



**ACCESS TO INFORMATION MANUAL**

**In terms of the Promotion of Access to Information Act, 2000.  
(PAIA Manual)**

This manual is owned by MUA Insurance Acceptances (Pty) Ltd (“MUA”), a duly authorised Financial Services provider.

As Acting Chief Executive Officer and Information Officer of MUA, I, **Vajra Prakash Singh**, hereby confirm the adoption of this manual.



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Signature

03/12/2024

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Date

## 1. INTRODUCTION

This manual has been prepared in accordance with Section 51 of the Promotion of Access to Information Act, No. 2 of 2000, as amended (hereinafter referred to as “PAIA”).

The Promotion of Access to Information Act (“PAIA”) was enacted to give effect to the Constitution. The Constitution of the Republic of South Africa, 108 of 1996 provides in section 32:

- (1) Everyone has the right of access to:
  - (a) Any information held by the state; and
  - (b) Any information that is held by another person and that is required for the exercise or protection of any rights.

In November 2013, the Protection of Personal Information Act (“POPIA”), 4 of 2013 was enacted and came into effect of 1 July 2020, to give effect to the constitutional right to privacy and to promote the protection of personal information processed by public and private bodies. For more information on processing of personal information and protection of data, refer to the **Privacy Policy available on the MUA website**.

The Information Regulator is responsible for the access and protection of information in terms of both PAIA and POPIA.

## 2. COMPANY CONTACT DETAILS

MUA Insurance Acceptances (Pty) Ltd (“MUA”), Registration No. 2008/011925/07, is an underwriting manager for and on behalf of Auto & General Insurance Company Limited. Any person who wishes to request information from MUA with the intention to protect or exercise a right may contact the information officer (“IO”):

Name of body: MUA Insurance Acceptances (Pty) Ltd  
Request to IO: Mr Vajra Prakash Singh (Chief Executive Officer and Information Officer)  
Email address: [svanzyl@mua.co.za](mailto:svanzyl@mua.co.za)

Deputy IO:	Grant Smith (Head: Data Analytics and Digital)	<a href="mailto:GSmith@mua.co.za">GSmith@mua.co.za</a>
	Marike Van Niekerk (Manager – Legal & Compliance)	<a href="mailto:mvanniekerk@mua.co.za">mvanniekerk@mua.co.za</a>
	Michelle Kirstein (Manager - Business Process)	<a href="mailto:mkirstein@mua.co.za">mkirstein@mua.co.za</a>
	Xiane Francis (IT Administrator)	<a href="mailto:xfrancis@mua.co.za">xfrancis@mua.co.za</a>

Physical address: Office 0009, Second Floor, Tijgerpark 5, Willie Van Schoor Drive, BELLVILLE, 7530  
Telephone: +27 21 525 6200  
Website: <https://www.mua.co.za>  
General email: [info@mua.co.za](mailto:info@mua.co.za)

### **3. GUIDE IN TERMS OF SECTION 10 OF PAIA**

The Regulator made available a guide in terms of Section 10(1) of PAIA, as amended. It contains information required by a person wishing to exercise or protect any rights, contemplated by PAIA and POPIA. It is available in all of the official languages. It describes:

- What the objects of PAIA and POPIA are
- The process that needs to be followed in order to make a request
- How to get copies of the Guide at no charge
- How to get access to the manual of a private body; and
- All the remedies available in law to you.

The Guide can also be obtained:

- On request from the Information Officer
- From the website of the Regulator (<https://www.justice.gov.za/infoereg/>)

Any enquiries regarding this manual and its contents should be directed to:

[enquiries@infoeregulator.org.za](mailto:enquiries@infoeregulator.org.za)

### **4. RECORDS AVAILABLE IN TERMS OF LEGISLATION OTHER THAN THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000.**

MUA is mainly regulated by the Financial Advisory and Intermediary Services Act, 37 of 2002. As a business there is other legislation and related regulations that MUA needs to comply with.

