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**DEVELOPMENT FINANCE INSTITUTE CANADA  
(DFIC) INC. / INSTITUT DE FINANCEMENT DU  
DEVELOPMENT CANADA (IFDC) INC. (“FINDEV  
CANADA”)**

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**FINDEV CANADA  
INFORMATION MANUAL**

**Published in terms of section 51 of the Promotion of Access to Information Act 2 of 2000 and in terms of the Protection of Personal Information Act 4 of 2013**



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## 1. INTRODUCTION

- 1.1 Development Finance Institute Canada (**DFIC**) Inc. / Institut de Financement Du Development Canada (**IFDC**) Inc (**FinDev Canada**) is Canada's bilateral Development Finance Institution (**DFI**) mandated to provide, directly or indirectly, development financing and other forms of development support in a manner that is consistent with Canada's international development priorities. FinDev Canada was established in 2017 and is a wholly owned subsidiary of Export Development Canada (**EDC**), a Canadian Crown Corporation which is wholly owned by the Government of Canada. FinDev Canada established a local branch office in South Africa on August 4, 2025 (**FinDev South Africa**). Although FinDev Canada and FinDev South Africa are considered to be the same legal entity, we have made reference to FinDev South Africa throughout this information Manual to indicate that this Manual is only applicable to the processing activities, which will primarily be carried out by our local branch office (i.e., FinDev South Africa) in South Africa.
- 1.2 The Promotion of Access to Information Act of 2000 (**PAIA**) was enacted with the purpose of addressing section 32(1) of the Constitution of the Republic of South Africa (**Constitution**), which provides that any person has a right to gain access to any information held by a public or private body. If the record is requested from a private body, the requestor needs to prove that the record is required for the exercise or protection of a right.
- 1.3 The Protection of Personal Information Act 4 of 2013 (**POPIA**) was enacted to give effect to:
- (a) the constitutional right to privacy, by safeguarding personal information when processed by a responsible party, subject to justifiable limitations that are aimed at: (i) balancing the right to privacy against other rights, particularly the right of access to information; and (ii) protecting important interests, including the free flow of information within the Republic of South Africa and across international borders;
  - (b) regulate the manner in which personal information may be processed, by establishing conditions, in harmony with international standards, that prescribe the minimum threshold requirements for the lawful processing of personal information;
  - (c) provide persons with rights and remedies to protect their personal information from processing that is not in accordance with POPIA; and
  - (d) establish voluntary and compulsory measures, including the establishment of an Information Regulator, to ensure respect for and to promote, enforce and fulfil the rights protected by POPIA.
- 1.4 One of the main requirements specified in PAIA is the compilation of a manual that provides information on both the types and categories of records held by a public or private body. In terms of PAIA, a private body includes any former or existing juristic person.
- 1.5 Insofar as POPIA is concerned, PAIA requires the manual to detail: (i) the purpose of processing of personal information; (ii) a description of the categories of data subjects and of the information or categories of information relating thereto; (iii) the recipients or categories of recipients to whom the personal information may be supplied; (iv) any planned transborder flows of information; and (v) a general description allowing a preliminary assessment of the suitability of the information security measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information which is to be processed.
- 1.6 This Information Manual (**Manual**) provides an outline of the type of records held by and the processing of personal information performed by FinDev South Africa in respect of the following main business activities of FinDev Canada South Africa: (i) Originating, underwriting, and management of loans and investments, (ii) human resources activities (iii)

corporate representation and events.

- 1.7 The Manual details the process for requesting access to these records under PAIA.
- 1.8 This document serves as the Manual for FinDev South Africa in terms of PAIA, to provide a reference as to the processing activities undertaken in South Africa, the records held and the process that needs to be followed to request access to such records.

