

ICON FUND MANAGERS (PTY) LTD

(Registration number: 2019/423416/07)

PAIA MANUAL

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

DATE OF COMPILATION: 01/06/2025
DATE OF REVISION: 01/06/2026

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1. LIST OF ACRONYMS AND ABBREVIATIONS

1.1	“CEO”	Chief Executive Officer
1.2	“DIO”	Deputy Information Officer;
1.3	“IO”	Information Officer;
1.4	“Minister”	Minister of Justice and Correctional Services;
1.5	“PAIA”	Promotion of Access to Information Act No. 2 of 2000(as Amended;
1.6	“POPIA”	Protection of Personal Information Act No.4 of 2013;
1.7	“Regulator”	Information Regulator; and
1.8	“Republic”	Republic of South Africa

2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to-

- 2.1 check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- 2.2 have a sufficient understanding of how to make a request for access to a record of the body, by providing a description of the subjects on which the body holds records and the categories of records held on each subject;
- 2.3 know the description of the records of the body which are available in accordance with any other legislation;
- 2.4 access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;
- 2.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.6 know if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.7 know the description of the categories of data subjects and of the information or categories of information relating thereto;

- 2.8 know the recipients or categories of recipients to whom the personal information may be supplied;
- 2.9 know if the body has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- 2.10 know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF ICON FUND MANAGERS

3.1. Chief Information Officer

Name: Wessel Vermaas
Tel: 028 3410 767
Email: wessel@iconfunds.co.za
Fax number: 0865013831
Website: www.iconfunds.co.za

3.2. National or Head Office

Physical Address: 16 Moore Street, Stanford, 7210
Postal Address: PO Box 32, Stanford, 7210
Telephone: 028 3410 767
Email: wessel@iconfunds.co.za

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

- 4.1. The Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the revised Guide on how to use PAIA ("Guide"), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.
- 4.2. The Guide is available in each of the official languages and in braille.

- 4.3. The aforesaid Guide contains the description of-
- 4.3.1. the objects of PAIA and POPIA;
 - 4.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-
 - 4.3.2.1. the Information Officer of every public body, and
 - 4.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
 - 4.3.3. the manner and form of a request for-
 - 4.3.3.1. access to a record of a public body contemplated in section 11³; and
 - 4.3.3.2. access to a record of a private body contemplated in section 50⁴;
 - 4.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;
 - 4.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
 - 4.3.6. all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-

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

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

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

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

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

- 4.3.6.1. an internal appeal;
- 4.3.6.2. a complaint to the Regulator; and
- 4.3.6.3. an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;
- 4.3.7. the provisions of sections 14⁵ and 51⁶ requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
- 4.3.8. the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 4.3.9. the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and
- 4.3.10. the regulations made in terms of section 92¹¹.

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

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

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

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

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

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

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

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

4.4. Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.

4.5. The Guide can also be obtained-

4.5.1. upon request to the Information Officer;

4.5.2. from the website of the Regulator (<https://www.justice.gov.za/infoereg/>).

4.6 A copy of the Guide is also available in the following two official languages, for public inspection during normal office hours -

4.6.1 Afrikaans and English

5. CATEGORIES OF RECORDS OF ICON FUND MANAGERS, WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

Category of records	Types of the Record	Available upon request
Information about the entity	Contact details and address	X
Legal	Terms and Conditions	X
Legal	Privacy Policy	X
Legal	POPI Policy	X
Legal	Disclaimers & Notices	X

6. DESCRIPTION OF THE RECORDS OF ICON FUND MANAGERS, WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

Category of Records	Applicable Legislation
Memorandum of incorporation	Companies Act 71 of 2008
PAIA Manual	Promotion of Access to Information Act 2 of 2000
Prevention of Money Laundering Plan	Financial Intelligence Centre Act 38 of 2001
Financial Service Provider Certificate	Financial Advisory and Intermediary Act 37 of 2002
Confirmation of Authorisation of Representatives	Financial Advisory and Intermediary Act 37 of 2002
Representatives	Financial Advisory and Intermediary Act 37 of 2002

7. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY ICON FUND MANAGERS

Subjects on which the body holds records	Categories of records
Strategic Documents, Plans and Proposals	Annual Reports, Strategic Plans, Performance Plans, Proposals and Business Plans
Human Resources	HR policies and procedures Advertised posts Employees records
Client Records	Client service and communication records Client identification and verification records
Compliance Records	Records to demonstrate compliance with regulatory requirements
Third Party records	Records of engagements with third party providers, suppliers and contractors

8. PROCESSING OF PERSONAL INFORMATION

8.1 Purpose of Processing Personal Information

ICON Fund Managers processes personal information to fulfill its contractual obligations and to provide services to individuals. When individuals engage with the organisation, such as by becoming customers, employees or users of their products or services, the organisation may need to process personal information to carry out its duties effectively. This could involve tasks such as;

