

Constans Finansiële Dienste Pty Ltd

*Manual in terms of section 51 of the
Promotion of Access to Information Act 2 of 2000*

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Promotion of Access to Information Act, Act 2 of 2000 (The Act)

Section 51 Manual of Constans Finansiële Dienste Pty Ltd (Registration number: 2003/007357/07)

1. Contact particulars

Head of business:	Du Preez Venter	Information officer:	Du Preez Venter
Postal address:	Old College Building 35 Church Street Stellenbosch 7600	Physical address:	Old College Building 35 Church Street Stellenbosch 7600
Telephone number:	0218865558	Fax number:	
E-mail address:	info@constans.co.za		
Website:	www.constans.co.za		

2. Introduction

Financial services, consulting and related activities

3. Guide in terms of section 10 of The Act

Any person who wishes to exercise any right contemplated in The Act may obtain a copy of the information guide issued by the Human Rights Commission in all official languages, from the Human Rights Commission, tel (011) 877-3803, fax (011) 403-0625.

4. Facilitation of a request for access to information

Information which is not readily available as indicated in this manual, may be requested in accordance with the procedure prescribed in terms of the Act. Copies of the prescribed forms to be completed for submitting a request, are available from Constans Finansiële Dienste Pty Ltd or www.sahrc.org.za.

5. Information available in terms of other legislation

Information is available in terms of certain provisions of the following legislation:

- 5.1 Broad-based Black Economic Empowerment Act 53 of 2003
- 5.2 Companies Act 61 of 1973
- 5.3 Consumer Protection Act 68 of 2008
- 5.4 Copyright Act 98 of 1978
- 5.5 Financial Advisory and Intermediary Service Act 37 of 2002
- 5.6 Financial Intelligence Centre Act 38 of 2001
- 5.7 Financial Services Board Act 97 of 1990
- 5.8 Income Tax Act 58 of 1962
- 5.9 Inspection of Financial Institutions Act 80 of 1998
- 5.10 Labour Relations Act 66 of 1995
- 5.11 Long Term Insurance Act 52 of 1998
- 5.12 Medical Schemes Act 131 of 1998
- 5.13 National Credit Act 34 of 2005
- 5.14 National Health Act 61 of 2003
- 5.15 Occupational Health and Safety Act 85 of 1993
- 5.16 Pension Funds Act 24 of 1956
- 5.17 Planning Profession Act 36 of 2002
- 5.18 Promotion of Access to Information Act 2 of 2000
- 5.19 Protection of Personal Information Act 4 of 2013
- 5.20 South African Revenue Services Act 34 of 1997
- 5.21 Skills Development Levies Act 9 of 1999
- 5.22 Tax Administration Act 28 of 2011
- 5.23 Value Added Tax Act 89 of 1991

6. Information automatically available

The following categories of records are automatically available for inspection, purchase or photocopying:

- 6.1 www.constans.co.za Website

7. Information available in terms of The Act

The subjects on which the business holds records and the categories on each subject are as listed below. Please note that a requestor is not automatically allowed access to these records and that access to them may or must be refused in accordance with section 62 to 69 of The Act.

7.1 Accounting records

- 7.1.1 Annual financial statements and working papers
- 7.1.2 General ledger
- 7.1.3 Bank statements, cheque books, cheques
- 7.1.4 Customer and supplier statements and invoices
- 7.1.5 Cash books and petty cash books
- 7.1.6 Fixed asset register
- 7.1.7 Tax returns and assessments
- 7.1.8 VAT returns
- 7.1.9 Auditor's reports
- 7.1.10 Management reviews

7.2 Information Technology

- 7.2.1 Hardware
- 7.2.2 Internet
- 7.2.3 Licenses
- 7.2.4 Software packages
- 7.2.5 Telephone lines, leased lines and data lines

