



ALLIANZ COMMERCIAL

Prepared in accordance with Section 51 of the
Promotion of Access to Information Act (Act 2 of 2000)

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1 Introduction

The Promotion of Access to Information Act (PAIA) sets out the requisite procedural issues attached to such request, the requirements which such request must meet as well as the grounds for refusal or partial refusal of such request.

PAIA recognizes that the right of access to information cannot be unlimited and should be subject to justifiable limitations, including but not limited to limitations aimed at reasonable protection of privacy and commercial confidentiality.

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assist them in exercising and protecting their rights. Where information requested is not immediately available, AGCS SA will endeavour to make it available in a timely manner insofar as that is reasonably practicable in the circumstances.

This Manual sets out the procedure to be followed to facilitate a request to access to information as well as the following information:

Description of the categories of data subjects and of the information or categories of information relating thereto;

The recipients or categories of recipients to whom PI may be supplied;

Planned transborder flows of PI;

A general description of the security measures implemented by AGCS SA to ensure the confidentiality, integrity and availability of the information which is to be processed.

This Manual is available for inspection, free of charge, at the offices of AGCS SA (see details below)

2 Contact details and general information

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3 South African Human Rights Guide

The South African Human Rights Commission (SAHRC) h

Information regulator

Telephone	(010) 023 5200
Postal Address	P.O Box 3153, Braamfontein, Johannesburg, 2017
Physical Address	JD House, 27 Stiemens Street, Braamfontein, Johannesburg 2001
General enquiry email	enquiries@info regulator.org.za
Complaint by email	(together with the complete POPIA/PAIA form 5) PAIAComplaints@info regulator.org.za and POPIAComplaints@info regulator.org.za
Website	

4.2 Customer records

include:

- 4.2.1 records pertaining to products sold and/or serviced by AGCS SA namely Insurance products;
- 4.2.2 records provided by a customer to a third party acting for or on behalf of AGCS SA;
- 4.2.3 records provided by a third party;
- 4.2.4 records generated by or within AGCS SA relating to its customers, including transactional data;
- 4.2.5 policy documents.

4.3 Private body records

including:

- 4.3.1 financial records;
- 4.3.2 operational records;
- 4.3.3 databases;
- 4.3.4 information technology systems and documents;
- 4.3.5 marketing records;
- 4.3.6 internal correspondence;
- 4.3.7 product records;
- 4.3.8 statutory records;
- 4.3.9 internal policies and procedures;
- 4.3.10 Supervisory body-related records;
- 4.3.11 Securities and equities;
- 4.3.12 Records held by officials of the group;
- 4.3.13 product records;
- 4.3.14 accounting records;
- 4.3.15 taxation records;
- 4.3.16 agreements and contracts;
- 4.3.17 administration, secretarial and legal records;
- 4.3.18 records of litigation / arbitration proceedings;
- 4.3.19 insurance policies and records; and
- 4.3.20 records pertaining to health and safety and the environment.

4.4 Other party records

- 4.4.1
opposed to the records held by AGCS SA itself.
- 4.4.2 Records held by AGCS SA pertaining to other parties, including without limitation, financial records, providers.

5 Processing of Personal Information (“PI”)

AGCS SA takes the privacy and protection of PI very seriously and will only process PI in accordance with the current South African privacy legislation (POPIA) or any other applicable legislation which deals with privacy rights. Accordingly, the relevant PI privacy conditions and requirements relating to the processing thereof (including, but not limited to, the collection, handling, transfer, sharing, correction, storage, archiving and deletion of personal information) will be applied to any PI processed by the group. For further information please refer to our Privacy Notice: <https://commercial.allianz.com/global-offices/africa/data-privacy.html>

5.1 Conditions for lawful processing

Chapter 3 of POPIA sets out the conditions for lawful processing of PI (as defined in POPIA) which must be complied with when a responsible party such as AGCS SA processes the personal information of natural persons and juristic persons.

5.2 The purpose for AGCS SA processing personal information:

AGCS SA processes PI for a variety of purposes, where legally justified to do so.

5.3 Categories of data subjects and PI processed:

5.3.1

Surveillance records
Health and safety records
Training records
Background checks
Criminal checks
Employment history

5.3.4 Job Applicants
Curriculum vitae and application forms

- 5.4.3 AGCS SA will send its data subjects appropriate notifications or communications of its processing if it is obliged to do so by law, or in terms of its contractual relationship with data subjects.
- 5.4.4 AGCS SA will only disclose PI to government authorities if it is required to do so by law.
- 5.4.5 confidentiality principles and to complete privacy training.

