



PAIA Manual

**Westbrooke Alternative Asset Management (Pty) Ltd and associated
registered FSP's**

("Westbrooke group")

**Prepared in terms of section 51 of the Promotion of Access to
Information Act 2 of 2000 (as amended)**



1. LIST OF ACRONYMS AND ABBREVIATIONS

1.1	"CEO"	Chief Executive Officer; Lawrence Barnett
1.2	"DIO"	Deputy Information Officer; Gregg Giles
1.3	"IO"	Information Officer; Dino Zuccollo
1.4	"Minister"	Minister of Justice and Correctional Services;
1.5	"PAIA"	Promotion of Access to Information Act No. 2 of 2000 (as Amended;
1.6	"POPIA"	Protection of Personal Information Act No.4 of 2013;
1.7	"Regulator"	Information Regulator; and
1.8	"Republic"	Republic of South Africa
1.9	"WAAM Group", "We"	Entities listed in Annexure A



2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to-

- 2.1 check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- 2.2 have a sufficient understanding of how to make a request for access to a record of the body, by providing a description of the subjects on which the body holds records and the categories of records held on each subject;
- 2.3 know the description of the records of the body which are available in accordance with any other legislation;
- 2.4 access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;
- 2.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.6 know if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.7 know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.8 know the recipients or categories of recipients to whom the personal information may be supplied;
- 2.9 know if the body has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- 2.10 know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.



3. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF THE WAAM GROUP

3.1. Chief Information Officer

Name: Dino Zuccollo
Tel: +27 (0) 11 245 0860
Email: dino@westbrooke.com

3.2. Deputy Information Officer

Name: Gregg Giles
Tel: +27 (0) 11 245 0860
Email: gregg@westbrooke.com

3.3 Access to information general contacts

Email: info@westbrooke.com

3.4 Head Office

Physical Address: 32 Impala Road, Chislehurst
Telephone: +27 (0) 11 245 0860
Email: info@westbrooke.com
Website: www.westbrooke.com



4. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

- 4.1. The Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the revised Guide on how to use PAIA ("Guide"), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.
- 4.2. The Guide is available in English, Zulu and Afrikaans.
- 4.3. The aforesaid Guide contains the description of-
 - 4.3.1. the objects of PAIA and POPIA;
 - 4.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-
 - 4.3.2.1. the Information Officer of every public body, and
 - 4.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
 - 4.3.3. the manner and form of a request for-
 - 4.3.3.1. access to a record of a public body contemplated in section 113; and
 - 4.3.3.2. access to a record of a private body contemplated in section 504;

A request for access to a record must be made on **Form 2**, as prescribed in the Regulations relating to the Promotion of Access to Information, 2021. This form is available on the website of the Information Regulator or can be requested from our Information Officer. Upon receiving a request, the Information Officer shall provide the requester with a notice on **Form 3** detailing the outcome and any fees payable.

 - 4.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;
 - 4.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
 - 4.3.6. all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-

¹ Section 17(1) of PAIA- *For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.*

² Section 56(a) of POPIA- *Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.*

³ Section 11(1) of PAIA- *A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

⁴ Section 50(1) of PAIA- *A requester must be given access to any record of a private body if-*

- a) *that record is required for the exercise or protection of any rights;*
- b) *that person complies with the procedural requirements in PAIA relating to a request for access to that record; and*
- c) *access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*



- 4.3.6.1. an internal appeal;
 - 4.3.6.2. a complaint to the Regulator; and
 - 4.3.6.3. an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;
- 4.3.7. the provisions of sections 145 and 516 requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
- 4.3.8. the provisions of sections 157 and 528 providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 4.3.9. the notices issued in terms of sections 229 and 5410 regarding fees to be paid in relation to requests for access; and
- 4.3.10. the regulations made in terms of section 9211.
- 4.4. Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.
- 4.5. The Guide can also be obtained-
 - 4.5.1. upon request to the Information Officer;
 - 4.5.2. from the website of the Regulator (<https://www.justice.gov.za/inforeg/>).
- 4.6. A copy of the Guide is also available in the following three official languages, for public inspection during normal office hours
 - 4.6.1. English, Zulu and Afrikaans

⁵ Section 14(1) of PAIA- The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.