- 8.1.1 Providing requested products or services: Processing personal information is often necessary to fulfill orders, deliver products, or provide services as per the terms agreed upon with the individual;
- 8.1.2 Managing customer or user accounts: Organisations may collect and process personal information to create and maintain user accounts, enabling individuals to access certain features, personalize their experiences, or track their interactions with the organisation;
- 8.1.3 Communicating and responding to inquiries: Processing personal information allows organisations to communicate with individuals, respond to inquiries, address customer support requests, and provide relevant information or updates
- 8.1.4 Administering transactions and payments: Personal information may be processed to facilitate financial transactions, invoicing, billing, and other related activities necessary for the organisation's business operations;
- 8.1.5 Analyzing and improving services: Organisations may process personal information to conduct analytics, gather feedback, and assess user behavior to improve their products or services, enhance user experiences, and make informed business decisions;
- 8.1.6 Compliance with legal and regulatory obligations: Processing personal information may be required to fulfill legal or regulatory requirements, such as tax reporting, record-keeping, fraud prevention, or complying with industry-specific regulations.

It's important to note that organisations should have a lawful basis for processing personal information and must adhere to applicable data protection and privacy laws, ensuring they handle personal information responsibly, securely, and with respect for individuals' privacy rights

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

Categories of Data Subjects	Personal Information that may be processed
Clients	Name, address, registration numbers or identity numbers, employment status, personal financial details and history and bank details, details of beneficiaries if applicable
Service Providers/ Contractor	Name, registration number/identity number, vat numbers, address, trade information and bank details
Prospective employees	Name, address, identity numbers, employment history, qualifications, gender and race
Employees	Name, address, identity numbers, employment history, details of emergency contacts, qualifications, gender and race, bank details, criminal history, qualification verifications, PAYE details, payment history, performance reviews, disciplinary records
Clients	Name, address, contact information, identity numbers

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

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Identity number and names, for criminal checks	South African Police Services
Qualifications, for qualification verifications	South African Qualifications Authority
Credit and payment history, for credit information	Credit Bureaus
Prospective employee data	Employment Agencies
Employee payment and personal identification information	SARS for calculation and reporting of PAYE
Employee payment and personal identification information	Accountants and auditors for financial recordkeeping and verification
Employee personal identification information and service history	Attorneys for defence of pursuit of legal action
Client information	Third party product suppliers where clients business is placed
Client information	Administrative solution provider where client records are maintained
Client information	External compliance officers for sampling and review
Client information	FSCA/FIC in compliance with legislation when required

8.4 Planned trans-border flows of personal information

The organisation does not have any planned trans-border flows of personal information. Information may be stored with cloud service providers where some of the data storage and/or backup takes place outside of the borders of South Africa. In all cases the organisation shall comply with the requirements of POPI

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

The organisation has implemented various information security measures to protect the confidentiality, integrity, and availability of its data and systems. A general description of information security practices implemented by the organisation follows:

- 8.5.1 Access controls: The organisation enforces access controls to ensure that only authorized individuals have access to sensitive information. This includes measures like strong passwords, user authentication, role-based access control (RBAC), and least privilege principles to limit access rights to only what is necessary.
- 8.5.2 Encryption: Encryption is used to protect sensitive data both in transit and at rest. It involves converting data into a coded form that can only be decrypted with the appropriate encryption keys, making it unreadable to unauthorized individuals in case of unauthorized access.
- 8.5.3 Firewalls and network security: Firewalls are deployed to monitor and control network traffic, preventing unauthorized access and protecting against malicious activities. Intrusion Detection Systems (IDS) and Intrusion Prevention Systems (IPS) are employed to detect and respond to network attacks.
- 8.5.4 Malware protection: Organisations implement anti-malware solutions such as antivirus software, anti-spyware, and anti-phishing tools to detect and remove malicious software that could compromise their systems and data.
- 8.5.5 Patch management: Regularly applying security patches and updates to software and systems helps address known vulnerabilities and protects against potential exploits.
- 8.5.6 Data backups and disaster recovery: The organisation performs regular data backups and has developed a comprehensive disaster recovery plan to ensure that critical data can be recovered in case of system failures, natural disasters, or other incidents.
- 8.5.7 Employee training and awareness: ICON Fund Managers conducts training programs to educate employees about security best practices, such as recognizing phishing attempts, using strong passwords, and

maintaining the security of their devices. This helps create a security-conscious culture and reduces the risk of human error.

8.5.8 Physical security: Physical security measures, such as access control systems, surveillance cameras, and secure storage facilities, are implemented to protect physical assets like servers, data centers, and other infrastructure.

8.5.9 Security policies and governance: The organisation has established security policies and frameworks that outline their security objectives, responsibilities, and procedures. They also conduct periodic security audits and risk assessments to identify vulnerabilities and ensure compliance with relevant regulations and standards.

9. AVAILABILITY OF THE MANUAL

9.1 A copy of the Manual is available –

9.1.1 At the head office of ICON Fund Managers for public inspection during normal business hours;

9.1.2 to any person upon request and upon the payment of a reasonable prescribed fee; and

9.1.3 to the Information Regulator upon request.

9.2 A fee for a copy of the Manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made.

10. UPDATING OF THE MANUAL

The head of ICON Fund Managers will on an annual basis update and review this manual.

Issued by

Wessel Vermaas

Managing Director
