

Promotion of Access to Information manual

Prepared in accordance with Section 51
of the Promotion of Access to Information Act No 2 of 2000



Investec Limited (Registration number 1925/002833/06)
Including all Subsidiaries
(hereinafter referred to as 'Investec')

Subsidiaries:

Investec Bank Limited and its subsidiaries
– Reichmans Limited and its subsidiaries
Investec Asset Management Holdings (Pty) Limited and its subsidiaries
Investec Securities Limited and its subsidiaries
Investec Property Group Holdings and its subsidiaries
– Investec Property Group Limited and its subsidiaries
Investec Employee Benefits Holdings (Pty) Limited
– Investec Employee Benefits Limited and its subsidiaries

Information Manual

Prepared in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000



Investec is an independent, international specialist banking group that provides a specialised range of products and services to its select clients

Since inception as a small finance company in 1974, the development of Investec has followed a carefully charted course. Based on the core philosophy of building well-defined businesses focused on serving the needs of select market niches, Investec's steady expansion in the years since then has been firmly rooted in the recognition of a clearly defined strategy for Investec.

An essential pillar of Investec's operating philosophy is that it does not seek to be all things to all people. Investec's core philosophy has been to build well-defined, value-added businesses focused on serving the needs of select market niches where Investec can compete effectively. Investec has concentrated on building business depth as opposed to breadth, enhancing and expanding its position in its four principal businesses, namely:

- Investment Banking,
- Treasury and Specialised Finance
- Private Client Activities
- Asset Management

The four areas are effectively managed as autonomous global business segments, enabling them to remain focused on trends and dynamics within their particular industries. Notwithstanding, as a result of the inter-related nature of their target markets and activities, a strong interaction takes place between each business to ensure clients benefit as a whole from dealing with the broader Investec. Supplementing Investec's services is a common thrust consisting of Investec's culture, mission and philosophies. This helps the business segments across the jurisdictions to operate as an integrated network.

Investec's head office provides certain group-wide integrating functions such as Risk Management, Information Technology, Finance, Investor Relations, Marketing, Human Resources and Organisational Development.

Investec Head Office: 100 Grayston Drive
 Sandown
 Sandton
 2196
 Telephone (2711) 286 7000
 Facsimile (2711) 286 7777
 Website www.investec.com

1. Background to Promotion of Access to Information Act

Section 32 of the Bill of Rights contained in the Constitution of the Republic of South Africa, No.108 of 1996 ("the Constitution") provides that everyone has the right of access to any information:

- (a) held by the State; and
- (b) held by another person and that is required for the exercise or protection of any right.

The Promotion of Access to Information Act, No 2 of 2000 ('the Act') was enacted on 3 February 2000, giving effect to the constitutional right of access to any information held by the State, and any information held by another person that is required for the exercise or protection of any right. Where a request is made in terms of the Act, the public body to which the request is made is obliged to release the information, **except where the Act expressly provides that the information may or must not be released.**

Where a request is made in terms of the Act to a private body, that private body must disclose the information if the requester is able to show that the record is required for the exercise or protection of any rights, and **provided that no grounds of refusal contained in the Act are applicable.** The Act sets out the requisite procedural issues attached to information requests. In terms of Section 51 of the Act Investec is required to compile a Manual, which provides information as prescribed in the Act.

2. Purpose of the manual

This manual is intended to foster a culture of transparency and accountability within the Financial Services Industry by giving effect to the right to information held by a private body that is required for the exercise or protection of any right, and actively promoting a society in which the people of South Africa have access to information to enable them to exercise and protect their rights.

Section 9 of the Act, recognises that justifiable limitations of the right to access may be permitted. Such justifiable limitations include but are not limited to:

- Reasonable protection of privacy;
- Commercial confidentiality;
- Effective, efficient and good governance;

The manual provides a generic format, which will enable requesters to obtain the records, which they are entitled to under the Act in a quick and accessible manner.

3. Part one

3.1 Contact Details And General Information - (Section 51(I)(A))

Name of Body : Investec Limited - Registration Number: 1925/002833/06

Chief Executive Officer : Stephen Koseff (Head of Investec)

Physical Address : 100 Grayston Drive
Sandton
2146

Postal Address : PO Box 785700
Sandton
2146

3.1 Contact Details And General Information - (Section 51(1)(A)) continued

Telephone Number : (2711) 286 7000 (Main Switchboard)
Facsimile : (2711) 286 7777
Website : www.investec.com

3.2 Contact Details Of The Information Officer - (Section 51(1)(B))

As appointed by the Head of Investec:

The Information Officer : Ms Juliette Ishlove (Att: Group Forensic)

Postal Address : PO Box 785700
Sandton
2146

Physical Address : 100 Grayston Drive
Sandton
2146

Contact details : (2711) 286 7892 (Tel)
(2711) 291 1513 (Fax)
Email: jjishlove@investec.co.za

Deputy Information Officer : Ms Megan Duncan (Att: Group Forensic)

Postal Address : PO Box 785700
Sandton
2146

Physical Address : 100 Grayston Drive
Sandton
2146

Contact details : (2711) 286 7633 (Tel)
(2711) 286-8376 (Fax)
Email: mduncan@investec.co.za

4. Part two

Guide of South African Human Rights Commission

The South African Human Rights Commission has as yet not printed the guide as contemplated in Section 10 of the Act. The Guide will include information as may reasonably be required by a person who wishes to exercise any right as contemplated in the Act and accordingly:

- contains information on how to use the Act
- includes:
 - the objects of the Act
 - particulars of every public and private body
 - the manner and form for requests
 - contents of the Regulations promulgated under the Act

4. Part two continued

- will be updated and published every two years
- will be available by no later than August 2003

The guide can be requested directly from the South African Human Rights Commission as per the following contact details:

The South African Human Rights Commission
The PAIA Unit (Research and Documentation Department)
Private Bag X2700, Houghton, 2041
Tel: (2711) 484 8300
Fax: (2711) 4841360
Website: www.sahrc.org.za
E-mail : paia@sahrc.org.za

5. Part three

Description of the subjects and records of Investec available in terms of any other legislation to members of the general public - (Section 51 (1)(d))

It is recorded that the accessibility of the documents herein below, may be subject to the grounds of refusal set out hereinafter. The documents as listed are not automatically readily available and every request will be reviewed on its merits.

All information readily available may be obtained from the Investec Website at www.investec.com

5.1 Investment Banking: (Corporate Finance and Institutional Stockbroking)

5.1.1 Corporate Finance:

Engagement material/engagement letter
List of parties/timetable/list of documents
Correspondence from Investec
Correspondence from the Company
Legal correspondence
Correspondence with the Accountants
Correspondence with JSE Securities Exchange SA and Securities Regulation Panel
Press releases and other related material
Correspondence with other parties
Legal documents and contracts
Fees and copy invoices
Due diligence documentation
Underwriting agreements
Placing documentation/placing agreements and letters
Forecast documentation
File notes
Models and presentation documents
Proposals
Industry and research reports
Documentation signed by the JSE Securities Exchange

5.1.2 Institutional Stockbroking:

- Accounting records
- Standard terms of business
- Client files (correspondence)
- Forms and applications
- Operational policies and procedures
- Operational reports and supporting documentation
- Compliance manual, procedures and reports
- IT documentation, manuals and agreements
- IT projects, disaster recovery and implementation plans

5.2 Treasury and Specialised Finance (Financial Market Activities and Banking Activities):

- Account opening documentation
- Legal agreements (to enter into and settle) treasury banking transactions
- Due diligence documentation (relating to identification of clients and documents evidencing client credit profile)
- Payment instructions from clients
- Legal communications with clients
- Data recorded communications

5.3 Private Client Activities (Lending, Investments, Insurance, Valuations, Card Account, Retail and Forex Treasury, Investec Private Trust)

5.3.1 Private Banking:

- Working files and client files
- Security documents
- Quotes and policy schedules
- Sale agreements
- Application forms
- Valuation reports
- Banking details and bank account records

5.3.2 Private Client Portfolio Management and Stockbroking:

- Accounting records
- Debtors/creditors statements and invoices
- Client agreements (mandates)
- Client files (correspondence and various)
- Forms and applications
- Pledge and carry account agreements
- Operational policies and procedures
- Operational reports and supporting documentation
- Compliance manual, procedures and reports
- IT documentation, manuals and agreements
- IT Project, disaster recovery and implementation plans

5.4 Investec Property Group (IPG) - (Property Management, Property Trading and Development and Fund Management)

- Sales and Purchase Agreements
- Lease Agreements
- Management Contracts
- Construction and Development Contracts
- Bank Account Records

5.5 ReichmansCapital - (Debtor finance, trade and inventory finance, asset finance and growth funding)

- Correspondence with clients
- Client files (instructions and requests from clients)
- Client information sheet
- Finance agreements and facility letters
- Security documentation
- Financial statements
- Banking details
- Debtors/Creditors statements and invoices
- Business process manual/s
- IT Projects plans manual
- Disaster recovery manual

5.6 Investec Employee Benefits (IEB)

Investec Employee Benefits (IEB) is a public company, wholly owned by Investec Employee Benefits Holdings (Pty) Limited, which in turn is a wholly owned subsidiary of Investec Limited.

