

SECTION 51 MANUAL FOR **OPPERMANN MAKELAARS BK**

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1. INTRODUCTION TO OPPERMANN MAKELAARS BK

Oppermann Makelaars BK is a sole proprietary that specialises in the marketing of life assurance, investments, unit trust and general financial planning.

2. CONTACT DETAILS [*Section 51(1)(a)*]

Postal address: Privaatsak X5880 Street address: Robinsonstraat 25
 Upington Upington
 8800 8801

Phone: 054 – 3311878

Fax number: 054- 3311879

Website: www.sabroker.co.za

Electronic mail address: jannie@sabroker.co.za

3. THE SECTION 10 GUIDE ON HOW TO USE THE ACT [*Section 51(1)(b)*]

The Guide will be available from the South African Human Rights Commission by not later than August 2003. Please direct any queries to:

The South African Human Rights Commission:

PAIA Unit

The Research and Documentation Department

Postal address: Private Bag 2700
 Houghton
 2041
Telephone: +27 11 484-8300
Fax: +27 11 484-0582
Website: www.sahrc.org.za
E-mail: PAIA@sahrc.org.za

4. RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION [*Section 51(1)(d)*]

1. Income Tax Act No. 95 of 1967
2. Insurance Act No 27 of 1943
3. Long Term Insurance Act No. 52 of 1998
4. Medical Schemes Act No. 131 of 1998
5. Pension Funds Act No. 24 of 1956
6. Short Term Insurance Act No. 53 of 1998
7. Value Added Tax Act No. 89 of 1991.

5. ACCESS TO THE RECORDS HELD BY THE PRIVATE BODY IN QUESTION

[Sections 51(1)(c) and 51(1)(e)]

i. Information available with out request: Product provider brochures and Product guides.

ii. Records held which must be requested:

CLIENT FILES:

- PPR Disclosures;
- Correspondence;
- Financial Plans;
- Life insurance and investment portfolio's;
- Quotations of products offered;

OTHER:

- Remuneration records;
- Sales records;
- Annual financial statements;
- Qualifications and authority to sell products

[Section 51(1)(e)]

iii. **The request procedures.**

Form of request:

- The requester must use the prescribed form to make the request for access to a record. This must be made to the head of the private body. This request must be made to the address, fax number or electronic mail address of the body concerned [s 53(1)].
- The requester must provide sufficient detail on the request form to enable the head of the private body to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed [s 53(2)(a) and (b) and (c)].
- The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right [s 53(2)(d)].

- If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the private body [s 53(2)(f)].

Fees:

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee:

- The head of the private body must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request [s 54(1)].
- The fee that the requester must pay to a private body is R50. The requester may lodge an application to the court against the tender or payment of the request fee [s 54(3)(b)].
- After the head of the private body has made a decision on the request, the requester must be notified in the required form.
- If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure [s 54(6)].
- The SAHRC's website (www.sahrc.org.za) or the Department of Justice and Constitutional Development (www.doj.gov.za) (under "regulations") contain the forms to furnish a request and the fee structure.

6. OTHER INFORMATION AS MAY BE PRESCRIBED [Section 51(1)(f)]

The Minister of Justice and Constitutional Development has not made any regulations in this regard.

7. AVAILABILITY OF THE MANUAL [Section 51(3)]

The manual is available for inspection at the offices of Oppermann Makelaars BK free of charge.

Blueprint based on information provided by SAHRC.