



# **ACCESSTOINFORMATION MANUAL**

Compiled in terms of Section 51 of the Promotion of Access to Information Act, 2 of 2000 ('the Act')

see money differently

**NEDBANK**

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## Table contents

### Table of Contents

ACCESSTOINFORMATION MANUAL.....	1
Table contents .....	2
1 Purpose of the manual.....	3
2 Further guidance from the South African Human Rights Commission.....	3
3 Nedbank contact details.....	4
4 Categories of records.....	5
4.1 Information available on request: .....	5
4.2 Records automatically available .....	6
4.3 Records available under any other legislation .....	6
5 Considerations before submitting a request.....	6
5.1 Are you submitting the request for the exercise or protection of any of your legitimate rights?.....	6
5.2 Is the information you require in record form, and under the control of Nedbank? .....	6
5.3 Do you have a legitimate right to access the record? .....	6
6 Request procedure.....	7
6.1 Request form .....	7
6.2 Definition of your rights .....	7
6.3 Payment of the prescribed fee .....	7
7 Timelines for consideration of your request.....	7
8 Grounds for refusal of access to records .....	8
9 Remedies available to a requestor on refusal of access .....	8
Annexure 1: Request form.....	9
Annexure 2: Fees in respect of private bodies .....	13
LEGISLATIVEDISCLOSUREREQUIREMENTS.....	14
ANNEXURE3.....	14

## 1 Purpose of the manual

This guide to accessing records held by Nedbank Group is intended to provide guidelines to members of the public who wish to exercise their constitutional right to access to information.

Below you will find information on how to lodge your request; a description of the types of records that will be made available; grounds for refusal; what procedure will be followed in considering your request; the applicable fee structure; and information on the appeals procedure should you not be satisfied with the outcome of your request.

## 2 Further guidance from the South African Human Rights Commission

The South African Human Rights Commission ('SAHRC') is required by legislation to provide a guide to the Act. Further information is available from the SAHRC at:

The South African Human Rights Commission PAIA Unit;  
The Research and Documentation Department;

Postaladdress: Private Bag 2700  
Houghton  
2041

Telephone: +27 (0)11 484 8300  
Fax: +27 (0)11 484 1360

Website: [www.sahrc.org.za](http://www.sahrc.org.za)

Email: [paia@sahrc.org.za](mailto:paia@sahrc.org.za)

### 3 Nedbank contact details

**Information Officer:** Mr. Neelesh Mooljee  
Information Protection Officer

Physical address: 135 Rivonia Road  
Sandown  
Sandton  
Johannesburg

Postal: PO Box 653640  
Benmore Gardens  
2196

Tel: +27 (0)11 294 7130  
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Email: [neeleshm@nedbank.co.za](mailto:neeleshm@nedbank.co.za)

Website: [www.nedbank.co.za](http://www.nedbank.co.za)

**Deputy Information Officer:** Mr. Stephan Badenhorst  
Enterprise Governance and Compliance: Privacy Manager

Physical Address: 135 Rivonia Road  
Sandown  
Sandton  
Johannesburg

Postal: PO Box 653640  
Benmore Gardens  
2196

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Fax: +27 (0)11 295 9842

Email: [stephanb@nedbank.co.za](mailto:stephanb@nedbank.co.za)

Website: [www.nedbank.co.za](http://www.nedbank.co.za)

## 4 Categories of records

### 4.1 Information available on request:

Nedbank Group has under its control or in its possession the following categories of records under the subjects described below. The categories of records are not exhaustive and are subject to amendment from time to time. A request made for access to these records will not be automatically granted, but will be evaluated in accordance with the provisions of the Act, any other legal requirements and Nedbank's policies.

<b>Record category</b>	<b>Recordcategorydescription</b>
<b>Accounting</b>	Formal books of account and financial statements
	Source documents
	Customs and excise and transport
<b>Company secretarial</b>	Banking
	Creditprovision
	Financial advisory and intermediary services
	Medical schemes
	Pensionfunds
	Property
	Stockbroking
	JSE-listing requirements
	Strate
	Holding and nominee companies
<b>Client records</b>	Banking and deposit-taking (includes FICA)
	Moneybroking
	Bearerwarrants
	Collective investmentschemes
	Long-term insurance
	Short-term insurance
	Pensionfunds
	Securities services (general)
	JSE equities
	Trustservices
	Deceased clients
	Insolventclients
	Fixed-property auctions
<b>Human resources</b>	Statutoryemployee records
	Other employee records
<b>Physical security</b>	Internal security services and firearms
<b>Health and safety</b>	Construction administration and safety
	Elevators, escalators and passenger conveyors, lifting machinery tools and tackle
	Electrical installations
	Fire equipment
	Noise
<b>National payment systems</b>	Hazardous chemical substances
	Records obtained by 'system participants' during the course of the operation and administration of the settlement system. Records of payment instructions generated and/or obtained. Records obtained during the course of operation and administration of a payment or Reserve Bank settlement system.

## 4.2 Records automatically available

The following categories of records are automatically available for inspection. A copy of the record is available for purchase at the costs indicated in Annexure 2. You do not need to request this information in terms of the Act.

These categories are:

- Any promotional material for public viewing
- Posters
- Campaigns
- Product information

Requests for this information may be made through the Nedbank website.

## 4.3 Records available under any other legislation

Details about other legislation in terms of which records can be obtained are attached to this manual as Annexure 3.

## 5 Considerations before submitting a request

Before you submit a formal request for access the following need to be considered:

### 5.1 Are you submitting the request for the exercise or protection of any of your legitimate rights?

The exercise of your rights is subject to justifiable limitations, including the reasonable protection of privacy, commercial confidentiality and effective, efficient and good governance. This legislation may not be used for access to a record for criminal or civil proceedings, or requested after the commencement of such proceedings.

### 5.2 Is the information you require in record form, and under the control of Nedbank?

This Act only applies to records that have *already been created*, at the date of the request, and that are under the control of Nedbank. Nedbank is not obliged to retrieve any records on your behalf that are no longer under its control, even where Nedbank created the record.

### 5.3 Do you have a legitimate right to access the record?

A request may only be made to exercise your own right, or where the request is made on behalf of another person, the requestor must submit proof of his/her capacity to act on behalf of the person in whose name the request is made. For example, a power of attorney must be submitted with the request where a legal representative makes the request on behalf of his/her client.

## 6 Request procedure

If you are satisfied that you are entitled to make a request for access to records under this Act, please follow the procedure outlined below:

### 6.1 Request form

No application will be considered unless it is completed on the request form in Annexure 1 to this manual. The completed form may be submitted to the Information Officer or the Deputy Information Officer by using the details described in clause 3 above.

Please ensure that sufficient information is provided to enable us to establish:

- the record requested;
- the proof of identity of the requestor;
- the form of access required, if the request is granted; and
- the contact details of the requestor.

### 6.2 Definition of your rights

Please describe fully the right you seek to protect in line with the considerations outlined in clause 5.1 above.

### 6.3 Payment of the prescribed fee

There are two types of fees:

- Request fee: R50
- Access fee: This is calculated by taking into account reproduction costs, search and preparation costs, as well as postal costs. These fees are set out in Annexure 2.

