licence No. 11046) as an authorised Financial Services Provider in terms of Section 8 of the Financial Advisory and Intermediary Services Act No.37 of 2002.

## PARTICULARS IN TERMS OF THE SECTION 51 MANUAL

This Manual has been compiled in accordance with the Promotion of Access to Information Act 2 of 2000 and applies to Ternary Financial Services CC.

### Contact details

Ternary Financial Services CC will deal with all requests for information in terms of this manual. Requests for information should be directed to:

Information Officer: **Judith Rene Johnson**

#### Postal Address

Ternary Financial Services CC  
PO Box 4754  
Tygervalley  
7536

#### Physical Address

Marathon House  
Farm 3  
The Vineyards Office Estate  
99 Jip de Jager Drive  
Bellville  
7530

Telephone: 021 913 8865  
Fax: 021 913 8866  
Website: [www.ternary.co.za](http://www.ternary.co.za)  
E-mail: [info@ternary.co.za](mailto:info@ternary.co.za)

### The Section 10 Guide on how to use the Act

A Guide on the Act will be available from the South African Human Rights Commission, by no later than August 2003, and provides greater clarity on or assistance with the Act. It includes the following:

- What the objectives of this Act are
- The relevant contact details of each public and private body
- The process that needs to be followed in order to request access to records
- Assistance available from the South African Human Rights Commission and information officers from public bodies
- How to obtain access to the manual of a private body
- All the remedies available in law to you
- Details on prescribed fees payable in respect of requests for information



The Guide will be made available in such language as may reasonably be required by a person who wishes to exercise any right contemplated in the Act.

## The South African Human Rights Commission:

PAIA Unit  
The Research and Documentation Department

**Postal address**  
Private Bag 2700  
Houghton  
2041

Telephone: +27 11 484 8300  
Fax: +27 11 484 0582  
Website: [www.sahrc.org.za](http://www.sahrc.org.za)  
E-mail: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

## Types of Records

### Records available in terms of any other legislation

All records are kept and made available both in accordance with said legislation and in terms of legislation applicable to any of the entities listed in this Manual and the Financial Services Industry in general, as it applies to the specific environment in which the entity operates.

### Records available without requesting access in terms of the Act

A private body may, on a voluntary and periodic basis, submit to the Minister a description of categories of records, which are automatically available without a person having to request access in terms of the Act. The Minister must publish any description so submitted by notice in the Gazette.

The identified entities have not submitted any such description for publication in the Gazette. Certain records are however freely available on the Internet at [www.ternary.co.za](http://www.ternary.co.za).

### Records available on request

We set out below the subjects and categories of records that are, subject to access being denied as set out in the Act, available for the purposes of the Act:



Records are held on the following subjects:

- i. Personnel records;
- ii. Client-related records;
- iii. Private body records;
- iv. Records in the possession of or pertaining to other parties.

**i) Personnel records**

Personnel refers to any person who works for or provides services to or on behalf of the private body and receives or is entitled to receive any remuneration and any other person who assists in carrying out or conducting the business of the private body. This includes, without limitation, directors, executives, non-executives, all permanent, temporary and part-time staff as well as contract workers.

Personnel records include the following:

- Any personal records provided to the private body by their personnel;
- Any records a third party has provided to the private body 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.

**(ii) Client-related records**

A client includes any natural or juristic entity, who receives services from the private body. Client related information includes the following:

- Any records a client has provided to a third party acting for or on behalf of the private body;
- Any records a third party has provided to the private body; and
- Records generated by or within the private body pertaining to the client, including transactional records.

**(iii) Private body records**

The following are considered to include but not be limited to records, which pertain to the private body's own affairs:

- Financial records;
- Operational records;
- Databases;
- Information technology;
- Marketing records;
- Internal correspondence;
- Records relating to products and services;
- Statutory records;
- Internal policies and procedures;
- Treasury-related records;
- Securities and equities; and
- Records held by officials of the private body.



#### (iv) Other parties

The private body may possess records pertaining to other parties, including without limitation contractors, suppliers, subsidiary/holding/sister companies, joint venture companies, service providers. Alternatively, such other parties may possess records, which can be said to belong to the private body.

The following records fall under this category:

- Personnel, client or private body records which are held by another party as opposed to being held by the private body; and
- Records held by the private body pertaining to other parties, including without limitation financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about the contractors / suppliers.

### Grounds for refusal of access to records

The main grounds for the private body to refuse a request for information relates to the:

- 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;
- 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;
  - information disclosed in confidence by a third party to the private body, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
- mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- mandatory protection of the safety of individuals and the protection of property;
- mandatory protection of records which would be regarded as privileged in legal proceedings;
- the commercial activities of the private body, which may include –
  - trade secrets of the private body;
  - financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of the private body;
  - information which, if disclosed could put the private body at a disadvantage in negotiations or commercial competition;



- a computer program which is owned by the private body, and which is protected by copyright.
- the research information of the private body or a third party, if its disclosure would disclose the identity of the private body, the researcher or the subject matter of the research and would place the research at a serious disadvantage;
- Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

## Access to records held by the private body

Records held by the institution may be accessed by requests only once the prerequisite requirements for access have been met.

A requester is any person making a request for access to a record of the private body. There are two types of requesters:

- *Personal Requester*  
A personal requester is a requester who is seeking access to a record containing personal information about the requester. The private body will voluntarily provide the requested information, or give access to any record with regard to the requester's personal information. The prescribed fee for reproduction of the information requested will be charged.
- *Other Requester*  
This requester (other than a personal requester) is entitled to request access to information on third parties. However, the private body is not obliged to voluntarily grant access. The requester must fulfil the prerequisite requirements for access in terms of the Act, including the payment of a request and access fee.