- Customer related records (mandates and transaction records)
- Outsourcing and service agreements

5.7 Asset Management (Asset Management and Assurance)

- Investor documentation
- Legal contracts/investment management mandates
- Policy documents
- Operational documentation
- Trade documentation
- Banking details and bank account records
- Administration agreements

5.8 Group Services:

5.8.1 Human Resources:

- Personnel Files*
- Payroll records
- Policies and procedures
- Forms and applications
- Standard letters and notices
- Retirement funds – rules and records
- Benefit arrangements – rules and records

* 'Personnel' refers to any person who works for, or provides services to or on behalf of Investec and receives or is entitled to receive remuneration and any other person who assists in carrying out or conducting the business of the institution.

5.8.2 Organisational Development:

- Individual performance development plans
- Department of Labour report – Employment Equity Plan
- Annual Department of Labour Report – Employment Equity Targets
- Sustainability report

5.8.3 Business Learning Centre:

- Skills and development plan submitted to BANKSETA
- Training schedules
- Training material
- Individual learning records

5.8.4 Company Secretarial:

- Minute books
- Company registers
- Annual Financial Statements
- Memoranda and Articles of Association
- Correspondence
- Share certificates
- Company agreements
- Returns to Registrar of Companies
- Attendance registers for meetings
- Agendas for meetings
- Dividend lists
- Members' registers – for listed and unlisted companies

5.8.5 Marketing:

- Advertising and marketing material (brochures, leaflets, videos)

5.8.6 Group Compliance:

- Compliance Manual
- Compliance policies and procedures

5.8.7 Taxation:

- Policies and procedures
- Taxation files

6. Description of records available in terms of any other legislation to members of the general public (Section 51(1)(D))

6.1 Companies Act 61 of 1973

- All documents of incorporation of Investec are lodged at the offices of the Registrar of Companies, and may be inspected there. The documents include the memorandum and articles of association of each company comprising of Investec, as well as the relevant forms.
- The register of members and register of transfer (of members), pledges and bonds of each company comprising of Investec are available for inspection at the registered office of the relevant company.
- Special resolutions are lodged with the Registrar of Companies, and are therefore available for inspection.
- A register of the directors' and officials' interests in contracts entered into by each company comprising of Investec is kept at the registered office of the relevant company, and is available for inspection.

6.2 As designated employers, Investec has lodged copies of employment equity plans at the Department of Labour in terms of the Employment Act no 55 of 1998.

7. Procedure of how records can be obtained (Manner of Access) (Section 51(I)(E))

- 7.1 The requester must comply with all the procedural requirements as set out in the Act relating to the request for access to a record.
- 7.2 The requester must complete the prescribed form to make the request and submit same as well as payment of a request fee and a deposit (if applicable), to the Information Officer or Deputy Information Officer at the postal, physical address, fax number or electronic mail address as noted in Part I 3.2. (See Annexure A).
- 7.3 The prescribed form must be completed with sufficient information to enable the Information Officer to identify:
- (a) the record or records requested; and
 - (b) the identity of the requester
- (s53(2)(a), (b), (c))
- 7.4 The requester should indicate which form of access is required and to specify a postal address or fax number of the requester within the Republic.
- 7.5 The prescribed form should also contain the postal address or fax number of the requester.
- 7.6 **The requester must state that he/she requires the information in order to exercise or protect a right and clearly state what the nature of the right is so to be exercised or protected. The requester must state clearly and specifically why the record is necessary to exercise or protect a right. (s53(2)(d))**
- 7.7 Investec is required to process the request within 30 days, unless special circumstances exist which dictate that the time period may be extended.
- 7.8 If the request is for a record pertaining to a third party, the Information Officer must take all reasonable steps to inform that third party of the request. This must be done within 21 days of the request.
- 7.9 The requester shall be advised whether access was granted or denied. If the requester requires reasons for the decision in any other manner, the requester will be obliged to state which manner and the particulars required.
- 7.10 If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the Information Officer. (s53(2)(f))
- 7.11 If an individual is unable to complete the prescribed form because of illiteracy or disability, such request may be oral.
- 7.12 The requester must pay the prescribed fee before any processing of information can take place.
- 7.13 All information as listed in 7.3. to 7.5. above should be provided **and failing which the process will be delayed until the required information is provided.** The prescribed time periods will not commence until the requester has furnished all the necessary information.
- 7.14 The Information Officer must sever a record, if possible, and grant access only to that portion which the law does not prohibit access to.

8. Prescribed fees (Chapter 3 Section 54) (See Annexure B)

- 8.1 The Act provides for two types of fees, namely:
- (a) A request fee, which is a form of administration fee to be paid by all requesters except personal requesters, before the request is considered and is not refundable; and

8. Prescribed fees (Chapter 3 Section 54) (See Annexure B) continued

- (b) An access fee, which is paid by all requesters in the event that a request for access is granted. This fee is inclusive of costs involved by the body in obtaining and preparing a record for delivery to the requester.
- 8.2 When a request is received by the Information Officer, such officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee, before further processing of the request. (s54(1)).
- 8.3 Information may be withheld until the request fee and the deposit (if applicable) have been paid.
- 8.4 If a deposit has been paid in respect of a request for access, which is refused, then the Information Officer concerned must repay the deposit to the requester.
- 8.5 If the request has been granted then an access fee must be paid for the search, reproduction, preparation of the requested records, and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure. (s54(6)).

9. Information or records not found

- 9.1. If a requested record cannot be found or if the record does not exist, the Information Officer shall, by way of an affidavit or affirmation, notify the requester that it is not possible to give access to the requested record.
- 9.2 The affidavit or affirmation shall provide full details of all the steps taken to find the record or to determine its existence, including details of all communications by the Information Officer with every person who conducted the search.
- 9.3 This notice will be regarded as a decision to refuse a request for access to the record concerned for the purposes of the Act.
- 9.4 If the record should later be found, the requester shall be given access to the record in the manner stipulated by the requester in the prescribed form, unless the Information Officer refuses access.
- 9.5 The attention of the requester is drawn to the provisions of Chapter 4; Part 3 of the Act in terms of which Investec may refuse, on certain specified grounds, to provide information to a requester.

10. Information requested about a Third Party

- 10.1 Chapter 5; Part 3 of the Act specifies the procedure regarding a request for information or records about a third party.
- 10.2 In considering such a request, Investec will adhere to the provisions of the Act. Section 71 requires that the Information Officer take all reasonable steps to inform a third party to whom the requested record relates of the request, informing him that he may make written or oral representations to the Information Officer why the request should be refused, or give written consent for the disclosure of the record.

11. Grounds for refusal of a request

A private body such as Investec is entitled to refuse a request for information on the following grounds:

- 11.1 Section 63 provides for the mandatory protection of the privacy of a third party who is a natural person, including a deceased person which would involve the unreasonable disclosure of personal information of that natural person.

11. Grounds for refusal of a request continued

11.2 Section 64 provides for the mandatory protection of the commercial information of a third party, if the record contains:

- trade secrets of that third party
- financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;
- information disclosed in confidence by a third party to the private body, if such disclosure could put that third party at a disadvantage in negotiations or commercial competition;

11.3 Section 65 provides for the mandatory protection of confidential information of third parties if such disclosure would constitute a breach of a duty of confidence owed to such third party in terms of any agreement;

11.4 Section 66 provides for the mandatory protection of the safety of individuals and the protection of property;

11.5 Section 67 provides for the mandatory protection of records, which would be regarded as privileged in legal proceedings;

11.6 Section 68 provides for protection of the commercial activities of a private body such as Investec, which may include:

- trade secrets of Investec;
- financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of Investec;
- information which, if disclosed, could put Investec at a disadvantage in negotiations or commercial competition;
- a computer program which is owned by Investec and which is protected by copyright.

11.7 Section 69 provides for the protection of research information of Investec or a third party, if its disclosure would place Investec, the third party or the subject matter of the research at a serious disadvantage;

All requests will be assessed on their own merits and in accordance with the applicable legal principles and legislation.

12. Remedies available when a request is refused

12.1 Internal Remedies

Investec does not have internal appeal procedures. The decision by the Information Officer is final. Requesters will have to exercise such external remedies at their disposal if a request is refused and the requester is not satisfied with the response of the Information Officer.

12.2 External Remedies

A requester that is dissatisfied with the Information Officer's refusal to disclose information may within 30 days of notification of the decision apply to Court for appropriate relief. A third party who is dissatisfied with an Information Officer's decision to disclose information may within 30 days apply to a court for appropriate relief. The courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status and a Magistrate's Court designated by the Minister of Justice and Constitutional Development, and which is presided over by a designated magistrate.