The requestor will be notified where the Information Officer requires a deposit (calculated from the access fee) and subsequent balance of the access fee. The Information Officer will release the record on full payment. Where a deposit has been taken and the request has subsequently been refused, the Information Officer will refund the deposit to the requestor.

Deposits paid by a requestor will be refunded if the request is refused.

## 7 Timelines for consideration of your request

**7.1** Requests will be processed within 30 days, unless the request contains considerations that are of such a nature that an extension of the 30-day time limit is needed.

**7.2** Should an extension be needed, you will be notified, together with reasons explaining why the extension is necessary.

## 8 Grounds for refusal of access to records

The main grounds on which Nedbank could refuse access to records relate to the mandatory protection of:

- 8.1 the privacy of a third party who is a natural person;
- 8.2 the commercial information of a third party;
- 8.3 certain confidential information of a third party;
- 8.4 the safety of individuals and safety of property;
- 8.5 records privileged from production in legal proceedings;
- 8.6 commercial information of Nedbank, which may include without limitation –
  - 8.6.1 tradesecrets;
  - 8.6.2 financial, commercial, scientific or technical information; the disclosure of which could likely harm the financial or commercial interests of Nedbank;
  - 8.6.3 information that, if disclosed, could put Nedbank at a disadvantage in negotiations or commercial competition;and
  - 8.6.4 computer programs and related information technology software that are owned by Nedbank and that are protected by copyright; and
- 8.7 research information compiled by Nedbank or a third party, if disclosure would expose the third party, the researcher or the subject matter of the research to serious disadvantage.

Requests for access to records that are clearly frivolous or vexatious, or that involve an unreasonable diversion of resources, will be refused.

## 9 Remedies available to a requestor on refusal of access

Nedbank does not have any internal appeal procedures that may be followed after a request to access information has been refused. The decision made by the Information Officer or deputy Information Officer is final. In the event that you are not satisfied with the outcome of your request, you are entitled to apply to a court of competent jurisdiction to take the matter further.

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I, **Mike Brown** the Chief Executive Officer of the Nedbank Group do hereby confirm that this is the approved Access to information manual in compliance with Section 51 of the Promotion of Access to Information Act, 2 of 2000.

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Mike Brown  
Chief Executive Officer  
Nedbank Group  
Date:



## Annexure 1: Request form

### FORM C: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

[Section 53(1) of the Promotion of Access to Information Act, 2 of 2000]

[Regulation 10]

#### A Particulars of private body

The Head: Personal Information Officer

#### 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:

Email address:

The capacity in which a 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 ONLY if a request for information is made on behalf of another 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 requestor 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 of 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.

<b>Description of disability</b>	
Form in which record is required	
Mark the appropriate box with an <b>X</b> .	
<b>Notes</b>	
(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 fees payable for access to 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>			
	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 of images		Copy of images*
			Transcription of the images*
<b>3 If record consists of recorded words or information that can be reproduced in sound:</b>			
	Listen to the soundtrack (audio cassette)		Transcription of the 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 or 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 decisions regarding your request for access to the record?

.....  
.....  
.....

Signed at ..... on .....

-----  
Signature of requestor/person on whose behalf  
request is made

## Annexure 2: Fees in respect of private bodies

	Description	Rand
1	The fee for a <b>copy of the manual</b> as contemplated in regulation 9(2)(c) – for every photocopy of an A4-size page or part thereof	1,10
2	The fees for reproduction referred to in regulation 11(1) are as follows:	
(a)	For every photocopy of an A4-size page or part thereof	1,10
(b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c)	For a copy in computer-readable form on –	
(i)	Stiffy disc	7,50
(ii)	Compact disc	70,00
(d)(i)	For a transcription of visual images, or an A4-size page or part thereof	40,00
(d)(ii)	For a copy of visual images	60,00
(e)(i)	For a transcription of an audio record, for an A4-size page or part thereof	20,00
(e)(ii)	For a copy of an audio record	30,00
3	The <b>request fee</b> payable by a requestor referred to in regulation 11(2)	50,00
4	The <b>access fees</b> payable by a requestor referred to in regulation 11(3) are as follows:	
4.1(a)	For every photocopy of an A4-size page or part thereof	1,10
(b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c)	For a copy in a computer-readable form on –	
(i)	Stiffy disc	7,50
(ii)	Compact disc	70,00
(d)(i)	For a transcription of visual images, for an A4-size page or part thereof	40,00
	For a transcription of visual images, for an A4-size page or part thereof	40,00
(ii)	For a copy of visual images	60,00
(e)(i)	For a transcription of an audio record, for an A4-size page or part thereof	20,00
(e)(ii)	For a copy of an audio record	30,00
(f)	To search for and prepare the record for disclosure R30,00 for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation	
4.2	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 requestor.	
4.3	The actual postage is payable when a copy of a record must be posted to a requestor	

**LEGISLATIVE DISCLOSURE REQUIREMENTS****SECTION 51 (1) (d)**

LEGISLATION	PROVISION	SECTOR/INDUSTRY/data subjects	SUMMARY OF PROVISION	PERSONS RESPONSIBLE FOR DISCLOSURE
Administration of Estates Act 66 of 1965	Section 28(5)	banking	Banks must keep information of a cheque account or savings account that has been opened by an executive in the name of the estate and all information relating to vouchers in relation to the cheque or savings account.	The Master or any surety of the executor have the same rights to this information
Alienation of Land Act 68 of 1971	Section 7 (1) , Section 10, Section 16	Banking	If the land sold in terms of a contract is encumbered by one or more than one mortgage bond, the seller shall within 30 days after the conclusion of the contact hand to the purchaser or send to him by registered post a certificate drawn up and dated not more than 4 months before the conclusion of the contract, by each mortgagee in which is indicated the amount the mortgagee requires to be paid.	Buyer / Purchaser
Attorneys Act 53 of 1979	Section 71 (2) (a) (i), Section 78 (13)	Banking	A council may in the prescribed manner inquire into cases of alleged unprofessional or dishonourable or unworthy conduct on the part of any attorney, notary or conveyancer whose name has been placed on the role of any court within the province of its society, whether or not he is a member of such society, or of any person serving articles of clerkship or a contract of service with a member of its society, or of any former candidate attorney referred to in s 8(4). For the purposes of an enquiry under subsection (1), a council may -under the hand of the president or the secretary of its society, summon any person who in the opinion of the council may be able to give material information concerning the	Council