## Requesting procedures

A person who wants access to the records of any of the identified entities must complete the necessary request form.

The request form can be accessed on [www.ternary.co.za](http://www.ternary.co.za) or [www.sahrc.org.za](http://www.sahrc.org.za). If a person needs assistance to obtain the form or on any other matter, please contact the Information Officer at the telephone number provided in clause 1.

The completed request form must be sent to the address or fax number provided in clause 1 and marked for the attention of the Information Officer.

The Information Officer will process the request and inform the requester of the fees (if any) that are payable and of the different procedures that must be followed until the request is finalised. A copy of the fee structure applicable to private bodies can be accessed on [www.ternary.co.za](http://www.ternary.co.za)



All the pertinent sections must be completed fully, failing which the process will be delayed while the Information Officer obtains such additional information.

Judith Rene Johnson

Information Officer Name

*J. Johnson* 27/08/2015  
Signature Date

Judith Rene Johnson

Member Name

*J. Johnson* 27/08/2015  
Signature Date

Remmert Michael Tomas

Member Name

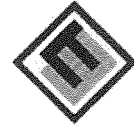
*[Signature]* 27 August 2015  
Signature Date

Albert Brand

Member Name

*[Signature]* 27 August 2015  
Signature Date





## FORM C

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY  
(Section 53(1) of the Promotion of Access to Information Act, 2000  
(Act No. 2 of 2000)

[Regulation 10]

### A. Particulars of private body

The Head:

### 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 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 <i>ONLY</i> if a request <i>for information</i> is made on behalf of <i>another</i> 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:



**E. Fees**

- (a) A request for access to a record, other *than* a record containing personal information about yourself, will be processed only after a request fee has been paid.
- (b) You will be *notified of* the amount required to be paid as the request fee.
- (c) The fee payable for access to a record depends *on* the form *in which* access is required and the reasonable time *required* to search for and prepare a record.
- (d) If you qualify for exemption *of* the payment *of* any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

**F. Form of access to record**

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability:	Form in which record is required
Form in which record is required:	
Mark the appropriate box with an X.	
<p>NOTES:</p> <p>(a) Compliance with your request in the specified form may depend on the form in which the record is available.</p> <p>(b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.</p> <p>(c) The fee payable for access for the record, if any, will be determined partly by the form in which access is requested.</p>	

<b>1. If the record is in written or printed form:</b>			
	copy of record*		inspection of record
<b>2. If record consists of visual images</b> this includes photographs, slides, video recordings, computer-generated images, sketches, etc)			
	view the images	copy of the images"	transcription of the images*
<b>3. If record consists of recorded words or information which can be reproduced in sound:</b>			
	listen to the soundtrack audio cassette	transcription of soundtrack* written or printed document	
<b>4. If record is held on computer or in an electronic or machine-readable form:</b>			
	printed copy of record*	printed copy of information derived from the record"	copy in computer readable form* (stiffy or compact disc)
'If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.			YES    NO



**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 .....20

SIGNATURE OF REQUESTER / PERSON ON  
WHOSE BEHALF REQUEST IS MADE

## PROMOTION OF ACCESS TO INFORMATION ACT

### FEEs PAYABLE IN THE RESPECT OF PRIVATE BODY

1. Reproduction fees referred to in section 52(3) of the Act, is as follows:

a)	For every photocopy of an A4-size page or part thereof	R 1.10
b)	For every printed copy of an A4-size page or part thereof held on a computer of in electronic or machine readable form	R 0.75
c)	For a copy in a computer readable form on: <ul style="list-style-type: none"> <li>• Stiffy disc</li> <li>• Compact disc</li> </ul>	R 7.50 R70.00
d)	For a transcription of visual images: <ul style="list-style-type: none"> <li>• For an A4-size page or part thereof</li> <li>• For a copy of visual images</li> </ul>	R40.00 R60.00
e)	For a transcription of an audio record: <ul style="list-style-type: none"> <li>• For an A4-size page or part thereof</li> <li>• For a copy of an audio record</li> </ul>	R20.00 R30.00

2. Request fees

a)	The request fee payable by a requester, other than a personal requester, referred to in section 54(1) of the Act	R50.00
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3. Access fees payable referred to in section 54(7) of the Act, unless exempted under section 54(8) of the Act, are as follows:

a)	For every photocopy of an A4-size page or part thereof	R 1.10
b)	For every printed copy of an A4-size page or part thereof held on a computer of in electronic or machine readable form	R 0.75
c)	For a copy in a computer readable form on: <ul style="list-style-type: none"> <li>• Stiffy disc</li> <li>• Compact disc</li> </ul>	R 7.50 R70.00
d)	For a transcription of visual images: <ul style="list-style-type: none"> <li>• For an A4-size page or part thereof</li> <li>• For a copy of visual images</li> </ul>	R40.00 R60.00
e)	For a transcription of an audio record: <ul style="list-style-type: none"> <li>• For an A4-size page or part thereof</li> <li>• For a copy of an audio record</li> </ul>	R20.00 R30.00
f)	To search for the record of disclosure	R30.00 for each hour or part of an hour



		reasonably required for such search.
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#### 4. Postal fee

The actual postal fee is payable when a copy of a record must be posted to a requester.

#### 5. 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.

#### 6. Notice of internal appeal

Notice of an internal appeal, as contemplated in section 75(1) of the Act, must be lodged in the form of Form C of the Annexure.

#### 7. Appeal fees

The appeal fee payable in respect of the lodging of an internal appeal by a requester against the refusal of his or her request for access, as contemplated in section 75(3)(a) of the Act, is R50.00

#### 8. Value-added tax

Public and private bodies registered under the Value-Added Tax Act, 1991 (Act No. 89 of 1991), as vendors may add value added tax to all fees prescribed in terms of these regulations.