



DIVERSIT-E SMART TRADE COLLEGE (PTY) LIMITED

Registration Nr. 2016/305525/07

## SECTION 51 MANUAL

Prepared in accordance with Section 51 of the Promotion of Access to  
Information Act, No. 2 of 2000

This document serves as the information manual as required by Section 51(1) of the Promotion of Access to Information Act, No.2 of 2000 (the "Act") for a private body. It provides information on the records held and the process that is to be followed to request access to such records

## **INDEX**

1. Introduction
2. Contact details Section 51 (1) (a)
3. The Act and Section 10 Guide Section 51 (1) (b)
4. Applicable legislation Section 51 (1) (c)
5. Schedule of Records Section 51 (1) (d)
6. Form of Request Section 51 (1) (e)
7. Fees Section 51 (1) (f)

## 1. INTRODUCTION

Diversit-e Smart Trade College (Pty) Limited offers educational services providing an e-learning platform, as well as training courses and content in respect of trading on the Capital Markets and Global Stock Exchanges.

## 2. CONTACT DETAILS

### Information required by Section 51 (1)(a)(i) of the Act

Director	Francois Jacobus Oosthuizen
Chief Executive Officer	Francois Jacobus Oosthuizen
Physical address	Jigsaw Park, Real Estate Place, 1 <sup>st</sup> Floor, 7 Einstein Street, Centurion
Postal address	Postnet Suite 462, Private Bag X1, Raslouw, 0157
Telephone number	+27 10 001 0899
E-mail address	<a href="mailto:francois@smartradecollege.co.za">francois@smartradecollege.co.za</a>
Website	<a href="http://www.smartradecollege.co.za">www.smartradecollege.co.za</a>

## 3. THE ACT

### Information required by Section 51 (1)(b)(i) of the Act

3.1.The ACT grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.

3.2.Requests in terms of the ACT shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.

### 3.3. Availability of the Manual

3.3.1. The public can obtain a copy of this manual from the designated contact person. It is also available at <https://smartradecollege.co.za/>

### 3.3.2. Section 10 Guide to the Act

In terms of section 10 of the Act, a guide has been compiled by the South African Human Rights Commission which contains information to assist a person wishing to exercise a right in terms of the Promotion of Access to Information Act, Nr. 2 of 2002. This guide assists with the information needed to gain access to records and documentation in exercising a right to acquire information.

This guide is available on the website of the South African Human Rights Commission at <https://www.sahrc.org.za/home/21/files/Section%2010%20guide%202014.pdf> and can enquiries be directed to:

Contact Body	South African Human Rights Commission
Physical address	33 Hoofd Street, Forum 3, Braampark Office Park, Braamfontein
Postal address	Private Bag X2700, Houghton, 2041
Telephone number	+27 (0) 11 877 3600 (Head Office)
Fax number	+27 (0) 11 403 0684
E-mail address	<a href="mailto:info@sahrc.org.za">info@sahrc.org.za</a>
Website	<a href="http://www.sahrc.org.za">www.sahrc.org.za</a>

### 3.4. Section 52 (2)

#### Information required by section 51(1)(b)(ii) of the Act

Diversit-e Smart Trade College is not obliged to publish a Section 52(2) notice, regarding categories of records, which are available without a person having to request access, in terms the Act and has such notice to date not been published.

There is no need for a person to request Information that are freely available from our website [www.smartradecollege.co.za](http://www.smartradecollege.co.za)

## 4. APPLICABLE LEGISLATION

Information regarding the Protection of Personal Information Act, 4, 2013 section 51(1)(c)

4.1. The aim of the processing of personal information in terms of section 51(1)(c)(i) are to:

- a) comply with statutory requirements as prescribed by the relevant legislation
- b) verify information that were given to us
- c) obtain information to provide services to clients
- d) manage and maintain our contractual obligations towards clients, service providers, suppliers, employees, directors and third parties
- e) marketing and advertising
- f) investigate complaints and complaints resolutions
- g) ensure that assets, visitors, and employees to our premises are kept safe
- h) ensure business growth by gathering historical data, research, and statistics

4.2.Diversit-e Smart Trade College processes the following categories of data subjects 'personal information section 51(1)(c)(ii) and 51(1)(c)(iii)

Data Subject	Category of records	Category of personal information	Receivers of personal information
<ul style="list-style-type: none"> <li>• Directors</li> <li>• Shareholders</li> <li>• Employees</li> <li>• Affiliates</li> <li>• Partners</li> <li>• Resellers</li> </ul>	<ul style="list-style-type: none"> <li>• Contract of Employment</li> <li>• Service / Affiliate agreements</li> <li>• Disciplinary records</li> <li>• Complaints</li> <li>• Service records</li> <li>• Remuneration / salaries</li> <li>• Leave records</li> <li>• PAYE records</li> <li>• UIF records</li> <li>• Correspondence</li> </ul>	<ul style="list-style-type: none"> <li>• Name and surname</li> <li>• Identification nr</li> <li>• Contact numbers</li> <li>• Address</li> <li>• Gender</li> <li>• Qualifications</li> <li>• CV's / Application forms</li> </ul>	<ul style="list-style-type: none"> <li>• SARS</li> <li>• Provident fund</li> <li>• Relevant departments (HR, supervisor, finance / payroll, etc.</li> <li>• Department of Labour</li> </ul>

4.3.Personal information of data subjects may be transferred by Diversit-e Smart Trade College over country borders.

4.4.Diversit-e Smart Trade College are constantly implementing measurements of a technical and internal nature to ensure when personal information is being processed it is kept confidential and not accessible to unauthorized persons or third parties. We also take care not to unnecessarily destroy any of this information or to make unlawful changes thereto.

4.5.Should any unnecessary information be destroyed we make use of an accredited Company who destroy these data or information in a reliable and secure manner and do we receive a certificate of acknowledgment from them.

4.6.RECORDS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION

Information required by Section 51((b)(iii)

Records are held in accordance with the following legislation

- a) Basic Conditions of Employment Act No. 75 of 1997
- b) Companies Act No. 71 of 2008
- c) Copyright Act No. 98 of 1978
- d) Compensation for Occupational Injuries and Diseases Act No. 130 of 1993
- e) Consumer Protection Act No. 68, 2008
- f) Electronic Communications and Transactions Act No. 25 of 2002
- g) Employment Equity Act, 1998
- h) Income Tax Act No. 58 of 1962
- i) Labour Relations Act No. 66 of 1995
- j) National Credit Act, 2005
- k) National Road Traffic Act No. 56 of 1996
- l) Occupational Health and Safety Act, 1993
- m) Promotion of Access to Information Act, No. 2 of 2000
- n) Protection of Personal Information Act No. 4 of 2013
- o) Skills Development Act No. 9 of 1999
- p) Unemployment Insurance Act No. 63 of 2001
- q) Unemployment Insurance Contributions Act No. 4 of 2002
- r) Value Added Tax Act No. 89 of 1991

## 5. SCHEDULE OF RECORDS

Information held by Diversit-e Smart Trade College required by section 51(b)(iv)

RECORDS	SUBJECT	AVAILABILITY
5.1 Public Affairs	<ul style="list-style-type: none"> <li>• Public Product information</li> <li>• Public Corporate records</li> <li>• Media Releases</li> </ul>	Freely available on our website <a href="https://smartradecollege.co.za/">https://smartradecollege.co.za/</a>
5.2 Financial	<ul style="list-style-type: none"> <li>• Annual Financial Statements</li> <li>• Financial- and Tax Records / SARS correspondence (Company and Employees)</li> <li>• Accounting records</li> <li>• Banking records</li> <li>• Business contacts</li> <li>• Credit bureau records</li> <li>• Credit application records</li> <li>• General Correspondence</li> <li>• Invoices, account statements, settlements, etc</li> <li>• Internal control reports</li> <li>• Management accounts</li> <li>• Vehicle leases; property leases</li> <li>• Statutory records</li> </ul>	Request in terms of PAIA
5.3 Marketing & Business growth	<ul style="list-style-type: none"> <li>• Contracts and agreements</li> <li>• Marketing brochures and advertising records</li> <li>• Marketing strategies</li> <li>• New business development</li> <li>• Product Brochures</li> <li>• Owner Manuals</li> <li>• Client testimonials</li> </ul>	Limited information on our Website or Information available to the public when using public forums for advertising or recruitment
5.4 Human Recourses	<ul style="list-style-type: none"> <li>• Sales Records</li> <li>• Payroll records</li> <li>• Employment Contracts</li> <li>• Affiliate Member Contracts</li> <li>• Reseller- and partnership agreements</li> <li>• Leave records</li> <li>• Provident fund records</li> <li>• UIF records and returns</li> <li>• PAYE records</li> <li>• Personnel files and records</li> <li>• Training material</li> <li>• Training statistics</li> <li>• Employee attendance records</li> <li>• Statutory requirement records</li> </ul>	Request in terms of PAIA

5.5 Client Records	<ul style="list-style-type: none"> <li>• Purchase Agreements</li> <li>• Online Purchase Agreements – (information obtained and confirmed by the Client)</li> <li>• Credit application records</li> <li>• Correspondence</li> <li>• Account information</li> <li>• Subscription debit order mandates</li> <li>• Debit order authorization forms</li> </ul>	Request in terms of PAIA
5.6 Information Technology	<ul style="list-style-type: none"> <li>• Contracts and Agreements</li> <li>• Policies and procedures</li> <li>• Product Development</li> </ul>	Request in terms of PAIA
5.7 Company Information and resources	<ul style="list-style-type: none"> <li>• Company confidential information not freely available to the public</li> </ul>	Request in terms of PAIA
5.8 Operations	<ul style="list-style-type: none"> <li>• Asset registration records</li> <li>• Compliance records</li> <li>• Contracts and agreements</li> <li>• General correspondence</li> <li>• Health and safety records</li> <li>• Insurance records and correspondence</li> <li>• Quality control records</li> <li>• Service level agreements</li> <li>• Telephone and communication records</li> </ul>	Request in terms of PAIA

## 6. FORM OF REQUEST

To facilitate the processing of your request, kindly take note of the process to follow in terms of Section 51(1)(e):

- 6.1. The requester must use the prescribed form attached hereto marked “**Form C**”
- 6.2. Address this request to the Chief Executive Officer.
- 6.3. This request must be made to the address, or electronic mail as given in this manual.
- 6.4. The requester must provide sufficient detail on the request form to enable the Chief Executive Officer to identify the record and the requester.
- 6.5. The requester should also indicate which form of access is required.
- 6.6. The requester should also indicate if any other manner is to be used to inform the requester and state the necessary to be so informed.
- 6.7. The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right.
- 6.8. If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the Chief Executive Officer section.



## **7. FEES**

- 7.1. A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee.
- 7.2. Every other requester, who is not a personal requester, must pay the required request fee, as prescribed from time to time – refer to annexure hereto under “Fees” which is the prescribed fees as on the compilation date which may be subject to change
- 7.3. After the Chief Executer Officer has decided on the request, the requester must be notified in the required form.
- 7.4. If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

## **8. APPROVAL OF INFORMATION MANUAL**

This information manual has been prepared in accordance with Section 51(1) of the Promotion of Access to Information Act, No.2 of 2000 and is hereby approved

***F.J. OOSTHUIZEN***

MANAGING DIRECTOR

## FORM C

### REQUEST FOR ACCESS TO RECORD OF DIVERSIT-E SMART TRADE COLLEGE

(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 of</i> 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:	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.	

<b>1. If the record is in written or printed form:</b>					
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record		
<b>2. If record consists of visual images</b> 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*		
<b>3. If record consists of recorded words or information which can be reproduced in sound:</b>					
<input type="checkbox"/>	listen to the soundtrack audio cassette	<input type="checkbox"/>	transcription of soundtrack* written or printed document		
<b>4. If record is held on computer or in an electronic or machine-readable form:</b>					
<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 of .....20

\_\_\_\_\_  
SIGNATURE OF REQUESTER / PERSON ON  
WHOSE BEHALF REQUEST IS MADE

## Fees

- These fees are subject to change

The latest fee structure is available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at [www.sahrc.org.za](http://www.sahrc.org.za) and was this fee structure available on date of compilation

Type of activity involved in producing the record or personal information	Rate (including VAT)
For every photocopy of an A4-size page or part thereof.	R1.25
For every printed copy of an A4-size page or part thereof. Held on a computer or in electronic or machine-readable form.	R0.86
For a copy in a computer-readable form on USB disk.	R8.55
For a copy in a computer-readable form on CD.	R79.80
For a transcription of visual images, for an A4-size page or part thereof.	R45.60
For a copy of visual images.	R68.40
For a transcription of an audio record, for an A4-size page or part thereof.	R22.80
For a copy of an audio record.	R34.20
Each hour or part of an hour (excluding the first hour) reasonably required to search for and prepare the record/personal information for disclosure.	R34.20
For posting the record/personal information.	Actual postage incurred
For confirming whether Diversit-e Smart Trade College (Pty) Ltd handles personal information of the requestor (POPI s23(1)(a) request)	Free of charge