LEGISLATION	PROVISION	SECTOR/INDUSTRY/data subjects	SUMMARY OF PROVISION	PERSONS RESPONSIBLE FOR DISCLOSURE
			subject matter of the enquiry or who is believed by the council to have in his possession or custody or under his control any book, document, record or thing which has any bearing on the subject matter of the enquiry, to appear before it at a time and place specified in the summons, to be interrogated or to produce that book, document, record or thing, and may retain for inspection any book, document, record or thing so produced;	
Banks Act 94 of 1990	Section 7	Banking	<p>The Registrar may by notice in writing -direct a bank or a controlling company or a subsidiary of a bank or controlling company to furnish the Registrar, at such time or times or at such intervals or in respect of such period or periods as may be specified in the notice, with such information as may be specified in the notice and as the Registrar may reasonably require for the performance of his or her functions under this Act; or direct such bank, controlling company or subsidiary to furnish the Registrar with a report by a public accountant as defined as defined in section 1of the Auditing Profession Act, 2005 (Act No. 26 of 2005), or by any other person with appropriate professional skill, on any matter, or any aspect of any matter, about which the Registrar has directed or may direct under paragraph (a) the bank, controlling company or subsidiary to furnish information.</p> <p>The report required by the Registrar under paragraph (b) shall be drawn up at the expense of the bank, controlling company or subsidiary in question.</p> <p>The public accountant or other person appointed by a bank, controlling company or subsidiary to make a report required under subsection (1)(b), shall be a person designated or approved by the Registrar, and the Registrar may require the relevant report to be in such form as may be</p>	Bank or controlling company

LEGISLATION	PROVISION	SECTOR/INDUSTRY/data subjects	SUMMARY OF PROVISION	PERSONS RESPONSIBLE FOR DISCLOSURE
			<p>specified in the notice referred to in subsection (1).</p> <p>No due diligence audit of the financial condition of any bank shall be conducted without the Registrar first having been notified in writing of the intention to do so.</p> <p>The person at whose request a due diligence audit of the financial condition of a bank has been conducted shall furnish the Registrar with a copy of the audit report.</p> <p>No person shall without the written consent of the Registrar disclose to any other person, except to the bank whose financial condition was the subject of the due diligence audit, any information contained in a report referred to in subsection (4).</p>	
	Section 30	Banking	<p>The Registrar shall publish a notice in the <i>Gazette</i> and shall keep a record of - registration of an institution as a bank or a controlling company; authorisation granted to conduct the business of a bank by means of a branch; or consent granted for the establishment of a representative office by a foreign institution;</p> <p>The Registrar shall keep a record of every - approval granted to a bank or a controlling company to establish or acquire a subsidiary within or outside the Republic; approval granted to a bank to establish or acquire a branch of a bank; approval granted to a bank or a controlling company to acquire an interest in any undertaking having its registered office or principal place of business outside the Republic; approval granted to a bank or a controlling company to create or acquire a trust outside the Republic of which the bank is a major beneficiary; approval granted to a bank or a controlling company to establish or acquire any financial or other business undertaking under its direct or indirect control; or approval granted to a bank to establish or acquire a representative office</p>	Registrar of Banks



LEGISLATION	PROVISION	SECTOR/INDUSTRY/data subjects	SUMMARY OF PROVISION	PERSONS RESPONSIBLE FOR DISCLOSURE
			outside the Republic, which is effected or which takes place under this Act.	
	Section 53	Banking	Banks to advise the registrar of their interest in other entities and certain business transactions.	Bank or controlling company
	Section 58	Banking	Banks must supply the registrar with a copy of register of directors and prescribed offers within a set period.	Banks
	Section 59	Banking	Bank and their holding companies to supply registrar with its register of shareholders at set dates.	Banks
	Section 60 (5)	Banking	Banks to supply registrar with written notice of the nomination of any person for appointment of CEO, director or executive officer.	Banks
	Section 67	Banking	Banks must disclose name of shareholders who hold more than 25% of all the issued shares to which voting rights are attached	Banks
	Section 75	Banking	Banks to furnish returns to the registrar e.g. returns relating to the extent and management of risk exposures in the conduct of the bank's business.	Banks
Basic Conditions of Employment Act 75 of 1997	Section 29(1)	Banking / Insurance	An employer must supply an employee when the employee commences employment with particulars of work. In terms of subsection 2 when any matter changes the written particulars must be revised to reflect the change and the employee must be supplied with a copy of the document reflecting the change. In terms of section 29(4) the written particulars must be kept by the employer for a period of 3 years after termination of employment.	Employee

LEGISLATION	PROVISION	SECTOR/INDUSTRY/data subjects	SUMMARY OF PROVISION	PERSONS RESPONSIBLE FOR DISCLOSURE
	Section 31(1)	Banking / Insurance	Every employer must keep a record containing at least the following information: (a) the employee's name and occupation (b) the time worked by each employee (c) the remuneration paid to each employee (d) the date of birth of any employee under 18 years of age and (e) any other prescribed information. The record must be kept by the employer for a period of 3 years from the date of the last entry in the record.	Employee
	Section 33(1)	Banking / Insurance	An employer must give an employee the following information in writing on each day the employee is paid (a) the employer's name and address (b) the employee's name and occupation (c) the period for which the payment is made (d) the employee's remuneration in money (e) the amount in purpose of any deduction made from the remuneration (f) the actual amount paid to the employee.	Employee
	Section 66 (1)	Banking / Insurance	In order to monitor or enforce compliance with any employment law a labour inspector may require a person to disclose information either orally or in writing and either alone or in the presence of witnesses on any matter to which an employment law relates and require that disclosure be made under oath, copy any record or document to which an employment law relates.	Labour Inspector
	Section 78 (1) (e) Section 78 (2)	employees	Every employee has the right to- (a) make a complaint to a trade union representative, a trade union official or a labour inspector concerning any alleged failure or refusal by an employer to comply with this Act;(b) discuss his or her conditions of employment with his or her fellow employees, his or her employer or any other person; (c) refuse to comply with an instruction that is contrary to this Act or any sectoral determination (d) refuse to agree to any term or condition of employment that is contrary to this Act or any sectoral determination; (e) inspect any record kept in terms of this Act that	Employer

LEGISLATION	PROVISION	SECTOR/INDUSTRY/data subjects	SUMMARY OF PROVISION	PERSONS RESPONSIBLE FOR DISCLOSURE
			relates to the employment of that employee (f) participate in proceedings in terms of this Act; (g) request a trade union representative or a labour inspector to inspect any record kept in terms of this Act and that relates to the employment of that employee. (2) Every trade union representative has the right, at the request of an employee, to inspect any record kept in terms of this Act that relates to the employment of that employee.	
Collective Investment Schemes Control Act 45 of 2002	Section 4 (2)	Interests of directors and management	The manager has an obligation to inform investors of his or her directors or managements interests.	Manager
	Section 78 (2)	Persons designated to acts as the first directors of the proposed manager after the conversion	A list of the names and employment history of person designated to act as the first directors of the proposed manager after the conversion must accompany an application for the conversion of a collective investment scheme.	Manager
	Section 99	Investors	The manager must have investors' addresses before the registrar of collective investment schemes may approve the amalgamation of schemes. The format in which this information must be available is not specified – only that the manager must be “aware” of investor’s address.	Manager
	Section 110		The names of persons providing certain information must be disclosed.	Manager