## 2. ADMINISTRATION OF PAIA - (Section 51 (1)(a) of PAIA)

The details of the contact persons who will deal with all requests made in terms of PAIA and who will act, as the information officer and deputy information officer for the purposes of POPIA relating to FinDev South Africa are as follows:

<b>FinDev South Africa's Information Officer</b>	
<b>Contact Name</b>	Lori Kerr
<b>Position</b>	President and CEO
<b>Physical Address</b>	TMF Building 2 Conference Lane, Bridgewater One Block 1, Bridgeway Precinct, Century City, 7446, Cape Town, South Africa
<b>Postal Address</b>	TMF Building 2 Conference Lane, Bridgewater One Block 1, Bridgeway Precinct, Century City, 7446, Cape Town, South Africa
<b>Phone</b>	1-833-613-3342
<b>Email</b>	Privacy@edc.ca

## 3. GUIDE ON HOW TO USE PAIA - (Section 10 of PAIA)

- 3.1 The Information Regulator has in terms of section 10(1) of PAIA amended, updated and made available a revised guide containing information reasonably required by a person wishing to exercise any right in terms of PAIA and POPIA (**Guide**).
- 3.2 The Guide is available in each of the official languages and in braille.
- 3.3 The Guide that has been published by the Information Regulator contains the following information:
  - (a) the objects of PAIA and POPIA;
  - (b) the postal and street address, phone and fax number, and if available, the electronic mail address of the information officer of:
    - (i) every public body; and
    - (ii) every deputy information officer of every public and private body designated in terms of section 17(1) of PAIA and section 56 of POPIA;
    - (iii) the manner and form of a request for access to:
      - (A) a record of a public body; and
      - (B) a record held by a private body;

- (c) the assistance available from the information officer of a public body in terms of PAIA and POPIA;
  - (d) the assistance available from the Information Regulator in terms of PAIA and POPIA;
  - (e) all remedies in law regarding an act or an omission in respect of a right or duty conferred or imposed by PAIA and POPIA, including how to lodge an internal appeal, a complaint to the Information Regulator and a court application;
  - (f) the requirements for a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
  - (g) the voluntary disclosure of categories of records by a public body and private body, respectively;
  - (h) the notices issued in terms of sections 22 and 54 of PAIA regarding fees to be paid in relation to requests for access; and
  - (i) the regulations made in terms of section 92 of PAIA.
- 3.4 A copy of the Guide is available for inspection upon request to the Information Officer of FinDev South Africa during normal working hours. It is also available on the Information Regulator's website.
- 3.5 The Information Regulator is responsible for updating and making available the existing Guide that will facilitate ease of use of PAIA for requestors. Please direct any queries to the Information Regulator using the details below:

<b>The Information Regulator</b>	
<b>Physical Address:</b>	Woodmead North Office Park, 54 Maxwell Drive, Woodmead, Johannesburg
<b>Postal Address:</b>	P.O Box 31533, Braamfontein, Johannesburg, 2017
<b>General Inquiries Email Address:</b>	enquiries@info regulator.org.za
<b>Website:</b>	https://info regulator.org.za
<b>Telephone:</b>	Toll Free: +27 80 001 7160

**4. RECORDS AUTOMATICALLY AVAILABLE - (Section 51(1)(b)(ii) of PAIA)**

- 4.1 FinDev South Africa voluntarily makes available to the public information about its operations, transactions, strategic direction, and governance to promote transparency and accountability. This information can be accessed by consulting FinDev Canada's website ([www.FindevCanada.ca](http://www.FindevCanada.ca)) and is detailed in the Table below.

Category of records	Types of records	Available on website	Available upon request (telephonically, by email or by letter)

Transactions	Company name and basic transaction parameters	yes	No
Human Resources	Leadership Team and Board of Directors name and biography.	Yes	no

**5. RECORDS AND RECORD CATEGORIES AVAILABLE IN ACCORDANCE WITH SOUTH AFRICAN LEGISLATION - (Section 51(1)(b)(iii) and Section 51(1)(b)(iv) of PAIA)**

5.1 FinDev South Africa has the following records available in terms of the following South African laws that are applicable to FinDev South Africa’s business operations, including:

Applicable Legislation	Records/ Record Categories
<b>Companies Act, 71 of 2008</b>	<ul style="list-style-type: none"> <li>• Incorporation records (including Memorandum of Incorporation/Articles of Association).</li> <li>• Company registers, share certificates and other statutory registers.</li> <li>• Notices and minutes of board meetings and resolutions.</li> <li>• Records relating to the appointment of director(s), auditor(s), company secretary and other officer(s).</li> <li>• Documents on business processes.</li> <li>• Reports, including reports presented at annual general meetings.</li> <li>• Annual financial statements and any accounting records.</li> <li>• General policies and procedures.</li> <li>• Internal auditing/regulatory compliance records.</li> <li>• Compliance certifications.</li> <li>• Applicable statutory documents.</li> </ul>
<b>Income Tax Act, 58 of 1962</b>	<ul style="list-style-type: none"> <li>• Income tax returns</li> <li>• Pay As You Earn (PAYE) records.</li> <li>• Records of payments to SARS on behalf of employees.</li> <li>• IRP5 Forms</li> </ul>

	<ul style="list-style-type: none"> <li>• Documents issued to employees for income tax.</li> <li>• Statutory records</li> </ul>
<b>Unemployment Insurance Act, 63 of 2001</b>	<ul style="list-style-type: none"> <li>• Insurance claim records.</li> <li>• Insurance policies.</li> <li>• Details of insurance coverage, limits and insurers.</li> </ul>
<b>Promotion of Access to Information Act, 2 of 2000</b>	<ul style="list-style-type: none"> <li>• PAIA Manual</li> <li>• PAIA access to information requests.</li> <li>• Information Regulator's PAIA Guide.</li> <li>• PAIA compliance records</li> </ul>
<b>Protection of Personal Information Act, 4 of 2013</b>	<ul style="list-style-type: none"> <li>• Information officer registration certificate.</li> <li>• Data subject rights requests.</li> <li>• Data Protection and Privacy Policies.</li> <li>• Personal information compliance records.</li> </ul>
<b>South African Revenue Services Act, 34 of 1997</b>	See records listed under Income Tax Act, 58 of 1962.
<b>Value Added Tax Act No. 89 of 1991</b>	VAT Returns.
<b>Basic Conditions of Employment Act, 75 of 1997</b>	See records listed under Labour Relations Act, 66 of 1995.
<b>Compensation for Occupational Injuries and Diseases Act, 130 of 1993</b>	<ul style="list-style-type: none"> <li>• Employee health and safety, and accidents and injury records.</li> <li>• Registrations with the Department of Labour, Unemployment Insurance Fund, Compensation Fund and in terms of the Skills Development Levies Act.</li> </ul>
<b>Compensation for Occupational Injuries and Diseases Act, 130 of 1993</b>	<ul style="list-style-type: none"> <li>• Employee health and safety, and accidents and injury records.</li> <li>• Registrations with the Department of Labour, Unemployment Insurance Fund, Compensation Fund and in terms of the Skills Development Levies Act.</li> </ul>
<b>Labour Relations Act, 66 of 1995</b>	<ul style="list-style-type: none"> <li>• Recruitment and employee internal reference records and contact details.</li> <li>• Employment verification, immigration and expatriation records.</li> <li>• Employee personnel files and records.</li> <li>• Disciplinary procedures and records.</li> </ul>

	<ul style="list-style-type: none"> <li>• Grievance Procedures.</li> <li>• Employee development and training programs.</li> <li>• Employee forms and applications.</li> <li>• Leave records.</li> <li>• Background check (criminal records, credit checks).</li> <li>• Policies, standards, and procedures</li> </ul>
<b>Occupational Health and Safety Act, 85 of 1993</b>	Employee health and safety, and accidents and injury records.
<b>Pension Funds Act, 24 of 1956</b>	Employee benefits/compensation and benefit contribution arrangements, rules, and records.
<b>Skills Development Levies Act, 9 of 1999</b>	<ul style="list-style-type: none"> <li>• Registrations with the Department of Labour, Unemployment Insurance Fund, Compensation Fund and in terms of the Skills Development Levies Act.</li> <li>• Employee skills development and training programs</li> </ul>
<b>Unemployment Insurance Contributions Act, 4 of 2002</b>	<ul style="list-style-type: none"> <li>• Registrations with the Department of Labour, Unemployment Insurance Fund, Compensation Fund and in terms of the Skills Development Levies Act.</li> <li>• UIF Returns. Toll Free: +27 80 001 7160</li> </ul>
<b>Financial Intelligence Centre Act, 38 of 2001</b>	<ul style="list-style-type: none"> <li>• Know Your Customer and other Compliance records.</li> </ul>

5.2 Please note that the records listed in paragraph 5.1 are not automatically available, and the process outlined in paragraph 7 in respect of data subject personal information access requests and in paragraph 8 in respect of access to information access requests must be followed.