⁶ Section 51(1) of PAIA- The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.

⁷ Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access

⁸ Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access

⁹ Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹⁰ Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹¹ Section 92(1) of PAIA provides that –“The Minister may, by notice in the Gazette, make regulations regarding-

- (a) any matter which is required or permitted by this Act to be prescribed;
- (b) any matter relating to the fees contemplated in sections 22 and 54;
- (c) any notice required by this Act;
- (d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and
- (e) any administrative or procedural matter necessary to give effect to the provisions of this Act.”



5. CATEGORIES OF RECORDS OF THE WAAM GROUP WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

- 5.1. At this stage no notices have been published by the Information Regulator on the categories of records automatically available without a person having to request access thereto in terms of PAIA.
- 5.2. The records that are located on our website (www.westbrooke.com), however, are automatically available and are freely accessible to any person requesting this information. It is therefore not necessary to apply for access thereto in terms of PAIA.



6. DESCRIPTION OF THE RECORDS OF THE WAAM GROUP WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

6.1. The WAAM Group is required in accordance with legislation to retain certain records. We hold records for the purposes of PAIA in accordance with inter alia the following legislation (*please note this is not an exhaustive list):

- Financial Advisory and Intermediary Services Act, 37 of 2002
- Income Tax Act, 58 of 1962
- Collective Investment Schemes Control Act, 45 of 2002
- Consumer Protection Act, 68 of 2008
- Companies Act, 71 of 2008
- Prevention of Organised Crime Act, 121 of 1998
- Basic Conditions of Employment Act, 75 of 1997
- Financial Intelligence Centre Act, 38 of 2001
- Unemployment Insurance Act, 63 of 2001
- Financial Sector Regulation Act, 9 of 2017
- Protection of Personal Information Act, 4 of 2013



7. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY THE WAAM GROUP

- 7.1. The table below contains a description of the types of records / subjects on which The WAAM Group holds, and the categories of records held on each subject.
- 7.2. These records are not automatically available without a request in terms of PAIA. A request made in terms of PAIA for records in any of the categories below may be refused in accordance with any of the grounds of refusal as set out in PAIA.

Subjects on which the body holds records	Categories of records
Strategic Documents, Plans, Proposals	Annual Reports, Strategic Plan, Annual Performance Plan.
Human Resources	HR policies and procedures, Advertised posts, Employees records
Statutory records	Company incorporation documents, share register, Memorandum of Incorporation, Minutes of meetings of the board of directors, Records relating to the appointment of directors, auditors, and other officers
Income tax	Pay-as-you-earn (PAYE) records, Documents issued to employees for income tax purposes, Records of payments made to South African Revenue Services on behalf of employees, all or any statutory compliance, Value Added Tax, Skills development levies, Unemployment Insurance Fund
Finance	Receipts and payments, Bank statements, Budgets, Management accounts, Asset registers, Invoices, Salaries, Minutes of meetings, Correspondence
Risk and compliance	Contracts, Policies and procedures, Risk assessment, Compliance records
Marketing	Market Information, Public Customer Information: Product Brochures and Owner Manuals, Performance Records, Product Sales Records, Marketing Strategies, Customer Database
Other	IT usage statistics and equipment details, Supplier lists, Secretarial records, Media releases and public relation events records

8. HOW TO REQUEST ACCESS TO A RECORD HELD BY THE WAAM GROUP

- 8.1 A requester must complete Form 2 of the PAIA Regulations, 2021 (Prescribed Forms) and submit it to the Information Officer at the contact details set out in section 3 above, together with proof of the requester's identity.
- 8.2 In terms of section 50 of PAIA, a requester must be given access to a record of a private body if the record is required for the exercise or protection of any right, the procedural requirements of PAIA are complied with, and access is not refused on a ground contemplated in Chapter 4 of Part 3 of PAIA. The requester must identify the right sought to be exercised or protected and explain why the record is required for that purpose.



- 8.3 A request fee and, where applicable, access and reproduction fees are payable in the amounts prescribed in Annexure B of the PAIA Regulations, 2021, save that a personal requester (a person requesting access to a record containing their own personal information) is not required to pay the request fee.
- 8.4 The Information Officer will decide on the request and notify the requester of the decision within 30 days of receipt of the request, subject to any extension of up to a further 30 days as permitted by PAIA.
- 8.5 Access to a record may be refused on the grounds set out in sections 62 to 70 of PAIA, including the protection of the privacy of a third party who is a natural person, the protection of commercial and confidential information of a third party or of the WAAM Group, the protection of legally privileged records, and the safety of individuals and property. If a request is refused, the notification will state adequate reasons for the refusal and inform the requester of the available remedies.
- 8.6 A requester who is aggrieved by a decision of the Information Officer may, within 180 days, lodge a complaint with the Regulator, or may apply to a court as contemplated in PAIA. Complaints may be lodged with the Regulator at: JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001; Tel: 010 023 5200; Email: PAIAComplaints@inforegulator.org.za (PAIA) / POPIAComplaints@inforegulator.org.za (POPIA).
- 8.7 Data subjects may, in addition, exercise their rights under POPIA – including the right to request access to, correction or deletion of their personal information, and the right to object on reasonable grounds to processing based on legitimate interests (including processing by means of AI Tools) – by contacting the Information Officer, as further described in the WAAM Group's POPIA policy

9. PROCESSING OF PERSONAL INFORMATION

9.1 Purpose of Processing Personal Information

- 9.1.1. Chapter 3 of POPIA provides for the minimum conditions for lawful processing of Personal Information. These conditions may not be derogated from unless specific exclusions apply as outlined in POPIA.
- 9.1.2. The WAAM Group processes personal information in accordance with POPIA. In terms of our privacy policy, We will ensure that all processing conditions of POPIA are complied with at the time of processing of personal information. We process personal information of both living and juristic persons.
- 9.1.3. Personal Information may be collected by The WAAM Group for the following reasons, some of which are mandatory:
- to process know-your-client (KYC) and FICA information;
 - to administer the investment management agreement signed with Users;
 - to provide Users with access to our products and services, including but not limited to analysis or intermediary services in relation to Users investment with us;



- to monitor and analyse Users conduct relating to that investment for fraud, compliance and other risk-related purposes;
- to develop new products and services;
- to help us improve our offerings to Users;
- to confirm and verify Users identity or to verify that they are an authorised user for security purposes;
- for the detection and prevention of fraud, crime, money laundering or other malpractice;
- to conduct market or customer satisfaction research or for statistical analysis;
- for audit and record keeping purposes;
- in connection with legal proceedings;
- to comply with legal and regulatory requirements or industry codes to which we subscribe or which apply to us, or when it is otherwise allowed by law.

9.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto

Categories of Data Subjects	Personal Information that may be processed
Customers / Clients	Name, surname, South African identity number or passport number, date of birth, age, marital status, citizenship, telephone numbers, email address, physical and postal addresses, income tax number, financial information, banking information including account numbers, FICA documentation.
Service Providers	Company registration details, identity numbers, BEE certificates, tax clearance, income tax and VAT registration details, payment information including bank account numbers, invoices, contractual agreements, addresses, contact details.
Employees (including prospective employees)	Name, surname, South African identity number or other identifying number, contact details, physical and postal address, date of birth, age, marital status, race, disability, information, employment history, criminal background checks, CVs, education history, banking details, income tax reference number, remuneration and benefit information, details related to employee performance, disciplinary procedure information, biometric data.
Brokers/advisors	Company registration details, identity numbers, income tax and VAT registration details, payment information including bank account numbers, invoices, contractual agreements, addresses, contact details.
Juristic persons, beneficial owners and persons acting on behalf of juristic person	Entity name, registration number, tax-related information, contact details for representatives, banking information including account numbers, FICA documentation.



9.3 The recipients or categories of recipients to whom the personal information may be supplied

- 9.3.1. We may disclose your personal information to third parties such as our associates and service providers, for legitimate business purposes, in accordance with applicable law and subject to the applicable professional and regulatory requirements regarding confidentiality.
- 9.3.2. Personal information may be transferred to and processed in foreign countries, including the **United Kingdom and the United States of America**, where Westbrooke associates or cloud service providers (e.g., Microsoft Azure) maintain data centers. Such transfers are conducted in accordance with Section 72 of POPIA, ensuring the recipient is subject to law or binding corporate rules that provide an adequate level of protection.
- 9.3.3. Please refer to our POPIA policy for further information.

9.4 General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information

- 9.4.1. In terms of legislation The WAAM Group are obliged to implement measures and strategies to ensure the protection of Personal Information, whereby, unauthorised access and use is deterred. Our information security policies and procedures which are reviewed on an ongoing basis and are detailed in our POPIA policy.
- 9.4.2. WAAM implements the following technical and organizational security measures:
 - 9.4.2.1. **Full-disk encryption** on all portable devices;
 - 9.4.2.2. **Multi-Factor Authentication (MFA)** for all system access;
 - 9.4.2.3. **Encrypted off-site backups**;
 - 9.4.2.4. Regular **Vulnerability Assessments** and PEN testing; and
 - 9.4.2.5. **Privacy and Cyber-Security Training** for all personnel.



10. AVAILABILITY OF THE MANUAL

10.1 A copy of the Manual is available-

- on www.westbrooke.com;
- head office of The WAAM Group for public inspection during normal business hours;
- to any person upon request and upon the payment of a reasonable prescribed fee; and
- to the Information Regulator upon request.

10.2 A fee for a copy of the Manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made. Currently, the following fees apply:

- Request Fee: R140.00;
- Access Fee: Per A4 copy (R2.00) or
- Search/preparation: R145.00 per hour.
- No records will be released until all prescribed fees have been paid in full.
- Fees are subject to change but will be aligned to those published by the Regulator.

11. UPDATING OF THE MANUAL

The manual will be updated on a regular basis.

Issued by: Dino Zuccollo

ANNEXURE A

The Westbrooke Group consists of the following:

Entity	FSP number	FIC Org ID	Registration number	Status
Westbrooke Alternative Asset Management Pty Ltd (Investment Manager)	FSP 46750	41385	2009/020622/07	Authorised
Westbrooke Alternative Rental Income Assets Ltd	FSP 45753	23798	2014/20997/06	Requested Lapse
Westbrooke Capital Hospitality Ltd	FSP 46462	36392	2015/128313/06	Authorised
Westbrooke Aria 2018 Ltd	FSP 48672	42667	2016/320134/06	Lapsed
Westbrooke Stac 2018 Ltd	FSP 48756	42698	2016/497319/06	Requested Lapse
Westbrooke Alto 2018 Ltd	FSP 48805	42683	2017/149526/06	Lapsed
Westbrooke Aria 2019 Ltd	FSP 49642	48525	2017/498423/06	Lapsed
Westbrooke Stac 2019 Ltd	FSP 49640	48499	2017/497910/06	Lapsed
Westbrooke Host 2019 Ltd	FSP 49641	48517	2017/497860/06	Lapsed
Westbrooke Aria Plus 2019 Ltd	FSP 49644	48540	2016/335754/06	Lapsed
Westbrooke Aria 2020 Ltd	FSP 50271	50550	2019/287914/06	Requested Lapse
Westbrooke Stac 2020 Ltd	FSP 50224	50577	2019/195921/06	Authorised
Westbrooke Aria Plus 2020 Ltd	FSP 50222	50565	2019/208581/06	Lapsed
Westbrooke Aria 2022	FSP 50223	52432	2019/198079/06	Authorised
Westbrooke Stac 2021 (T/A Stac Preferred) Ltd	FSP 50378	52560	2017/498335/07	Authorised
Westbrooke Aria 2021 Ltd	FSP 50373	52500	2017/498397/07	Authorised
Westbrooke Alternative Asset Management UK Limited	n/a	n/a	n/a	
Westbrooke Alternative Asset Management LLC	n/a	n/a	n/a	
WAAM USA Manco Limited	n/a	n/a	n/a	