LEGISLATION	PROVISION	SECTOR/INDUSTRY/data subjects	SUMMARY OF PROVISION	PERSONS RESPONSIBLE FOR DISCLOSURE
Companies Act 71 of 2008	Section 26	Company directors & members	Person who hold beneficial interest in any securities issued by a company have access to inspect and copy the information contained in certain company records.	Company
	Section 30	Info for annual report	Company's annual financial statement must disclose certain specified information regarding directors, employees, shareholders and their remuneration benefits.	Company
	Section 31	Company	Persons with beneficial interest in securities of the company (creditors and trade unions), are entitled to receive a copy of the company's recent annual financial statement.	Company
	Section 33	Company	Companies are required to file an annual return within a prescribed time frame.	Company
	Section 56	Shareholder (whose interest held by another)	Nominee securities holders must disclose the identity of underlying holders of such securities to the company in a prescribed form.	Representative holders of securities/nominee holders of interest
	Section 93	Company	Auditors have right of access to financial records and books of the company and are entitled to request any information from the directors to enable them to effectively carry out their functions.	Directors or company officers
	Section 102	Prospective subjects	A person may not be named in a prospectus unless such person has provided their consent to be so named.	Proposed directors or directors of entities to be listed
	Section 122 (3)	Securities holder	A regulated company that receives a notice from a person who has acquired beneficial interest in securities amounting to 5%, 10%, 15% or any further multiple of 5% of the issued securities of a particular class, must file a copy of such notice with the Securities Regulations Panel and report the information to other holders of the affected class of securities.	Regulated Company

LEGISLATION	PROVISION	SECTOR/INDUSTRY/data subjects	SUMMARY OF PROVISION	PERSONS RESPONSIBLE FOR DISCLOSURE
	Section 137	Company information or director	Directors must provide the business rescue practitioner with the relevant company information.	Directors
	Section 142	Company directors	Directors must deliver all books and records relating to the affairs of the company that are still in their possession. They must also inform the practitioner of all other books and records which they know their whereabouts.	Directors
	Section 159	Company, external company, director, or prescribed officer	A Shareholder; Director; Company Secretary; Prescribed Officer; employee of the company; registered trade union representing the company's employees are entitled to make certain <i>protected disclosures</i> against the company or external company, or a director or prescribed officer of a company. ( <i>Whistle-blowing</i> ).	Shareholder; Director; Company Secretary; Prescribed Officer; employee of the company; registered trade union representing the company's employees.
	Section 212	Company	When submitting information to the Commission, Panel, Companies Tribunal, Council or inspector a person any claim that such information or part of it is confidential. The Commission, Panel, Companies Tribunal, Council or inspector will then have to the discretion whether to treat the information as confidential or not within specified period.	Commission, the Panel, the Companies
Compensation for Occupational Injuries and	Section 1	Banking	An employer must register with the Commissioner and furnish the Commissioner with prescribed particulars of its business.	Employer
	Section 6 (1) (a)	Banking	(1) (a) The Director-General may subpoena any person who in his opinion is able to give information concerning the subject of any inquiry in terms of this Act, or who is suspected to have or in the opinion of the Director-General has in his possession or custody or under his control any book,	DirectorGeneral

LEGISLATION	PROVISION	SECTOR/INDUSTRY/data subjects	SUMMARY OF PROVISION	PERSONS RESPONSIBLE FOR DISCLOSURE
Diseases Act 130 of 1993			<p>document or thing which has a bearing on the inquiry, to appear before him at a time and place specified in the subpoena, to be interrogated or to produce such book, document or thing, and the Director-General may retain such book, document or thing for further investigation.</p> <p><i>(b)</i> An inquiry referred to in paragraph <i>(a)</i> shall take place in public unless the Director-General orders otherwise.</p> <p>(2) The Director-General may call and administer an oath to, or accept an affirmation from, any person present at such an inquiry who was or could have been subpoenaed in terms of subsection (1), and the Director-General or an assessor may interrogate such person and order him to produce any book, document or thing in his possession or custody or under his control.</p> <p>(3) A person who-</p> <p><i>(a)</i> has been duly subpoenaed under subsection (1) and who fails without sufficient cause to attend at the time and place specified in the subpoena;</p> <p><i>(b)</i> has been duly subpoenaed under subsection (1) or called under subsection (2) and who-</p> <p><i>(i)</i> fails to remain in attendance until excused by the Director-General from further attendance;</p> <p><i>(ii)</i> refuses to be sworn as a witness or to make an affirmation;</p> <p><i>(iii)</i> refuses or fails to answer fully and satisfactorily any question lawfully put to him under subsection (2);</p> <p><i>(iv)</i> refuses or fails to produce any book, document or thing in his possession or custody or under his control which he has been required to produce under subsection (1) or (2);</p> <p><i>(c)</i> hinders or obstructs the Director-General in the performance of any of his functions in terms of this section, shall be guilty of an offence.</p>	

LEGISLATION	PROVISION	SECTOR/INDUSTRY/data subjects	SUMMARY OF PROVISION	PERSONS RESPONSIBLE FOR DISCLOSURE
			<p>(4) A person who, after having been sworn as a witness or having made an affirmation, makes a false statement knowing it to be false, shall be guilty of an offence and shall upon conviction be liable to the penalty that may be imposed for perjury.</p> <p>(5) The law relating to privilege as applicable to a witness testifying in a court of law shall be applicable at an inquiry referred to in subsection (1).</p> <p>(6) If a person has been subpoenaed to appear before the Director-General and the Director-General is satisfied that such person has as a result of his appearance suffered any pecuniary loss or had to incur expense, the Director-General may pay out of the compensation fund the prescribed allowances or the amount of the loss or expense, whichever is the lesser.</p> <p>(7) The Director-General may delegate any of his functions under this section to an assessor, an officer or employee referred to in section 1 of the Public Service Act, 1984 (Act 111 of 1984), or a medical practitioner, and in this section 'Director-General' includes any such assessor, officer, employee or medical practitioner while acting within the scope of such delegation.</p>	
	Section 7	Banking	<p>The Director-General may authorize any assessor, any officer or employee referred to in section 1 of the Public Service Act, 1984 (Act 111 of 1984), or any medical practitioner to investigate any matter that he may deem necessary for the performance of his functions.</p> <p>(2) A person authorized under subsection (1) (in this section referred to as an 'authorized person') shall be furnished with a certificate to that effect signed by the Director-General.</p>	Authorised Person

LEGISLATION	PROVISION	SECTOR/INDUSTRY/data subjects	SUMMARY OF PROVISION	PERSONS RESPONSIBLE FOR DISCLOSURE
			<p>(3) An authorized person may-</p> <p>(a) without previous notice, at all reasonable times enter any premises, and take an interpreter or other assistant or a police officer with him onto the premises;</p> <p>(b) while he is on the premises, or at any time thereafter, question any person who is or was on the premises, either alone or in the presence of any other person on any matter to which this Act relates;</p> <p>(c) order any person who has control over or custody of any book, document or thing on or in those premises to produce to him forthwith, or at such time and place as may be determined by him, such book, document or thing;</p> <p>(d) at any time and place order any person who has the possession or custody of or is in the control of a book, document or thing relating to the business of an employer or previous employer, to produce forthwith or at such time and place as may be determined by him, such book, document or thing;</p> <p>(e) seize any book, document or thing which in his opinion may serve as evidence in any matter in terms of this Act;</p> <p>(f) examine or cause to be examined any book, document or thing produced to him or seized by him, and make extracts therefrom or copies thereof, and order any person who in his opinion is qualified thereto to explain any entry therein;</p> <p>(g) order an employee to appear before him at such time and place as may be determined by him, and question that employee.</p> <p>(4) An authorised person performing any function in terms of this section shall on demand produce the certificate referred to in subsection (2).</p>	



