



Agility
Channel

**Agility Channel (Pty) Ltd:
Manual for Accessing
Information
July 2021**

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1. SECTION 51 MANUAL FOR AGILITY CHANNEL (PTY) LTD

This manual is required in terms of section 51 of the **PROMOTION OF ACCESS TO INFORMATION ACT No. 2 of 2000 ("PAIA")**. This manual has been updated aligned with the **PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013 ("POPIA")**

2. INTRODUCTION AND COMPANY INFORMATION

Agility Channel forms part of the **Agility** Holdings Group. **Agility** Channel is a strategic marketing, loyalty and distribution company for the broader financial services industry.

The following information is provided by **Agility** Channel ("**the Company**") in compliance with Section 51 of the Promotion of Access to Information Act, 2000 ("**the Act**").

Company Registration number: 2004/003709/07

Financial Services Provider number: 44093

Chief Executive Officer (CEO): Mr Neels Barendrecht

Registered Address: Woodmead North Office Park
54 Maxwell Drive
Woodmead
2191

Telephone Number: 012 673 8600

Email address: POPI@Agilityholdings.com

3. DESCRIPTION OF THE GUIDE REFERRED TO IN SECTION 51 OF THE ACT:

- The Act grants a requester access to records of a private body if the record is required for the exercising or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.
- Certain limitations are contained in the **Act**, pertaining but not exclusive to commercial confidentiality, good governance, protection of privacy as well the Bill of Rights in the Constitution.
- Requests in terms of the **Act** shall be made following the prescribed procedures, at the rates provided. The forms and tariffs are dealt with in paragraphs 6 and 7 of the Act.
- Requesters are referred to the Guide in terms of Section 51 which has been compiled by the South African Human Rights Commission (SAHRC), which contains information to exercise Constitutional Rights. The Guide is available for inspection, *inter alia*, at the offices of the Human Rights Commission at:



Physical Address: Braampark Forum 3, 33 Hoofd Street, Braamfontein

Postal Address: Private Bag X2700, Houghton 2041

Telephone Number: (011) 877 3600

Telefax Number: (011) 403 0625

Website: www.sahrc.org.za

4. AUTOMATIC ACCESS

Certain categories are automatically available to all entities without any cost. The categories include the following, however, this is not an exhaustive list:

- Brochures
- Pamphlets
- Trade circulars

5. APPLICABLE LEGISLATION

The following pieces of legislation apply to this Access to Information Manual:

Ref	Act
No 131 of 1998	The Medical Schemes Act
No 89 of 1998	Competition Act
No 71 of 2008	The Companies Act
No 52 of 1998	Long Term Insurance Act
No 37 of 2002	The Financial Advisory and Intermediate Services Act
No 53 of 1998	Short Term Insurance Act
No 66 of 1995	The Labour Relations Act
No 55 of 1998	Employment Equity Act
No 75 of 1997	Basic Conditions of Employment Act
No 130 of 1993	Compensation for Occupational Injuries and Diseases Act
No 55 of 1998	Employment Equity Act
No 38 of 2001	Financial Intelligence Centre Act
No 58 of 1962	Income Tax Act
No 85 of 1993	Occupational Health and Safety Act
No 63 of 2001	Unemployment Insurance Act
No 89 of 1991	Value-added Tax Act
No 68 of 2008	Consumer Protection Act
No 34 of 2005	National Credit Act

The above list of legislation is not exhaustive.



6. SCHEDULE OF RECORDS

The following records are held by **Agility** Channel.

- **Private company records**
 - Human resources records
 - Statutory records
 - Internal policies and procedures
 - Products records
 - Operational records
 - Financial records
 - Information technology records
 - Administrative contracts and agreement
 - Communication

- **Client records:** a client is regarded as a natural or juristic entity. The medical schemes administered by **Agility** Channel are not regarded as a client in relation to the member records. Should records be requested from the schemes administered by **Agility** Channel, those records have to be requested from the said scheme as per their published processes. Client records are:
 - Communication with clients that are specifically of a private and confidential nature
 - Records generated by **Agility** Channel relating to its clients
 - Transactions of any nature: paper, electronically or voice recorded
 - Information provided by a third party (client) that has been acting on behalf of **Agility** Channel
 - Information provided by a third party (medical practitioner or financial advisor)
 - Information pertaining to clients from other sources for example a credit bureau

- **Employee/contractor records:** These records include records of individuals/employees that provide services to **Agility** Channel and that will receive any form or remunerations. This includes directors, permanent employees, part-time employees, contracted employees and other contract workers. The following types of records are kept:
 - Training schedules and results
 - Banking details and payment details
 - Any correspondence relating to the individual and service, directly or via a third party
 - All internal records and discussions



- Employee details provided by third parties
- Employee job applications, employee contracts and other legal-type documents.

7. PROCESS TO REQUEST RECORDS

- The requester must complete Form C (available from the SAHRC website) and submit this form together with a request fee, to **Agility** Channel.
- The form must:
 - Provide sufficient particulars to enable **Agility** Channel to identify the record/s requested and to identify the requester;
 - Indicate an email address for further correspondence;
 - Specify a postal address or fax number of the requester in the Republic of South Africa;
 - Identify the right that the requester is seeking to exercise or protect, and provide an explanation of why the requested record is required for the exercise or protection of that right;
 - If in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, to state that manner and the necessary particulars to be informed in the other manner; and
 - if the request is made on behalf of another person, to submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of the head of the Scheme.
- The fee for access to records shall be the prescribed fees in respect of private bodies as set out in the regulations promulgated under the **Act**.

8. PRESCRIBED FEES

The following applies to the fees paid in relation to the request

- A requestor is required to pay the prescribed fees (R50.00) before a request will be processed
- 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
- Records may be withheld until the fees have been paid
- The fee structure is available on the website of the SAHRC at www.sahrc.org.za