5.5 Information security measures to protect personal information:

- 5.5.1 Reasonable technical and organisational measures have been implemented for the protection of PI processed by AGCS SA and its operators (suppliers and third parties). In terms of POPIA, operators (suppliers and third parties) process PI on behalf of the AGCS SA.
- 5.5.2 AGCS SA continuously implements and monitors technical and organisational security measures to protect the PI it holds, against unauthorised access, as well as accidental or wilful manipulation, loss, damage, or destruction.
- 5.5.3 AGCS SA will take steps to ensure that operators (suppliers and third parties) that process PI on its behalf apply adequate safeguards as outlined herein.

5.6 Cross-border flows of personal information:

- 5.6.1 AGCS SA will only transfer PI across South African borders if the relevant transactions or situation requires cross-border processing. It will only do so in accordance with South African legislative requirements, or if the data subject consents to the transfer of their PI to third parties in foreign countries.
- 5.6.2 AGCS SA will take steps to ensure that operators (suppliers and third parties) that process PI in jurisdictions outside of South Africa, apply adequate safeguards as outlined in herein.
- 5.6.3 AGCS SA will take steps to ensure that operators (suppliers and third parties) in foreign countries are bound by laws, binding corporate rules or binding agreements that provide an adequate level of protection of PI and uphold principles for reasonable and lawful processing of personal information.
- 5.6.4 Whenever AGCS SA transfers PI for processing outside of South Africa by another Allianz Group

6.5.4 computer programs owned by AGCS SA.

6.6 the mandatory protection of research information of AGCS SA or a third party, if disclosure would expose the identity of AGCS SA or the third party, the researcher or the subject matter of the research to serious disadvantage.

6.7 requests for information that are, in the opinion of AGCS SA, frivolous or vexatious or which involve an unreasonable diversion of resources.

Section 70 of PAIA contains an overriding provision. Disclosure of a record that has been requested is compulsory if it would reveal a substantial contravention of, or failure to comply with the law, or imminent and serious public safety or environmental risk and the public interest in the disclosure of the record clearly outweighs the harm contemplated by its disclosure.

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8 Request procedure

- 8.1** A request must comply with all the procedural requirements as contained in section 53 of PAIA relating to a request for access to a record. A requester requiring access to information held by AGCS SA must make the request in the prescribed form and submit the request, together with the prescribed fee and deposit, if applicable, to the Head of Legal and Compliance at the postal or physical address above.
- 8.2** The application form must be completed in full in accordance with the instructions thereon and must be accompanied by payment or proof of payment of the prescribed fees payable.
- 8.3** All requests for access to records in terms of PAIA must be in writing.
- 8.4** The requester will be informed within 30 (thirty) days of receipt of the request whether the request has been granted or not, unless the request for access is of such a nature that an extension of the prescribed time limit is necessitated in accordance with section 57 of PAIA. In the case of an extension of the time limit, the requester has the right to lodge a complaint with the Information Regulator in accordance with section 57(3)(c) of PAIA by following the process and completing the form prescribed by POPIA. The requester may also make an application with a court against the extension.
- 8.5** It is important to note that access to information is not guaranteed – the requester must identify the right she/he is seeking to protect and explain why the record requested is required for the exercise or protection of that right. The request for access form must be completed with enough particularity to at least enable the Information Officer to identify the following:
- 8.5.1 The record/s requested;
 - 8.5.2 The identity of the requester;
 - 8.5.3 The form of access that is required, if the request is granted;
 - 8.5.4 The postal address or fax number of the requester; and
 - 8.5.5 The right that the requester is seeking to protect and an explanation as to why the record is necessary to exercise or protect such a right.

8.6

AGCS SA does not have an appeal process. 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.

10.1

12 Annexure A

Application form - prescribed form to be completed by a requester

Request for access to records of a private body

(Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No 2 of 2000) (Regulation 4) The Information

1 Particulars of private body

The Head

2 Particulars of person requesting access to the record

- a. The particulars of the person who requests access to the records must be recorded below.
- b. Furnish an address and/or fax number in the Republic to which information must be sent.
- c. Proof of the capacity in which the request is made, if applicable, must be attached.

Full name and surname

Identity number

Postal Address

Telephone number

4 Particulars of record:

- a. Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.
- b. Aa.

Transcription of the images

3. If record consists of recorded words or information which can be reproduced in sound:

Listen to the soundtrack (audio cassette)

Transcription of soundtrack (written or printed document)

4. If record is held on computer or in an electronic or machine-readable form:

Printed copy of record

Printed copy of information derived from the record

Copy in computer readable form (stiffy or compact disc)

*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?

Yes No If yes, a postal fee is payable.

7 Particulars of right to be exercised or protected.

If the provided space is inadequate please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

Indicate which right is to be exercised or protected:
