

**BIDVEST BANK LIMITED**

Registration Number: 2000/006478/06

**Manual in terms of Section 51 of  
The Promotion of Access to Information Act, No 2 of 2000**

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## **1. INTRODUCTION**

Bidvest Bank Limited is a company duly registered according to the company laws of the Republic of South Africa and a commercial bank registered in accordance with the Banks Act, 1990.

This manual sets out the procedure and requirements, as prescribed by the Act, which must be met by a requestor.

## **2. COMPANY CONTACT DETAILS (Section 51(1)(a))**

Requests to Bidvest Bank in terms of the Act should be addressed as per the following details:

Authorised Officer:	Managing Director
Postal Address:	PO Box 185 Johannesburg 2000
Physical Address:	19 Ameshoff Street Braamfontein 2001
Telephone Number:	011 407 3000
Fax Number:	011 339 1207
E-mail Address:	<a href="mailto:info@bidvestbank.co.za">info@bidvestbank.co.za</a>

## **3. THE ACT (Section 51(1)(b))**

- 3.1 The Promotion of Access to Information Act, No 2 of 2000 ("the Act") gives effect to the constitutional right of access to any information held by public or private bodies that is required for the exercise or protection of any rights.
- 3.2 The Act grants a requester access to records of a private body if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.
- 3.3 Requests in terms of the Act shall be made in accordance with the prescribed procedures, at the prescribed rates. The forms and tariffs are dealt with in paragraphs 6 and 7 of the Act.
- 3.4 Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission ("the SAHRC"), which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.

### 3.5 The contact details of the SAHRC are:

Postal Address: Private Bag 2700  
Houghton  
2041

Telephone Number: 011 887 3600

Fax Number: 011 403 0625

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

## 4. **APPLICABLE LEGISLATION (Section 51(1)(c))**

- Banks Act, No. 94 of 1990
- Basic Conditions of Employment Act, No. 75 of 1997
- Broad Based Black Economic Empowerment Act, No. 53 of 2003
- Companies Act, No. 61 of 1973 & 71 of 2008
- Compensation for Occupational Injuries and Diseases Act, No. 130 of 1993
- Competition Act, No. 89 of 1998
- Constitution of South Africa Act, No. 108 of 1996
- Electronic Communications and Transactions Act, No. 2 of 2000
- Employment Equity Act, No. 55 of 1998
- Exchange Control Regulations
- Financial Advisory and Intermediary Act, No. 37 of 2002
- Financial Intelligence Centre Act, No. 38 of 2001
- Home Loan and Mortgage Disclosure Act, No 63 of 2000
- Income Tax Act, No. 58 of 1962
- Labour Relations Act, No. 66 of 1995
- National Credit Act, No. 34 of 2005
- Occupational Health and Safety Act, No. 85 of 1993
- Prevention of Organised Crime Act, No. 121 of 1998
- Promotion of Access to Information Act, No. 2 of 2000
- Promotion of Equality and Prevention of Unfair Discrimination Act, No. 4 of 2000
- Protection of Constitutional Democracy Against Terrorist and Related Activities Act, No. 34 of 2004
- Protection of Personal Information Act, No. 4 of 2013
- Regulation of Interception of Communications and Provisions of Communication Related Information Act, No. 70 of 2002
- Skills Development Act, No. 97 of 1997
- Skills Development Levy Act, No. 9 of 1999
- South African Reserve Bank Regulations
- Trade Marks Act, No. 194 of 1993
- Unemployment Insurance Act, No. 63 of 2001
- Value-added Tax Act, No. 89 of 1991

✦Regulations and amendments to the above legislation as promulgated from time to time. This is not an exhaustive list.

## 5. **SCHEDULE OF RECORDS** (Section 51 (1) (d))

Records relating to the following subjects and categories are held by Bidvest Bank:

- **Client services records**
  - Correspondence
  - Statements and invoices
  - Contracts
  - Business Information
- **Operations**
  - Supplier and service provider agreements
  - Industry agreements and correspondence
  - Policies and operating procedures
  - Reports and supporting documents
  - Products and services information
  - Lease agreements
- **Corporate Governance**
  - Policies
- **Company Secretarial**
  - Company statutes
  - Registers
  - Minutes of meetings
  - Statutory returns
  - Share certificates
  - Trading licences and trademark certificates
- **Finance and Administration**
  - Accounting Records
  - Annual Financial Statements
  - Agreements
  - Banking records
  - Correspondence
  - Invoices and Statements
  - Management Reports
  - PAYE records
  - Rental Agreements
- **Internal Audit and Compliance**
  - Timetables and plans
  - Working papers and reports
  - Compliance manual
- **Security**
  - Investigation files and reports
  - Insurance claim files

- **Information Technology**
  - System documentation and manuals
  - Minutes of meetings
  - Project, disaster recovery and implementation plans
  
- **Administration**
  - Intranet
  - Correspondence with internal and external parties
  
- **Finance**
  - Financial statements
  - Monthly pack and trial balances
  - Ledgers
  - Budgets and forecasts
  - Reports and returns
  - Bank account records
  - Copy invoices, statements and credit notes
  - Income Tax Files
  - Journals
  - Creditors statements and invoices
  - Reconciliations
  
- **Human Resources**
  - Accounting and Payroll Records
  - BEE Statistics
  - Documents issued to employees for Income Tax purposes
  - Disciplinary Code and Records
  - Employment Equity Plan and Reports
  - General Terms of Employment
  - Letters of Employment
  - Leave Records
  - PAYE Records and Returns
  - Investigative Material
  - Legal Documentation
  - Proposal and Tender Documents
  - Risk Management Records
  - Tax Records and Returns
  - SARB Returns
  - All other statutory compliances
  - VAT
  - Regional Services Levies
  - Skills Development Levies
  - Workmen's Compensation
  - Performance Management Records
  - Personnel Information
  - Policies and Procedures
  - Records of payments made to SARS
  - Returns to UIF
  - Salary Records
  - SETA Records

- **General**

- Various committees' terms of reference and records
- Documents taken over from *Ons Eerste Volksbank*

## 6. **FORM OF REQUEST (Section 51 (1) (e))**

To facilitate the processing of your request, kindly:

- 6.1 Use the prescribed form available on the SAHRC website.
- 6.2 Address your request to the Authorised Officer
- 6.3 Provide sufficient details to enable Bidvest Bank to identify:
  - 6.3.1 The record(s) requested;
  - 6.3.2 The requester (and if an agent is lodging the request, proof of capacity);
  - 6.3.3 The form of access required;
  - 6.3.4 The postal address or fax number of the requester in the Republic;
  - 6.3.5 If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;
  - 6.3.6 The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

## 7. **PRESCRIBED FEES (Section 51(1)(f))**

The following applies to requests (other than personal requests):

- 7.1 A requestor is required to pay the prescribed fees (R50.00) before a request will be processed;
- 7.2 If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);
- 7.3 A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- 7.4 Records may be withheld until the fees have been paid; and
- 7.5 The fee structure is available at the SAHRC website.