## 6. INFORMATION REQUIRED IN TERMS OF POPIA - (Section 51(c)(i) -(v) of PAIA)

The purpose for which FinDev South Africa processes personal information includes:

- To improve users experience on our website and to tailor information, content, products and services to your interests and business needs.
- To promote our programs, products and services to prospective clients.
- To determine eligibility for programs, products or services.
- To manage the relationship with us and to make it easy to do business with us.
- To introduce individuals and companies to Government and Industry Partners.
- To process payments and financial transactions.

- To comply with legal, security, processing, and regulatory requirements.
- To reduce fraud and software piracy and protect our customers.
- To allow individuals to apply for jobs and to assess their suitability for a career at FinDev Canada.
- To conduct market research about our customers, their interests, and the effectiveness of our marketing campaigns if you've given us permission to do so.
- To manage our employee relationships, including human resource management, benefits and payments to employees, directors and contractors.
- To manage our third-party relationships (evaluating the suitability of vendors and service providers, procurement activities and monitoring of performance of vendors and service providers etc.).

## 6.1 **Description of the categories of data subjects and of the information or categories of the information relating thereto**

### **(a) FinDev South Africa processes personal information relating to:**

- (i) The personal information of FinDev South Africa's shareholders (such as EDC) and directors.
- (ii) The personal information of FinDev South Africa's current and former employees, and independent contract workers for HR management and work place health and safety purposes.
- (iii) The personal information of prospective recruitment candidates.
- (iv) The personal information of potential, existing and former customers of FinDev South Africa and related parties for product/service offering and management purposes.
- (v) The personal information of third-parties such as vendors and suppliers and related parties for onboarding, procurement and work place health and safety purposes.

### **(b) Information or categories of information processed by FinDev South Africa in relation to the data subject include:**

- (i) **The personal information of FinDev South Africa's shareholders and directors:** FinDev South Africa processes the following personal information of its shareholders and directors: (i) personal information (first name, nationality, age, last name, address, date of birth, gender, sex, citizenship and passport/ID information, , any previous legal names, photograph, (ii) business and personal contact information;; and (iii) job description data (e.g. job title, part-time or full-time employment).
- (ii) **The personal information of FinDev South Africa's employees, and independent contractors for HR purposes:** FinDev South Africa processes the following personal information of its former and existing employees and independent contractors: (i) personal information (first name, nationality, age, last name, address, date of birth, gender, sex, citizenship and passport/ID information, marital or civil partner status, any previous legal names,

photograph, bank details; (ii) work permit, if necessary; (iii) business and personal contact information; (iv) emergency contact information; (v) job description data (e.g. job title, part-time or full-time employment, training and qualifications, job location, job grade, business and reporting line, manager manager); (vi) employment history data (e.g. position, promotions, commencement of employment, continuous service information, employee number, performance, holiday, sickness and other absence records); (vii) data for the calculation and payment of compensation (e.g. salary, bonus or commission (as applicable), tax class, tax number, participation in stock option schemes); (viii) background checks as may be required from time to time to fulfil specific security purposes and good conduct checks; (ix) information relating to health, pregnancy or disability and which is required by FinDev South Africa for compliance with the Occupational Health and Safety Act 85 of 1993 and the Employment Equity Act 55 of 1998 and the Health Act 63 of 1977; (x) information relating to race, or ethnic origin, which is required by FinDev South Africa for compliance with the Employment Equity Act 55 of 1998; (xi) subject to compliance with applicable laws and express employee consent, information relating to the adoption of children, religion, beliefs, trade union membership as well as information relating to criminal behavior to the extent that such information relates to the alleged commission of an offence or to proceedings in respect of the alleged commission of an offence; (xii) subject to voluntary and express employee consent, information related to self identification (i.e. sexual orientation, gender identity or disability self-identification); (xiii) the software and hardware attributes of the device used to access the FinDev South Africa website and online services (i.e. the FinDev South Africa employee portals), unique device identification information, regional and language settings, performance data about the FinDev South Africa website and online services, network provider and IP address; and (xiv) dependent or beneficiary data, including marital status, number of dependents (possibly names) of dependent.

- (iii) **The personal information of current and former employees, independent contract workers for workplace health and safety purposes:** FinDev South Africa processes the following personal information of current and former employees, independent contract workers, vendors and suppliers, for the purposes of workplace health and safety: (i) contact details, including full name, postal and email address, phone number, and job title; (ii) emergency contact details; (iii) personal details, including date of birth, government-issued identification, including driver's license, passport, and permanent residence information; (iv) training records (health and safety training); (v) information on the incident that caused the injury (date, time, description of circumstances); and (vi) information on injury (type and severity of injury) and disability.
- (iv) **The personal information of job candidates or applicants, current and former employees, and external temporary independent contract workers for the purposes of recruitment:** FinDev South Africa processes the following personal information of job candidates or applicants, current and former employees, and external temporary independent contract workers for the purposes of recruitment:
  - (A) **Contact details:** (i) name, including full and partial; (ii) residential and postal address as well as email addresses; and (iii) phone number(s).

- (B) **Other personal details:** (i) date of birth; (ii) gender; (iii) government issued identification, including driver's license, passport and permanent residence information; (iv) dependent or beneficiary data, including marital status, number (possibly names) of dependents; (v) compensation and benefits data, including current or expected salary and benefits; (vi) employment history data (e.g. position, promotions, commencement of employment, continuous service information, employee number, performance, holiday, sickness and other absence records); (viii) professional qualifications and certifications, including memberships and civic organizations; (ix) work references; (x) social media handle, including LinkedIn or other if used in the recruitment or application processes; (xi) other personal data that may be included in a curriculum vitae or cover/motivation letter; (xii) results of pre-employment screening, including verification of identity, employment and education checks; (xiii) images, audio files and videos; and (xiv) profiles.
- (v) **The personal information of individuals working for service providers, suppliers and third parties with whom FinDev Canada deals with when conducting its business:** FinDev Canada processes the following personal information of its service providers, suppliers and third parties with whom FinDev Canada deals with when conducting its business (i) contact details including full name, address, email address, telephone number; (ii) personal details including gender, age, date of birth, image, signature; (iii) employment information including position in the company and employee number; (vi) username, password, badge number, smartcard details; (x) personal information included in emails, files and attachments; (xi) personal information included in chats; (xii) IP addresses, websites accessed; and (xiii) documents, files and any information stored by employees in company networks and on company servers.
- (vi) **The personal information of customers/clients of FinDev South Africa for purposes of the promotion, offering and/or management of products or services:** FinDev South Africa processes the following personal information of its customers/clients with whom FinDev South Africa deals with when conducting business: (i) contact details, including full name, address, email address, telephone number; (ii) personal details/information including first name, nationality, age, last name, gender, sex, date of birth, image, signature, identification/passport information, marital or civil partner status, any previous legal names, photograph, preferred language, company registration number, VAT number; (iii) financial information including bank account details, assets, liabilities, financial transactions, annual sales, business history and (iv) background checks as may be required from time to time to fulfil specific security purposes and good conduct checks.

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

**FinDev South Africa may supply information or records to the following categories of recipients:**

- (i) **Internal recipients:** (i) FinDev Canada's other affiliated group companies, if applicable; (ii) FinDev Canada's Human Resources, Accounting, IT,

Compliance and Operational staff (i.e. staff who support and maintain FinDev South Africa's systems); (iii) FinDev Canada's P&IR team and/or Legal team to the extent necessary to monitor the proper handling of personal information; (iv) direct line managers; (v) FinDev Canada IT support staff who maintain FinDev South Africa's IT systems and FinDev South Africa's business operations, management, privacy office, compliance officers and internal auditors in the case of a security breach.

- (ii) **External Recipients:** (i) third party service providers (i.e. payroll, compensation, and benefit providers (insurance, pensions), (ii) customers; (iii) FinDev South Africa's auditors and legal service providers; (iv) applicable government or regulatory bodies or courts of law; (v) external recruiters; (vi) third party suppliers of security services; (vi) external auditors in the case of a security breach; and (vii) EDC.

### 6.3 **Planned transborder flows of personal information**

FinDev Canada is headquartered in Canada, as well as its holding company, EDC, and all transfers to the FinDev Canada's headquarters or EDC or to any other FinDev Canada affiliated group company are undertaken in terms of binding corporate rules and policies which provide an adequate level of protection.

### 6.4 **The information security measures implemented by FinDev South Africa to ensure the confidentiality, integrity and availability of the processed information**

FinDev South Africa has implemented a broad range of security measures in the interest of protecting user and customer information from unauthorized access, improper use, alteration, unlawful or accidental destruction and accidental loss. These safeguards include administrative controls, including policies and procedures, staff training and awareness, technical measures, such as strong authentication mechanisms, firewalls, encryption, and antimalware protection, as well as other physical access controls in the form of identification cards, employee and visitor access badges and video surveillance.

## 7. **POPIA DATA SUBJECT REQUEST PROCESS**

7.1 POPIA provides that a data subject may, upon proof of identity, request FinDev South Africa to confirm, free of charge, all the information it holds about the data subject and may request access to such information, including information about the identity of third parties who have or have had access to such information. POPIA provides that a data subject may object, at any time, to the processing of personal information by FinDev South Africa, on reasonable grounds relating to his/her particular situation, unless legislation provides for such processing.

7.2 A data subject may also request FinDev South Africa to correct or delete personal information about the data subject in its possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully; or destroy or delete a record of personal information about the data subject that FinDev South Africa is no longer authorised to retain in terms of POPIA's retention and restriction of records provisions.

7.3 If a data subject wishes to:

- (a) Submit a data subject access request, the data subject must complete the form which can be accessed on the Information Regulator's website at the following link –

<https://inforegulator.org.za/wp-content/uploads/2020/07/InfoRegSA-PAIA-Form02-Reg7.pdf>

and submit it to FinDev South Africa's Information Officer.

- (b) Object to the processing of personal information, the data subject must complete the form which can be accessed on the Information Regulator's website at the following link –

<https://info regulator.org.za/wp-content/uploads/2020/07/FORM-1-OBJECTION-TO-THE-PROCESSING-OF-PERSONAL-INFORMATION.pdf>

and submit it to FinDev South Africa's Information Officer.

- (c) Request a correction or deletion of personal information or the destruction or deletion of a record of personal information, the data subject must complete the form attached which can be accessed on the Information Regulator's website at the following link –

<https://info regulator.org.za/wp-content/uploads/2020/07/FORM-2-REQUEST-FOR-CORRECTION-OR-DELETION-OF-PERSONAL-INFORMATION-OR.pdf>

and submit it to FinDev South Africa's Information Officer.

- 7.4 Proof of the data subject's identity (and that of any related third parties acting on behalf of the data subject) must be provided on submitting any of the data subject forms referenced in paragraphs 7.3(a) to 7.3(c) to FinDev South Africa's Information Officer.

## **8. PAIA ACCESS REQUEST PROCEDURE (Section 51(1)(b)(iv) of PAIA)**

### **8.1 General**

- (a) The purpose of this section is to provide requestors with enough guidelines to follow to facilitate a request for access to records held by FinDev South Africa.
- (b) It is important to note that an application for access to information can be refused if the application does not comply with the procedural requirements of PAIA. In addition, the successful completion and submission of an Access Request Form does not automatically allow the requestor access to the requested record.
- (c) Any third party who requires data, documents, and/or information from FinDev South Africa, its service providers or its agents must provide a letter of authorization from the entity, which he/she represents. The authorisation letter should state that the requestor is authorised to request the data, documents and/or information and specify the purpose for which the data, documents and/or information is requested. Any individual who requests such data, documents and/or information in their personal capacity should state that fact and specify the purpose for which the information is requested.
- (d) All data, documents and/or information received by the requestor from FinDev South Africa its service providers or agents may only be used for the purposes for which it is provided. Such data, documents and/or information may not be retained or utilised in any format or for any other purpose. Upon completion of the purpose for which the data, documents and/or information were requested, the requestor must certify in writing and within seven days of completion of the purpose, that it has duly destroyed such data, documents and/or information.
- (e) Requestors are required to use reasonable means to prevent unauthorized disclosure and to protect the confidentiality of data, documents and/or information provided to them by FinDev South Africa, its service providers or agents.