LEGISLATION	PROVISION	SECTOR/INDUSTRY/data subjects	SUMMARY OF PROVISION	PERSONS RESPONSIBLE FOR DISCLOSURE
			(5) Any person who- (a) falsely holds himself out to be an authorized person; (b) refuses or fails to answer fully and satisfactorily any question put to him by an authorized person in the performance of his functions; (c) refuses or fails to comply with any lawful request of or order by an authorized person; (d) hinders or obstructs an authorized person in the performance of his functions, shall be guilty of an offence.	
	Section 18	Banking	Employer to register with Director General and to furnish him with particulars.	Employer
	Section 32A	Banking	Any inspector furnished with inspection authority in writing by the Board may conduct an investigation to determine compliance with the Act.	Inspector or the manager
	Section 40	Banking	An employee or employer shall at the request of the Director General furnish such further particulars regarding the accident and injuries concerned as the Director General may require.	Director General
	Section 81	Banking	Employer must maintain a register or record of the earnings and prescribed particulars of all employees and shall produce such records on demand to an authorised person for inspection. Such records shall be maintained for a period of at least 4 years after the date of the last entry in that record.	Employer
	Section 82	Banking	Employer must furnish a return to the Commissioner reflecting: amount of earning up to the maximum paid by him, and any further information as is necessary.	Employer

LEGISLATION	PROVISION	SECTOR/INDUSTRY/data subjects	SUMMARY OF PROVISION	PERSONS RESPONSIBLE FOR DISCLOSURE
Competition Act 89 of 1998	Section 49A,  Section 54  Section 56	Banking / Insurance	<p>At any time during an investigation in terms of the Act the Commissioner may summon any person who is believed to be able to furnish any information on the subject of the investigation, or to have possession or control of any book, document or other object that has a bearing on that subject (a) to appear before the Commissioner or a person authorised by the Commissioner, to be interrogated at a time and place specified in the summons or (b) at a time and place specified in the summons, to deliver or produce to the Commissioner, or a person authorised by the Commissioner, any book, document or other object specified in the summons.</p> <p>The member of the Competition Tribunal presiding at the hearing may (a) direct or summon any person to appear at any specified time and place (b) question any person under oath or affirmation (c) summon or order any person (i) to produce any book, document or item necessary for the purpose of the hearing.</p> <p>The Competition Tribunal may order a person to answer any question, or to produce any article or document, even if it is self-incriminating to do so.</p>	Commissioner / Member of the Competition Tribunal
Constitution of the Republic of SA Act 108 of 1996	Section 32	Banking	Everyone has the right to access any information held by another person and that is required for the exercise or protection of any rights.	Public

LEGISLATION	PROVISION	SECTOR/INDUSTRY/data subjects	SUMMARY OF PROVISION	PERSONS RESPONSIBLE FOR DISCLOSURE
Consumer Protection Act 68 of 2008	Section 8 (2) (j)	Any persons	Suppliers must not discriminate between persons when reporting any personal information of such persons.	Suppliers
	Section 27	Person which the intermediary represents or from who the intermediary receives an offer	Intermediaries must disclose information prescribed by the Minister.	Intermediaries
	Section 107	Personal or confidential information	It is an offence to disclose any personal or confidential information obtained in carrying out a function of the Act or as a result of a complaint arising from the Act, unless requested by a regulatory authority.	Suppliers
Criminal Procedures Act 51 of 1977	Section 236	Banking	The entries in the accounting records of a bank and any document which is in the possession of any bank and which refers to the said entries or to any business transaction of the bank can be proved in criminal proceedings by producing an affidavit made by any person working for the bank any party to the criminal proceedings against whom the evidence is intended to be adduced. The accused may upon the order of the court before which the proceedings are pending inspect the original of the document or entry in question and any accounting record in which such entry appears or of which such entry forms part and may make copies of such documents or entries.	Accused person
Debt Collectors' Act No. 114 of 1998	Section 19(4)	Banking	A debt collector shall deliver to a debtor, upon request and against payment of a prescribed fee a settlement account containing a complete exposition of all debits and credits in connection with a specific collection	Debtor

LEGISLATION	PROVISION	SECTOR/INDUSTRY/data subjects	SUMMARY OF PROVISION	PERSONS RESPONSIBLE FOR DISCLOSURE
			provided that a debtor shall be entitled to request a settlement account free of charge once in every six months.	
Deeds registry Act 47 of 1937	Section 27	Banking	A long-term insurer shall whenever required to do so, furnish a return in the form and containing the particulars and information which the Registrar determines in respect of the following: (a) its shareholders and (b) any person who directly or indirectly has the power to require those shareholders to exercise their rights as shareholders in the long term insurer in accordance with such person's directions or instructions (c) a person in whose name shares in a long term insurer are registered, or (d) a person who wishes shares in a long term insurer to be alluded or issued to such person or to be registered in such person's name.	The Registrar
Designs Act No. 195 of 1993	Section 7(2)	Banking/ Insurance	Copies of all deeds, agreements, licenses and other documents affecting any registered design or application for the registration of a design which are required to be recorded in the register, shall be supplied in a prescribed manner for filing in the Designs Office.	Registrar
Estate Agency Affairs Act 112 of 1976	Section 48	Banking or insurance industry	An inspector who is authorised to enter in such premises may (a) enter upon or into those premises (b) search those premises (c) search any person on those premises if there are reasonable grounds for believing that a person has personal possession of an article or document that has a bearing on the investigation (d) examine any article or document that is on or in those premises that has a bearing on the investigation (e) request information about any article or document from the owner of, or person in control of, the premises or from any person who has control of the article or document, or from any other person who may have the information. (f) Take extracts from or make copies of any book	Inspector

LEGISLATION	PROVISION	SECTOR/INDUSTRY/data subjects	SUMMARY OF PROVISION	PERSONS RESPONSIBLE FOR DISCLOSURE
			<p>or document that is on or in the premises that has a bearing on the investigation. (g) Use any computer system on the premises, or require assistance of any person on the premises to use the computer system to (i) search any data contained or available on that computer system (ii) reproduce any record from that data and (iii) seize any output from that computer for examination copying and (h) attach and if necessary remove from the premises for examination and safekeeping anything that has a bearing on the investigation.</p>	
<p>Employment Equity Act No. 55 of 1998</p>	<p>Section 18(1) Section 25 Section 26</p>	<p>Banking Insurance</p>	<p>When a designated employer engages in consultation in terms of this Act the employer must disclose to the consulting parties all relevant information that will allow those parties to consult effectively.</p> <p>An employer must display at the workplace where it can be read by employees a notice in the prescribed form informing them about the provisions of the Employment Equity Act. In terms of sub-section 25(2) a designated employer must in each of its workplaces, place in prominent places that are accessible to all employees (a) the most recent reports submitted by that employer to the Director General (b) Any compliance order, arbitration award or order of the Labour Court concerning the provisions of this Act in relation to that employer and (c) any other document concerning this Act as may be prescribed. In terms of section 25(3) an employer who has an employment equity plan must make a copy of the plan available to its employees for copying and consultation.</p> <p>An employer must establish and for the prescribed period maintain records of its workforce, its employment equity plan and any other records relevant to its compliance with this Act.</p>	