13. Updating of manual

Investec will update this manual at such intervals as may be deemed necessary.

A. Particulars of Investec

Information Officer _____

B. Particulars of Person Requesting Access to the Record

Full Name and Surname _____

Identity Number _____

Postal Address (in the Republic) _____

Telephone Number _____

Fax Number _____

E-mail Address _____

Capacity in which Request is made, when made on behalf of another person _____
_____**C. Particulars of Person on whose Behalf Request is Made:**

(This section must only be completed if a request for information is made on behalf of another person. Proof is required for authority in the form of a letter of authorisation from the person on whose behalf request is made and a certified copy of the identities of the requester and person on whose behalf the request is made is required)

Full Name and Surname _____

Identity Number _____

D. Particulars of Record (Provide full particulars of the record to which access is requested, to enable the record to be located)**1. Description of record or relevant part of the record:** _____

_____**2. Reference Number (if known):** _____
_____**3. Any further particulars of record:** _____

_____**E. Fees**

- (a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid
- (b) You will be notified of the amount of the request fee
- (c) The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record

E. Fees continued

(d) If you qualify for exemption of the payment of any fee, please state the reason therefore:

Reason for exemption of payment of fees:

F. Form of Access to Record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required

Disability

Form in which record is required

Mark the appropriate box with an "X"

Notes:

- (a) Your indication as to the required form of access depends on the form in which the record is available.
- (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
- (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

1. If the record is in written or printed form:

Copy of record Inspection of Record

2. If the record consists of visual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)

View the Image Copy of Images Transcription of Images

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

Listen to Soundtrack Transcription of Soundtrack
(Audio Cassette) (Written or Printed Document)

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

Printed Copy of Record Printed Copy of Information derived from Record
Copy in computer readable form (stiffy or CD)

If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? (A postal fee is payable)

Yes No

G. Particulars of Right to be Exercised or Protected (if the space is inadequate, please continue on a separate folio and attach to this form)

Indicate which right is to be exercised or protected:

Explain why the requested record is required for the exercising or protection of the right mentioned above:

H. Notice of Decision Regarding Request for Access

You will be notified in writing whether your request has been approved/denied. If you wish to be informed of this decision in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at _____ this _____ day of _____ 200_____

Signature of Requester or Person on whose behalf request is made

Reproduction fees

The applicable fees for reproduction as referred:

The cost to access, reproduce, search for and/or prepare any of the abovementioned records, unless otherwise agreed, is:

- | | |
|---|--------|
| • for every A4 sized photocopy of a page or part thereof | R 1.10 |
| • for every printed copy of an A4 sized page or part thereof held on a computer or in electronic or machine readable form | R 0.75 |
| • for a copy in a computer readable form on: | |
| stiffy disc | R 7.50 |
| compact disc | R70.00 |
| • A transcription of visual images, for an A4 size page or part thereof | R40.00 |
| • for a copy of visual images | R60.00 |
| • a transcription of an audio record, for an A4 size page or part thereof | R20.00 |
| • for a copy of an audio record | R30.00 |

Request Fees

Where a requester submits a request for access to information held by Investec on a person other than the requester himself/herself, a non-refundable request fee in the amount of R50.00 (or as determined in the Government Gazette) is payable up-front before Investec will further process the request received.

Access fee

An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is especially excluded in terms of the Act or an exclusion is determined by the Minister in terms of Section 54 (8)

- | | |
|---|---------|
| • for every photocopy of an A4 size page or part thereof | R 1.10 |
| • for every printed copy of an A4 size page or part readable form | R 0.75 |
| • for a copy in a computer readable form on: | |
| stiffy disc | R 7.50 |
| compact disc | R 70.00 |
| • for transcription of visual images, for an A4 size page or part thereof | R 40.00 |
| • for a copy of visual images | R 60.00 |
| • for a transcription of an audio record, for an A4 size page or part thereof | R 20.00 |
| • for a copy of an audio record | R 30.00 |
| • To search for and prepare the record for disclosure, R30.00 for each hour or part of an hour reasonably required for such search and preparation. | |
| • For purposes of s54(2) of the Act, the following applies: | |
| • six man hours will be the limit set before a deposit is payable and | |
| • one third of the access fee is payable as a deposit by the requester | |
| • The postage is payable when a copy of a record must be posted to a requester. | |

Please note: all fees are exclusive of Value Added Tax (VAT)