Documents are held in accordance with statutory provisions that include those in the following Acts:

- Administration of Estates Act 66 of 1965
- Arbitration Act 42 of 1965
- Auditing Professions Act 26 of 1965
- Basic Conditions of Employment Act 75 of 1997

- Collective Investments Schemes Control Act 45 of 2002
- Companies Act 71 of 2008
- Compensation for Occupational Injuries Diseases Act 130 of 1993
- Copyright Act 98 of 1978
- Electronic Communications and Telecommunications Act 36 of 2005
- Employment Equity Act 55 of 1998
- Financial Advisory and Intermediary Services Act 37 of 2002
- Financial Institutions (Protection of Funds) Act 28 of 2001
- Financial Intelligence Centre Act 38 of 2001
- Financial Sector Regulation Act 7 of 2017
- Financial Services Board Act 97 of 1990
- Financial Services Ombud Schemes Act 37 of 2004
- Insurance Act 18 of 2017
- Income Tax Act No. 58 of 1962
- Insolvency Act 24 of 1936
- Labour Relations Act 66 of 1995
- Medical Schemes Act 131 of 1998
- Occupational, Health and Safety Act 85 of 1993
- Pension Funds Act 24 of 1956
- Prevention of Organised Crime Act 121 of 1998
- Protection of Personal Information Act, 2013
- Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
- Protection of Constitutional Democracy against Terrorist and related Activities Act 33 of 2004
- Short Term Insurance 53 of 1998
- Skills Development Act 97 of 1998
- Skills Development Levies Act 9 of 1999
- South African Qualifications Authority Act 58 of 1995
- The Constitution of the Republic of South Africa 108 of 1996
- The Unemployment Insurance Act 63 of 2001
- The Value Added Tax Act 89 of 1991
- Trademarks Act 194 of 1993
- Unemployment Insurance Act 63 of 2001

## 5. CATEGORIES OF RECORDS HELD BY MUA

MUA maintains records on the following categories and subject matters. However, please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be granted. All requests for access will be evaluated on a case-by-case basis in accordance with the provisions of the Act.

SUBJECT	CATEGORIES
Company documentation	Constitutive documents including Memorandum and Articles, registers and books including share registers, minute books, internal resolutions, shareholders agreement, company forms, powers of attorney.
Taxation	Income tax returns and supporting documents, invoices and returns relating to value added tax, returns and supporting documents in respect of company tax and capital gains tax.
Intellectual property	Documents relating to trademarks, copyrights or designs held by the company together with any licences and licensing agreements.
Insurance	Policies of insurance, applications for insurance, documents relating to payment of premium, claim documents, renewal documents, quotations for insurance, amendments to policies.
Immovable property	Title deeds to properties owned, lease agreements for any lease property, mortgage bonds, liens, servitudes, accounts relating to rates and services, contracts and accounts relating to maintenance and repairs, building

	and rebuilding and security in respect of such properties.
Movable property	Contracts for the purchase of movable property and all accounting documents in that connection, documents proving ownership of such property including the registers of property owned, liens, notarial bonds, pledges, cessions and other security documents.
Banking details	All contracts between the company and its bankers, account details, bank statements, cheque books, paid cheques, applications for facilities and all documents relating to cession, pledge or securitisation of debts.
Other agreements	Security agreements, suretyships, sale agreements, agreements relating to any trading activities, agreements for the purchase of any item, agency agreements, management agreements, distribution agreements, standard conditions of business, joint venture agreements, administration agreements, consortium or partnership agreements, agreements relating to the sale of shares and members' interests, agreements with suppliers and customers and any other agreements.
Permits etc	All permits, licences, consents, approval, authorisations, applications and registrations required by the company to carry on its business.
Employment	All documents relating to the employment of employees including employment contracts, personal records, disciplinary proceeding records, arrangements

	with directors or employees, salary and wage records, records relating to any benefits, redundancy payment records, share incentive scheme, share options, bonus records and profit sharing arrangements.
Pensions and provident funds	The rules of any pensions or provident funds, documents relating to the inter-action with such funds, payments made to such funds, benefits payable under such funds, communications in regard to the rules and any rule amendments or claims.
Financial information	All books, accounts and records of the company including books of account, invoices, receipts, credit notes, banking records (see above), vouchers, applications for payment, payment authorisation.
Technical information	All technical specifications, records, information, brochures, plans, diagrams, calculations and other documents relating to any machinery and equipment and or technical stock of the company and any research being carried out by the company.
Information relating to legal proceedings	All summonses, pleadings and other documents in the possession of the company or its attorneys relating to any pending, current or past legal proceedings by or against the company.
Environmental issues	Environmental impact studies, environmental research, documents relating to use and disposal of water, documents relating to production processes and emissions, documents regarding waste management.



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**6. THE FOLLOWING INFORMATION IS NOT AVAILABLE SAVE IN THE SPECIAL CIRCUMSTANCES PROVIDED FOR IN POPIA:**

6.1 Personal information which means:

- 6.1.1 information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the individual;
- 6.1.2 information relating to the education or the medical, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved;
- 6.1.3 any identifying number, symbol or other particular assigned to the individual;
- 6.1.4 the address, fingerprints or blood type of the individual;
- 6.1.5 the personal opinions, views or preferences of the individual, except where they are about another individual or about a proposal for a grant, an award or a prize to be made to another individual;
- 6.1.6 correspondence sent by the individual that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
- 6.1.8 the views or opinions of another individual about the individual;
- 6.1.9 the views of opinions of another individual about a proposal for a grant, an award or a prize to be made to the individual, but excluding the name of the other individual where it appears with the views or opinions of the other individual; and
- 6.1.10 the name of the individual where it appears with other personal information relating to the individual or where the disclosure of the name itself would reveal information about the individual.

6.2 Trade secrets of a third party

6.3 Financial, commercial, scientific or technical information, other than trade secrets, of a third party, the disclosure of which would be likely to cause harm to the commercial or financial interests of that third party

6.4 Information supplied in confidence by a third party, the disclosure of which could reasonably be expected

- 6.4.1 to put that third party at a disadvantage in contractual or other negotiations;
- 6.4.2 to prejudice the third party in commercial competition.

- 6.5 Information the disclosure of which would constitute an action for breach of a duty of confidence owed to a third party in terms of an agreement.
- 6.6 Information if its disclosure could reasonably be expected to endanger the life or physical safety of an individual.
- 6.7 Information the disclosure of which would be likely to prejudice or impair:
  - 6.7.1 the security of a building, structure or system, including but not limited to, a computer or communication system; a means of transport; or any other property;
  - 6.7.2 methods, systems, plans or procedures for the protection of an individual in accordance with a witness protection scheme; the safety of the public or part of the public; or the security of the property contemplated in 6.7.1 above.
- 6.8 The record of a body if the record is privileged from production in legal proceedings unless the person entitled to the privilege has waived the privilege.
- 6.9 A record which:
  - 6.9.1 contains trade secrets of the company;
  - 6.9.2 contains financial, commercial, scientific or technical information of the company the disclosure of which would be likely to cause harm to the commercial or financial interests of the company;
  - 6.9.3 contains information the disclosure of which could reasonably be expected to put the company at a disadvantage in contractual or other negotiations; or to prejudice the company in commercial competition;
  - 6.9.4 is a computer programme defined in the Copyright Act 1978 owned by the private body except insofar as it is required to give access to the record to which access is granted in terms of this Act;
  - 6.9.5 information the disclosure of which is likely to expose a third party for whom research is being or is to be carried out or the company itself or the person carrying out the research or the subject of the search, to serious disadvantage.