LEGISLATION	PROVISION	SECTOR/INDUSTRY/data subjects	SUMMARY OF PROVISION	PERSONS RESPONSIBLE FOR DISCLOSURE
Firearms Control Act 60 of 2000	Section 20(6)	Banking Insurance	<p>Every holder of a licence issued in terms of this section must keep a register of all firearms in its possession containing such information as may be prescribed.</p> <p>The holder of a licence issued in terms of Act must, at the request of a police official, produce for inspection every licence issued.</p>	Police Official of Official recognised by the police
Financial Intelligence Centre Act 38 of 2001	Section 22	Banking and Insurance	<p>In terms of section 22 banks and insurance companies shall keep the following information relating to the clients with whom they conclude transactions or with whom they have established a business relationship: - The identity of the client. (1) Where the client is acting on behalf of another person – (1.1) The identity of that other person; (1.2) The client's authority to establish the business relationship or to conclude the single transaction on behalf of that other person. (2) If another person is acting on behalf of the client - (2.1)the identity of that other person; (2.2) that other person's authority to act on behalf of the client. (2.3) The manner in which the identity of the client or the other person was established. (3) In the case of a transaction - (3.1) The amount involved, (3.2) The parties involved. (4) All accounts that are involved in - (4.1) Transactions concluded by that bank or insurance company in the course of that business relationship; and (4.2) That single transaction. (4.2.1) The name of the person who obtained the information on behalf of the bank or insurance company. (4.2.2) Any document or copy of a document obtained by the bank or insurance company in order to verify a person's identity. (c) The records to be kept in terms of section 22 shall be kept for at least five years from the date on which the business relationship is terminated and five years from the date on which the transaction is concluded.</p>	Financial Intelligence Centre Act

LEGISLATION	PROVISION	SECTOR/INDUSTRY/data subjects	SUMMARY OF PROVISION	PERSONS RESPONSIBLE FOR DISCLOSURE
Financial Advisory and Intermediary Services Act 37 of 2002: General Code	3(b), (c), 2(a) (ii)	Specific duties of providers	When a provider renders a financial service a provider and a representative must avoid and where this is not possible mitigate, any conflict of interest between the provider and a client or the representative and a client. A provider or a representative must, in writing disclose any conflict of interest to a client.	Financial Services Provider (Representative or Key Individual)
	4(1)	Information on Product Suppliers	A provider other than a direct marketer must at the earliest reasonable opportunity, and only where appropriate, furnish the client with full particulars about the relevant product supplier.	
	5	Information on Providers	Where a provider other than a direct marketer renders a financial service to a client, the provider must furnish the client with full particulars of prescribed information.	Financial Service Provider
	7(1)	Information about financial service	A provider other than a direct marketer, must provide a reasonable and appropriate general explanation of the nature and material terms of the relevant contract or transaction to a client, and generally make full and frank disclosure of any information that would reasonably be expected to enable the client to make an informed decision.	
	7(3)		A provider must, where applicable, at the request of a client, provide the client with a statement of account in connection with any financial service rendered to the client.	
7(4)		A provider who has provided advice to a client or is rendering ongoing financial services to the client in respect of one or more financial products, must on a regular basis (but not less frequently than annually) provide the client with a written statement identifying such products where they are still in existence, and providing brief current details of such products.		

LEGISLATION	PROVISION	SECTOR/INDUSTRY/data subjects	SUMMARY OF PROVISION	PERSONS RESPONSIBLE FOR DISCLOSURE
	9(1), (2)	Record of Advice	A provider must, subject to and in addition to the duties imposed by <a href="#">section 18</a> of the Act and section 3(2) of this Code, maintain a record of the advice furnished to a client as contemplated in section 8. A provider, other than a direct marketer, must provide a client with a copy of the record contemplated in 9(1) in writing.	
Financial Markets Act 19 of 2012	78	Insider Trading	The Financial Services Board may summon any person who is believed to be able to furnish any information on the subject of any investigation or to have in such person's possession or under such person's control any document which has bearing upon that subject, to lodge such document with the board, or to appear at a time and place specified in the summons, to be interrogated or to produce such document; and interrogate any such person under oath or affirmation duly administered, and examine or retain for examination any such document: Provided that any person from whom any document has been taken and retained under this subsection must, so long as such document is in possession of the board, at that person's request and expense be allowed to make copies thereof or to take extracts therefrom at any reasonable time and under the supervision of the person in charge of the investigation.	
Formalities in respect of Leases of Land Act 18 of 1969	Section 11(1)  Section 17	Banking	An owner who intends to evict a person in terms of the provisions of this chapter shall give the Labour Tenant and the Director General no less than two calendar months written notice of his or her intention to obtain an order for eviction.  On receiving an application for the acquisition of land and servitudes the Director General shall (a) forthwith give notice of receipt of the application to the owner of the land and the holder of any other security	Labour Tenant and Director General



LEGISLATION	PROVISION	SECTOR/INDUSTRY/data subjects	SUMMARY OF PROVISION	PERSONS RESPONSIBLE FOR DISCLOSURE
			<p>in the land in question (d) call upon the owner by written request to furnish him or her within 30 days (l) with the names and addresses of the holders of all unregistered rights in the land in question, together with a copy of any document in which such rights are contained, or if such rights are not contained in any document, full particulars thereof, (ii) with any documents or information in respect of the land in question and the rights in such land as the Director General may reasonably require.</p>	
Home Loan and Mortgage Disclosure Act 63 of 2000	Section 1	Banking	<p>A financial institution must, in respect of home loans, disclose the following information: (a) the total number and amount in rent of completed home loan applications received during the financial year in respect of which the financial statements have been prepared in respect of such (l) categories of borrowers as may be prescribed and (ii) geographic areas as may be prescribed. (d) The total number an amount in rent of home loan applications declined and the reasons for the rejections in respect of such (l) Categories of prospective borrowers as may be prescribed and (ii) geographic areas as may be prescribed (iii) The total number and amount in rent of all home loans disclosed and disbursed by a financial institution during the financial year in respect of which such financial statements have been prepared, the total number and amount in rent of all home loans approved by a financial institution during the financial year in respect of which financial statements have been prepared, which must include information in respect of such particular (l) categories of borrowers as may be prescribed and (ii) geographic areas as may be prescribed and (e) such information as may be prescribed.</p>	

LEGISLATION	PROVISION	SECTOR/INDUSTRY/data subjects	SUMMARY OF PROVISION	PERSONS RESPONSIBLE FOR DISCLOSURE
Identification Act 68 of 1997	12	Banking and Insurance	The Director General may (a) request any person to furnish the Director General with proof of the correctness of any particulars which have been furnished in respect of such person in any document in terms of this act and (b) investigate or cause to be investigated any matter in respect of which particulars are required to be recorded in the Population Register.	Director General of Home Affairs
Income Tax Act 58 of 1962	Sections 70, 71 and 73B	Banks and Insurance Companies	Section 70 provides, during any period of twelve months ending on the last day of February in any year, any interest has become due by any company upon or in respect of debentures, debenture stock, loans or advances, the company shall, within a 30 days after the end of such period or within such further period as the Commissioner may allow, furnish the Commissioner with a return giving - (1) the full name and address; and (2) in the case of - (2.1) any natural person, his or her identification number: Provided that where he or she is not in possession of a South African identity document, any other form of identification; or (2.2) any person other than a natural person, the registration number, (2.3) of each person to whom such interest became due and the amount of such interest. (c) Section 71 provides that every bank carrying on business in the Republic or company dealing in or negotiating bearer warrants shall keep a record of all payments in respect of interest or dividends made to any person by means of bearer warrants, and shall in such manner and form and at such times as may be prescribed or as the Commissioner may require, furnish particulars of such payments. (d) Section 73B provides that a person shall retain all records required to determine the taxable capital gain or assessed capital loss of that person for a period of four years from the date on which the return for that year of assessment was received by the Commissioner.	Employer

LEGISLATION	PROVISION	SECTOR/INDUSTRY/data subjects	SUMMARY OF PROVISION	PERSONS RESPONSIBLE FOR DISCLOSURE
Inspection of Financials Institutions Act 18 of 1998	Section 4	Banking	<p>In clearing out an inspection of the affairs of an institution under section 3 an inspector may, at any time without prior notice enter and search any premises occupied by the institution and require the production of any document relating to the affairs of that institution. Open any strong room, safe or other container in which he or she suspects any document of the institution is kept.</p> <p>Examine and make extracts from the copies of any document of the institution or against the issue of a receipt remove such document temporarily for that purposes.</p> <p>Against the issue of a receipt, seize any document of the institution which in his or her opinion may afford evidence of an offence or irregularity.</p>	Inspector
Insolvency Act 24 of 1936	Section 21 Section 44 Section 152	Banking or insurance	<p>Before awarding any creditor a share in the proceeds, the trustee may require the creditor to lodge with him, within a period to be determined by the Master, an affidavit, supported by such evidence as may be available, setting forth the result of such excursion and disclosing the balance of his claim which remains unpaid.</p> <p>Every claim shall be proved by affidavit which may be made by the creditor or by any person fully cognisant of the claim. The said affidavit or a copy thereof and any documents submitted in support of the claim shall be delivered at the office of the officer who is to preside at a meeting of creditors.</p> <p>If at any time after the sequestration of the estate of a debtor and before his rehabilitation, the Master is of the opinion that the insolvent or the trustee of that estate or any other person is able to give any information which the Master considers desirable to obtain concerning the insolvent or concerning his estate or the</p>	<p>Trustee</p> <p>Officer who is to preside at a meeting of creditors</p> <p>The Master or magistrate or an officer in the public service</p>

LEGISLATION	PROVISION	SECTOR/INDUSTRY/data subjects	SUMMARY OF PROVISION	PERSONS RESPONSIBLE FOR DISCLOSURE
			administration of the estate or concerning any claim or demand made against the estate he may by notice in writing deliver to such other person summon him to appear before the Master or before a magistrate or an officer in the public service mentioned in such notice at a place and on a date and hour stated in such notice and to furnish the Master or other officer before him he is summoned to appear with all the information within his knowledge concerning the insolvent or concerning the insolvent's estate or the administration of the estate.	
Labour Relations Act 66 of 1995	Section 13(5)	Banking / Insurance	With each monthly remittance the employer must give (a) A List of the names of every member from whose register employer has made the deductions that are included in the remittance (b) Details of the amounts deducted and remitted and the period to which the deductions relate and (c) A copy of every notice of revocation.	Trade Union representative
	Section 16(2)		An employer must disclose to a trade union representative all relevant information that will allow the trade union representative to perform effectively the following functions to (a) assist and represent the employee in grievance and disciplinary proceedings (b) to monitor the employer's compliance with the workplace related provisions of the Labour Relations Act, any law regulating terms and conditions of employment and any collective agreement binding on the employer. (c) To report any alleged contravention of the workplace related provisions of this act, any law regulating terms and conditions of employment and any collective agreement binding on the employer to (i) The employer	
	Section 21(10)		(ii) The representative trade union and(iii) any responsible authority or agency and (d) to perform any other function agreed to between the representative trade union and the employer	Commissioner

LEGISLATION	PROVISION	SECTOR/IND USTRY/data subjects	SUMMARY OF PROVISION	PERSONS RESPONSIBLE FOR DISCLOSURE
	<p>Section 89(1)</p> <p>Section 189(3)</p> <p>Section 197(b)</p>		<p>The employer must make available to the commissioner any information and facilities that are reasonable necessary for the commissioner to determine the membership or support of the registered trade union.</p> <p>An employer must disclose to the workplace forum all relevant information that will allow the workplace forum to engage effectively in consultation and joint decision making. In terms of section 90(1) any documented information that is required to be disclosed by the employer in terms of Section 89 must be made available on request to the members of the workplace forum for inspection. The employer must provide copies of the documentation on request to the members of the workplace forum.</p> <p>The employer must disclose in writing all relevant information related to dismissals based on operational requirements including but not limited to (a) The reasons for the proposed dismissals (b) The alternatives that the employer considered before proposing the dismissals, and the reasons for rejecting each of those alternatives. (c) The number of employees likely to be affected and the job categories of which they are employed. (d) The proposed method for selecting which employees to dismiss. (e) The time when, or the period during which the dismissals are likely to take effect. (f) The severance pay proposed. (g) Any assistance that the employer proposes to offer to the employees likely to be dismissed. (h) The possibility of the future employment of the employees who are dismissed. (i) The number of employees employed with the employer and (j) The number of employees that the employer has dismissed for reasons based on its operational requirements in the preceding 12 months.</p>	<p>Workplace forum</p> <p>Trade union representatives</p> <p>Employees or their representatives in terms of collective agreement</p>

LEGISLATION	PROVISION	SECTOR/INDUSTRY/data subjects	SUMMARY OF PROVISION	PERSONS RESPONSIBLE FOR DISCLOSURE
	Section 205		<p>An employer that applies to be wound up or sequestrated whether in terms of the Insolvency Act 1936 or any other law must at the time of making application provide (a) Any person whom the employer is required to consult in terms of a collective agreement (b) If there is no collective agreement that requires consultation a workplace forum if the employees likely to be affected by the proposed dismissals are employed in a workplace of which there is a workplace forum and (b) Any registered trade union whose members are likely to be affected by the proposed dismissals. (c) If there is no workplace forum in the workplace in which the employee is likely to be affected by the proposed dismissals are employed, any registered trade union whose members are likely to be affected by the proposed dismissals or (d) If there is no trade union the employees likely to be affected by the proposed dismissals or their representatives nominated for that purpose with a copy of the applications. In terms of section 197(2)(b) an employer that receives an application for its winding up or sequestration must supply a copy of the application to any consulting party within two days of receipt or if the proceedings are urgent within 12 hours to the Registrar of Labour Relations.</p> <p>Every employer must keep the records that an employer is required to keep in compliance with any applicable (a) Collective Agreement (b) Arbitration Award (c) determination made in terms of the Wage Act. The employer must retain the records for 3 years from.</p>	Employer

LEGISLATION	PROVISION	SECTOR/INDUSTRY/data subjects	SUMMARY OF PROVISION	PERSONS RESPONSIBLE FOR DISCLOSURE
The Long Term Insurance Act 52 of 1998	Section 27  Section 36  Section 48	Insurance	<p>A long-term insurer shall whenever required to do so, furnish a return in the form and containing the particulars and information which the Registrar determines the following: (a) its shareholders and (b) any person who directly or indirectly has the power to require those shareholders to exercise their rights as shareholders in the long term insurer in accordance with such person's directions or instructions (c) a person in whose name shares in a long term insurer are registered, or (d) a person who wishes shares in a long term insurer to be alluded or issued to such person or to be registered in such person's name</p> <p>A long-term insurer shall furnish the Registrar with returns relating to its business.</p> <p>A long term insurer must furnish in writing to a person who enters into or varies a long term policy with information relating to the following matters: (a) representations made by or on behalf of that person to the insurer which were regarded by that insurer as material to its assessment of the risks under the policy (b) the premiums payable and the policy benefits to be provided under the policy and seek the event in respect of which the policy benefits are to be provided and the circumstances if any in which those benefits are not to be provided.</p>	

LEGISLATION	PROVISION	SECTOR/INDUSTRY/data subjects	SUMMARY OF PROVISION	PERSONS RESPONSIBLE FOR DISCLOSURE
National Credit Act 34 of 2005	62(1),(2)	Right to reasons for credit being refused	<p>On request from a consumer, a credit provider must advise that consumer in writing of the dominant reason for (a) refusing to enter into a credit agreement with that consumer; (b) offering that consumer a lower credit limit under a credit facility than applied for by the consumer, or reducing the credit limit under an existing credit facility; (c) refusing a request from the consumer to increase a credit limit under an existing credit facility; or (d) refusing to renew an expiring credit card or similar renewable credit facility with that consumer.</p> <p>When responding to a request in terms of subsection (1), a credit provider who has based its decision on an adverse credit report received from a credit bureau must advise the consumer in writing of the name, address and other contact particulars of that credit bureau.</p>	
	74(6)	Negative option marketing and opting out requirements	<p>When entering into a credit agreement, the credit provider must present to the consumer a statement of the following options and afford the consumer an opportunity to select any of those options: (a) To decline the option of pre-approved annual credit limit increases as provided for in <a href="#">section 119(4)</a>, if the agreement is a credit facility; and (b) to be excluded from any -</p> <ul style="list-style-type: none"> <li>(i) telemarketing campaign that may be conducted by or on behalf of the credit provider;</li> <li>(ii) marketing or customer list that may be sold or distributed by the credit provider, other than as required by this Act; or</li> <li>(iii) any mass distribution of email or sms messages.</li> </ul>	



LEGISLATION	PROVISION	SECTOR/INDUSTRY/data subjects	SUMMARY OF PROVISION	PERSONS RESPONSIBLE FOR DISCLOSURE
Pension Funds Act 24 of 1956	Sections 15 and 35	Insurance Companies/ Pension Funds	<p>Section 15 provides that every registered fund shall within six months as from the expiration of every financial year furnish to the registrar such statements in regard to its revenue, expenditure and financial position as may be prescribed by regulation, duly audited and reported on by the auditor of the fund. (c) Section 35 (1) provides that every registered fund shall deliver to any member on demand by such member, and on payment of such sum as may be determined by the rules of the fund, a copy of any of the following documents, that is to say- (1) the rules of the fund; (2) The last revenue account and the last balance sheet prepared in terms of sub-section (1) of section fifteen.</p> <p>(d) Section 35 (2) provides that any member shall be entitled to inspect without charge at the registered office of a registered fund, a copy of any of the following documents and make extracts therefrom, that is to say- (1) the documents referred to in sub-section (1); (2) the last report (if any) by a valuator prepared in terms of section sixteen; (3) the last statement (if any) and report thereon prepared in terms of section seventeen; (4) any scheme which is being carried out by the fund in accordance with the provisions</p> <p>Registrar of pension funds</p>	
Short term Insurance Act 53 of 1998	Section 4(3)	Insurance	The short term insurer upon notice from the Registrar may be directed to furnish the Registrar within a specified period with specified information or documents required by the Registrar for purposes of this Act.	Registrar

LEGISLATION	PROVISION	SECTOR/INDUSTRY/data subjects	SUMMARY OF PROVISION	PERSONS RESPONSIBLE FOR DISCLOSURE
South African Reserve Bank, Act 90 of 1989	Sections 19, 43 and 47.	Banks	Section 10A (11) provides that a bank shall, in order to enable the Governor to determine whether the bank is complying with the provisions of section 10A, furnish the Registrar of banks with a return on the prescribed form and in respect of the prescribed period. The return contemplated in section 10A (11) shall be prepared in conformity with generally accepted accounting practice. (c) The Act would not appear to require banks and insurance companies to keep any specific records.	Reserve Bank Governor
Stamp Duties Act 77 of 1968	Section 31	Banks and Insurance Companies	Section 31A provides that the Commissioner, or any officer may, for the purposes of the administration of the Act in relation to any person liable for the duty, require such person or any other person to furnish such information, documents or things as the Commissioner or such officer may require (to inspect, audit, examine or obtain). (c) The Act would not appear to require banks and insurance companies to keep any specific records.	Commissioner for South African Revenue Service.
Stock Exchanges Control Act 1 of 1985		Banks and Insurance Companies	(a) The Act consolidates the laws relating to the regulation and control of stock exchanges and matters connected therewith. (b) Section 19 provides that the president may require any issuer whose securities are included in the list referred to in section 16 (a) of the Act to disclose within a period specified in such a notice, any information at such issuer's disposal pertaining to such securities or to the affairs of that issuer which is in the public interest and, after giving such issuer an opportunity of making representations to him, require such issuer to disclose that information to the registered holder of the securities in question within a further period specified in the said notice. (c) Section 43 provides that every member shall keep such accounting records in one of the official languages of the Republic as may be prescribed, preserve such records in a safe place for a period of at least five years	President of the stock exchange and Registrar of the stock exchange.

LEGISLATION	PROVISION	SECTOR/INDUSTRY/data subjects	SUMMARY OF PROVISION	PERSONS RESPONSIBLE FOR DISCLOSURE
			<p>as from the date of the latest entry therein; and cause such records to be audited, not later than three months after the financial year end of such member, by an auditor whose appointment has been approved by the Registrar. (d) Section 47 provides that the Registrar may require a member to transmit to the Registrar any document or information at that member's or person's disposal and relating to member's or person's affairs which the Registrar may reasonably require and that member or person shall comply with the Requirements of the Registrar to his satisfaction within the relevant period or within such further period as the Registrar may allow. (e) The Act would not appear to require banks and insurance companies to keep any specific records.</p>	
Unemployment Insurance Act 63 of 2001	Section 56	Insurance / Bank	(1) Every employer must, as soon as it commences activities as an employer provide information regarding its employees to the commissioner.	Unemployment Insurance Commissioner