7.3 Insurance

- 7.3.1 Details of coverage, limits and insurers
- 7.3.2 Insurance policies

7.4 Legal, Agreements and Contracts

- 7.4.1 Agreements with contractors, suppliers and clients
- 7.4.2 Agreements with customers
- 7.4.3 Agreements with shareholders, officers or directors
- 7.4.4 Contracts, including lease agreements and finance agreements

7.5 Personnel Records

- 7.5.1 Employee information records
- 7.5.2 Employment contracts
- 7.5.3 IRP 5 and IT 3 certificates
- 7.5.4 Leave applications
- 7.5.5 Organisational design
- 7.5.6 Payroll
- 7.5.7 Personnel file
- 7.5.8 Training and development
- 7.5.9 UIF, PAYE and SDL returns

7.6 Sales and Marketing

- 7.6.1 Products
- 7.6.2 Service and product information

7.7 Statutory Company Records

- 7.7.1 Certificate of Change of Name
- 7.7.2 Certificate of Incorporation
- 7.7.3 Certificate to Commence Business
- 7.7.4 Dividend register

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- 7.7.5 Directors' attendance register
- 7.7.6 Memorandum of Incorporation
- 7.7.7 Minutes of shareholders' meetings
- 7.7.8 Minutes of directors' meetings
- 7.7.9 Register of directors' shareholding

8. General


Constans's compliance with the FAIS law is monitored by Moonstone Compliance (Pty) Ltd, a compliance practice that is approved by the Financial Services Board. Since its inception in 2000, Moonstone Compliance (Pty) Ltd has grown to become the largest non-aligned provider of compliance services to independent financial advisory practices. As their core business, they service the compliance needs of financial institutions, several industry bodies as well as a number of other businesses. Moonstone Compliance boasts the highest number of qualified compliance officers in the financial services industry. Moonstone Compliance (Pty) Ltd can be contacted on 021 883 8000, 1st Floor, Valerida Centre, Piet Retief Street, Stellenbosch, 7600.

9. Requesting procedures

A person who wants access to the records must complete the necessary request form, that is available at the offices of Constans Finansiële Dienste Pty Ltd, or can be accessed on www.sahrc.org.za. The completed request form must be sent to the address or fax number provided in this manual, and marked for the attention of the Information Officer.

10. Availability of the Manual

Copies of this manual are available for inspection, free of charge, at the offices of Constans Finansiële Dienste Pty Ltd, from the South African Human Rights Commission and at www.constans.co.za.

8. **Date of compilation and revision:** 3/12/2015
9. **Full signature of information officer:** 



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 for information 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 <i>than</i> a record containing personal information about yourself, will be processed only after a request fee has been paid. |
| (b) You will be <i>notified</i> of the amount required to be paid as the request fee. |
| (c) The fee payable for access to a record depends <i>on</i> the form <i>in which</i> access is required and the reasonable time <i>required</i> to search for and prepare a record. |
| (d) If you qualify for exemption <i>of</i> the payment <i>of</i> 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
Mark the appropriate box with an X.	
NOTES:	
(a) Compliance with your request in the specified form may depend on the form in which the record is available.	
(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.	
(c) The fee payable for access for the record, if any, will be determined partly by the form in which access is requested.	

1. If the record is in written or printed form:					
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record		
2. If record consists of visual images this includes photographs, slides, video recordings, computer-generated images, sketches, etc)					
<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images"		
<input type="checkbox"/>		<input type="checkbox"/>	transcription of the images*		
3. If record consists of recorded words or information which can be reproduced in sound:					
<input type="checkbox"/>	listen to the soundtrack audio cassette	<input type="checkbox"/>	transcription of soundtrack* written or printed document		
4. If record is held on computer or in an electronic or machine-readable form:					
<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record"		
<input type="checkbox"/>		<input type="checkbox"/>	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.			<table border="1"> <tr> <td>YES</td> <td>NO</td> </tr> </table>	YES	NO
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 of20

SIGNATURE OF REQUESTER / PERSON ON
WHOSE BEHALF REQUEST IS MADE