- (f) **Note:** If it is reasonably suspected that the requestor has obtained access to FinDev South Africa's records through the submission of materially false or misleading information, legal proceedings may be instituted against such requestor.

## 8.2 Completion of PAIA Access Request Form

- (a) In order for FinDev South Africa to respond to requests in a timely manner, the Access Request Form which can be accessed on the Information Regulator's website at the following link - <https://inforegulator.org.za/wp-content/uploads/2020/07/InfoRegSA-PAIA-Form02-Reg7.pdf> - should be completed, taking due cognisance of the following Instructions on Completion of Forms:
- (i) The Access Request Form must be completed in the English Language.
  - (ii) Type or print in BLOCK LETTERS an answer to every question.
  - (iii) If a question does not apply, state "N/A" in response to that question.
  - (iv) If there is nothing to disclose in reply to a particular question, state "nil" in response to that question.
  - (v) If there is insufficient space on a printed form in which to answer a question, additional information may be provided on an additional folio.
- (b) When the use of an additional folio is required, precede each answer thereon with the title applicable to that question.
- (c) All additional folios must be signed by the requestor.

## 8.3 Submission of PAIA Access Request Form

- (a) The completed PAIA Access Request Form must be submitted either via conventional mail, e-mail or fax and must be addressed to FinDev South Africa's Information Officer.
- (b) An initial, non-refundable request fee is payable on submission. The non-refundable fee is set out in the Regulations Relating to The Promotion of Access to Information Act, 2021 (**PAIA Regulations**) which are accessible at the following link on the Information Regulator's website - <https://inforegulator.org.za/wp-content/uploads/2020/07/20210827-gg45057gon757-PAIAreulations-1.pdf>.
- (c) **Note:** This fee is not applicable to personal requestors, referring to any person seeking access to records in terms of paragraphs 7.1, 7.3(b) and 7.3(c) that contain their personal information..

## 8.4 Prescribed fee

The prescribed access fee, if applicable, as provided for in paragraph 8.3(b) above, must be paid and proof of payment (e.g. copy of deposit slip or EFT) must be submitted along with your request.

## 8.5 Prescribed fees

- (a) PAIA provides for two types of fees, namely:
- (i) a request fee, which will be a standard fee; and
  - (ii) an access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.

- (b) The requestor, other than a personal requestor in terms of paragraphs 7.1, 7.3(b) and 7.3(c) , must pay the prescribed request fee, before submitting the request and provide proof of payment, which must accompany the PAIA Access Request Form.
- (c) If the search for and preparation of the record (for disclosure), including the arrangement to make it available in the PAIA Access Request Form, requires more than the hours prescribed in the regulations for this purpose, the FinDev South Africa Information Officer will request you to pay as a deposit being the prescribed portion of the access fee which would be payable if the request is granted (**Deposit**).
- (d) FinDev South Africa's Information Officer may withhold a record until the requestor has paid the prescribed fees set out in the PAIA Regulations which are accessible at the following link on the Information Regulator's website - <https://inforegulator.org.za/wp-content/uploads/2020/07/20210827-gg45057gon757-PAIAreulations-1.pdf>
- (e) A requestor whose request has been granted must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure, including making arrangements to make it available in the Request Form.
- (f) You may ask for a refund of the Deposit if your request for access is refused.

#### 8.6 Notification

- (a) Requests will be received by FinDev South Africa's Information Officer and the requestor will be notified within 30 days of receipt of the completed Access Request Form.
- (b) Subsequent notifications may include Notification of Extension Period (if required).
- (c) The requestor may be notified if an extension period is required for the processing of the requests, including:
  - (i) the required extension period, which will not exceed an additional 30-day period;
  - (ii) adequate reasons for the extension; and
  - (iii) notice that the requestor may lodge an application with a court against the extension and the procedure, including the period, for lodging the application.

#### 8.7 Decision on Request

- (a) If no extension period or deposit is required, the requestor will be notified, within 30 days, of the decision on the request.
- (b) If the request for access to a record is successful, the requestor will be notified of the following:
  - (i) the amount of the access fee payable upon gaining access to the record (if any);
  - (ii) an indication of the form in which the access will be granted;
  - (iii) notice that the requestor may lodge a complaint with the Information Regulator or an application with a court against the tender or payment of the access fee, or the tender or payment of the deposit and the procedure, including the period, for lodging the complaint with the Information Regulator or the application.

- (c) If the request for access to a record is not successful, the requestor will be notified of the following:
  - (i) adequate reasons for the refusal (refer to Third Party Information and Grounds for Refusal below); and
  - (ii) that the requestor may lodge a complaint with the Information Regulator or an application with a court against the refusal of the request and the procedure, including the period, for lodging the application.

## 8.8 **Third Party Information requested in terms of PAIA**

Subject to the provisions of paragraph 8.9 below-

- (a) If access is requested to a record that contains information about a third party, FinDev South Africa is obliged to attempt to contact this third party to inform them of the request. This enables the third party the opportunity of responding by either consenting to the access or by providing reasons why the access should be denied.
- (b) In the event of the third-party furnishing reasons for the support or denial of access, FinDev South Africa's Information Officer will consider these reasons in determining whether access should be granted, or not.

## 8.9 **Grounds for Refusal in terms of PAIA**

- (a) FinDev South Africa may legitimately refuse to grant access to a requested record that falls within a certain category. Grounds on which FinDev South Africa may refuse access include:
  - (i) Protecting personal information that FinDev South Africa holds about a third person (who is a natural person), including a deceased person, from unreasonable disclosure.
  - (ii) Protecting commercial information that FinDev South Africa holds about a third party or FinDev South Africa (for example trade secrets: financial, commercial, scientific or technical information that may harm the commercial or financial interests of the organization or the third party).
  - (iii) If disclosure of the record would result in a breach of a duty of confidence owed to a third party in terms of an agreement.
  - (iv) If disclosure of the record would endanger the life or physical safety of an individual.
  - (v) If disclosure of the record would prejudice or impair the security of property or means of transport.
  - (vi) If disclosure of the records would prejudice or impair the protection of a person in accordance with a witness protection scheme.
  - (vii) If disclosure of the record would prejudice or impair the protection of the safety of the public.
  - (viii) The record is privileged from production in legal proceedings, unless the legal privilege has been waived.

- (ix) Disclosure of the record (containing trade secrets, financial, commercial, scientific, or technical information) would harm the commercial or financial interests of FinDev South Africa.
- (x) Disclosure of the record would put FinDev South Africa at a disadvantage in contractual or other negotiations or prejudice it in commercial competition.
- (xi) The record is a computer programme.
- (xii) The record contains information about research carried out or about to be carried out on behalf of a third party or FinDev South Africa or any other FinDev Group Company.
- (xiii) Records that cannot be found or do not exist.
- (xiv) If FinDev South Africa has searched for a record and it is believed that the record either does not exist or cannot be found, the requestor will be notified by way of an affidavit or affirmation. This will include the steps that were taken to try to locate the record.

#### 8.10 Your Remedies

FinDev South Africa does not have an internal appeal procedure. As such, the decision made by FinDev South Africa's Information Officer is final. If your request is denied, you are entitled to lodge a complaint with the Information Regulator or apply to a court with appropriate jurisdiction for relief.

### 9. AVAILABILITY OF THE MANUAL

9.1 The Manual is available for inspection at the offices of FinDev South Africa during normal business hours and can be accessed on our website located here: [www.findevcanada.ca](http://www.findevcanada.ca)

9.2 A copy is also available from the Information Regulator whose contact details are as follows:

<b>The Information Regulator (South Africa)</b>	
<b>Physical Address:</b>	Woodmead North Office Park, 54 Maxwell Drive, Woodmead, Johannesburg
<b>Postal Address:</b>	P.O. Box 31533, Braamfontein, Johannesburg, 2017
<b>Complainants email address:</b>	PAIAComplaints@info regulator.org.za
<b>General Inquiries email address:</b>	enquiries@info regulator.org.za
<b>Telephone</b>	Toll Free: +27 80 001 7160

### 10. UPDATING THE MANUAL

FinDev South Africa may update this manual every six months or at such intervals as may be necessary.