## **7. WHO MAY REQUEST INFORMATION IN TERMS OF THE ACT**

- 7.1 Any person who requires information for the exercise or protection of any rights, may request information from a private body. Section 50 of the Act states that -

- 1) *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 this Act 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.*

7.2 A requester is any person making a request for access to a record of TIH. There are two types of requesters -

#### 7.2.1 *Personal Requester*

Personal requester is a requester who is seeking access to a record containing personal information about the requester. TIH will voluntarily provide the requested information or give access to any record with regard to the requester's personal information.

The prescribed fee for reproduction of the information requested will be charged.

#### 7.2.2 *Other Requester*

This requester (other than a personal requester) is entitled to request access to information on third parties. However, MUA is not obliged to voluntarily grant access. The requester must fulfil the prerequisite requirements for access in terms of the Act, including the payment of a request and access fee.

## **8. DETAIL ON HOW TO MAKE A REQUEST FOR ACCESS – SECTION 51(e)**

### 8.1 Prescribed Access Form

A request for access to information must be in writing by completing Form 2 and submitted together with a request fee, to the Information Officer or a Deputy Information Officer of MUA. It is recommended that you read this manual first, before submitting any requests.

The form must:

- i) provide sufficient particulars of the record/s requested
- ii) the name and contact details of the requester (and if on behalf of another, proof of the capacity and mandate to act on behalf thereof)
- iii) indicate which form of access is required
- iv) specify a postal address or fax number of the requester in the Republic

- v) identify the right that the requester is seeking to exercise or protect, and provide an explanation of why the requested record is required for the exercise or protection of that right
- vi) if in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, to state that manner and the necessary particulars to be informed in the other manner

On receipt of the Information Request and accompanying prescribed fees, MUA will consider the request and provide a response within 21 working days. If the request is denied, reasons for refusal of access will be provided in terms of section 63 – 69 of PAIA.

Requestors, please note that all the information as listed above should be provided, failing which the process will be delayed while the private body requests such additional information. The prescribed time periods will not commence until all pertinent information has been furnished on the private body by the requestor.

Records held by MUA may be accessed by requests only once the prerequisite requirements for access have been met.

## **8.2 Prescribed Fee**

8.2.1 Payment of fees is regulated in terms of section 54 of the Act. The Regulations to the Act provide for two types of fees-

### **8.2.1.1 Request Fee**

This is a non- refundable administration fee paid by all requestors with the exclusion of personal requestors. It is paid before the request is considered.

### **8.2.1.2 Access Fee**

This is paid by all requestors only when access is granted. This fee is intended to reimburse the private body for the costs involved in searching for a record and preparing it for delivery to the requestor.

8.2.2 The information officer must give written notice to a requestor other than a personal requestor of the request fee and amount to be paid before the request may be further processed.

8.2.3 If in the information officer’s opinion the search for a record, or preparation of the record for disclosure will require more than the prescribed hours, the information officer may require the requestor to pay a

deposit, not being more than one third of the access fee that would be payable if the request is granted.

If the request is declined, the deposit must be repaid to the requestor.

8.2.4 The notice given by the information officer must advise the requestor that s/he has a right to apply to court against the payment of the request fee or deposit and advise of the procedure of the application.

8.2.5 The Information Officer shall withhold a record until the requester has paid the fees as indicated in Annexure 2, attached hereto.

8.2.6 If a deposit has been paid in respect of a request for access, which is refused, then the Information Officer concerned must repay the deposit to the requester.

## **9. REMEDIES AVAILABLE WHEN MUA REFUSES A REQUEST FOR INFORMATION**

### **9.1 *Internal Remedies***

MUA does not have internal appeal procedures. As such, the decision made by the Information Officer is final, and requestors will have to exercise such external remedies at their disposal if the request for information is refused, and the requestor is not satisfied with the answer supplied by the Information Officer.

### **9.2 *External Remedies***

A requestor that is dissatisfied with the information officer's refusal to grant access to any information may, within 180 days of notification of the last decision, apply to court for relief. Likewise, a third party dissatisfied with the information officer's decision to grant a request may, within 180 days of notification of the last decision, apply to court for relief.

It should be noted that notwithstanding any provision in this Act, the court may examine the record(s) in question. No record may be withheld from the court on any grounds. The court may not, however, disclose the contents of the record(s).

The court is empowered to grant any order that is just and equitable, including:

- confirming, amending or setting aside the information officer's decision
- requiring the information officer to take any action, or refrain from taking any action as identified by the court within a specified period;
- granting an interdict, interim or special relief, declaratory order or compensation; or costs.

## **10. AVAILABILITY OF THE MANUAL**

This manual is available on [www.mua.co.za](http://www.mua.co.za) or by requesting a copy by e-mail from the contact details as provided in paragraph 2 above. This manual does not include the fee structures in respect of private body.

The prescribed forms and fees for requests to private bodies are available on the website of the Information Regulator at <https://info regulator.org.za/> and the website of the Department of Justice and Constitutional Development at [www.doj.gov.za](http://www.doj.gov.za).

## ANNEXURE 1

- **REQUEST FOR ACCESS TO RECORDS OF PRIVATE BODY (In terms of Section 53 (1) of the Act and Regulation 7)**

Required for completion: FORM 2 - REQUEST FOR ACCESS TO RECORD available at <https://infoeregulator.org.za/wp-content/uploads/2020/07/InfoRegSA-PAIA-Form02-Reg7.pdf>

- **OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION (in terms Section 11(3) of the Protection of Personal Information Act, 2013 (Act No. 4 of 2013)**

Required for completion: FORM 1 – OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION available at <https://infoeregulator.org.za/wp-content/uploads/2020/07/FORM-1-OBJECTION-TO-THE-PROCESSING-OF-PERSONAL-INFORMATION.pdf>

- **REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION ((in terms Section 24(1) of the Protection of Personal Information Act, 2013 (Act No. 4 of 2013)**

Required for completion: FORM 2 - REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION available at <https://infoeregulator.org.za/wp-content/uploads/2020/07/FORM-2-REQUEST-FOR-CORRECTION-OR-DELETION-OF-PERSONAL-INFORMATION-OR.pdf>

These Forms must be accompanied by a cover letter addressed to the Information Officer or and of the Deputy Information Officers

### A. Particulars of MUA

To: The Information Officer / Deputy Information Officers

Address: Regus Business Centre,  
1st floor Willowbridge Centre,  
Carl Cronje Drive,  
Tygervalley,  
7530

Email: [info@mua.co.za](mailto:info@mua.co.za)

Web site: <https://www.mua.co.za/>






# MUA - PAIA Manual - March 2024 - version 6

Final Audit Report

2024-03-12

Created:	2024-03-12
By:	Marike van Niekerk (MvanNiekerk@mua.co.za)
Status:	Signed
Transaction ID:	CBJCHBCAABAAMP7e7e9dgSORtlSseCJNo4QrKj-l0oNY

## "MUA - PAIA Manual - March 2024 - version 6" History

-  Document created by Marike van Niekerk (MvanNiekerk@mua.co.za)  
2024-03-12 - 8:02:52 AM GMT- IP address: 102.215.39.53
-  Document emailed to Vajra Singh (vsingh@mua.co.za) for signature  
2024-03-12 - 8:02:57 AM GMT
-  Email viewed by Vajra Singh (vsingh@mua.co.za)  
2024-03-12 - 8:36:41 AM GMT- IP address: 104.47.11.62
-  Document e-signed by Vajra Singh (vsingh@mua.co.za)  
Signature Date: 2024-03-12 - 8:37:24 AM GMT - Time Source: server- IP address: 102.215.39.53
-  Agreement completed.  
2024-03-12 - 8:37:24 AM GMT