



GBS MUTUAL BANK

PAIA MANUAL

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

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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 | “PAIA” | Promotion of Access to Information Act No. 2 of 2000(as Amended); |
| 1.5 | “POPIA” | Protection of Personal Information Act No.4 of 2013; |
| 1.6 | “Regulator” | Information Regulator; and |
| 1.7 | “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 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 THE GBS MUTUAL BANK

3.1. Chief Information Officer

Name:	Beverley Gail Mackenzie
Tel:	046 622 7109
Email:	Beverley.mackenzie@gbsbank.co.za
Fax number:	046 622 8855

3.2. Deputy Information Officer

Name: Precious Heber
Tel: 046 622 7109
Email: precious.heber@gbsbank.co.za
Fax Number: 046 622 8855

3.3 Access to information general contacts

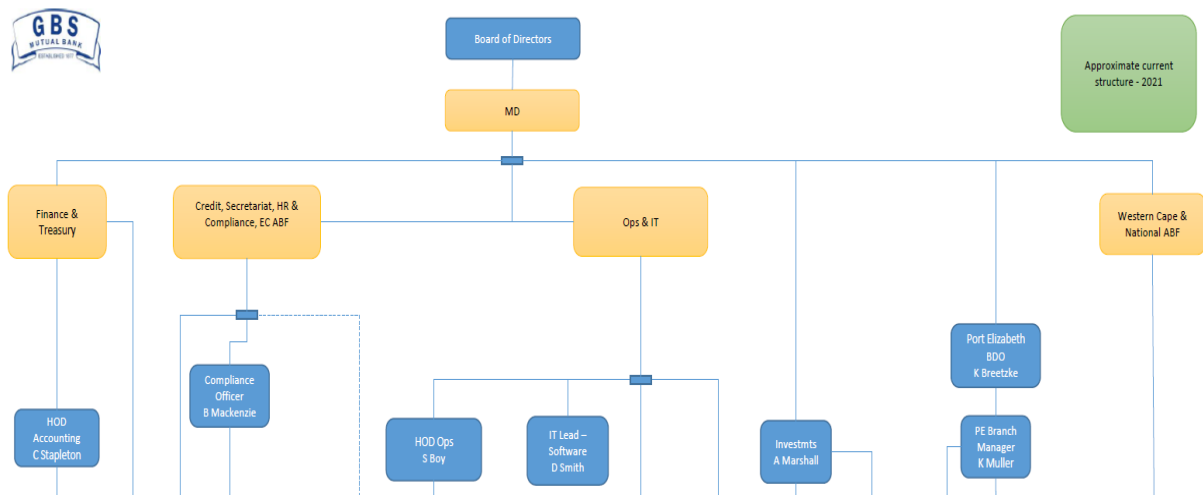
Email: informationregulator@gbsbank.co.za

3.4 National or Head Office

Postal Address: **P.O. Box 114, Makhanda,6140**
Physical Address: **18-20 Hill Street, Makhanda ,6139**
Telephone: **046 622 7109**
Email: informationregulator@gbsbank.co.za
Website: www.gbsbank.co.za

4. STRUCTURE OF ORGANISATION

The bank is governed by a board of directors, a managing director, general managers of finance, ops/it, regional, company secretary and a compliance officer.



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

5.1. 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.

5.2. The Guide is available in each of the official languages and in braille.

5.3. The aforesaid Guide contains the description of-

5.3.1. the objects of PAIA and POPIA;

5.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-

5.3.2.1. the Information Officer of every public body, and

- 5.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
- 5.3.3. the manner and form of a request for-
 - 5.3.3.1. access to a record of a public body contemplated in section 11³; and
 - 5.3.3.2. access to a record of a private body contemplated in section 50⁴;
- 5.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;
- 5.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
- 5.3.6. 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-
 - 5.3.6.1. an internal appeal;
 - 5.3.6.2. a complaint to the Regulator; and
 - 5.3.6.3. an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a

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.*

decision by the Regulator or a decision of the head of a private body;

5.3.7. 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;

5.3.8. the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;

5.3.9. the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and

5.3.10. the regulations made in terms of section 92¹¹.

5.4. 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.

5.5. The Guide can also be obtained-

5.5.1. upon request to the Information Officer;

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.”

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

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 **English and Afrikaans**

5. CATEGORIES OF RECORDS OF THE GBS MUTUAL BANK WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

Category of records	Types of the Record	Available on Website	Available upon request
Forms	Product Application	X	X
Schedules	Interest Rate	X	X
Calculators	Investment and Loan	X	X
Web links	Regulators and Ombudsman	X	X
Document	Code of Banking Practise	X	X
Document	Conduct Standard 3(banks)	X	X
Financials	Audited Financial Statements	X	X
Leaflets	Customer products and charges	X	X
Adverts	Media and print	X	X
Certificate	Vat registration number	X	X
Certificate	NCR	X	X
Certificate	Banking License	X	X
Certificate	FAIS License	X	X

6. DESCRIPTION OF THE RECORDS OF GBS MUTUAL BANK WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

Category of Records	Applicable Legislation
Articles of Association	Mutual Banks Act ,1993
PAIA Manual	Promotion of Access to Information Act 2 of 2000

FAIS Representatives Register	Financial Advisory and Intermediary Services Act 37,2002
CPD Register	Financial Advisory and Intermediary Services Act 37,2002
CPD Register	Financial Advisory and Intermediary Services Act 37,2002
AML Training	Financial Intelligence Centre Act 38,2001
Records Management Retention Schedule	Protection of Personal Information Act 4,2013
Politically Exposed Persons screening list	Financial Intelligence Centre Act 38,2001
Annual Compliance Report	National Credit Act 34,2005
Annual Compliance Report	Financial Advisory and Intermediary Services Act 37,2002
Audited Financial Report	Mutual Banks Act ,1993
HLMDA Statistical Returns Forms 39 & 40	National Credit Act 34,2005
Equity Report	Employment Equity Act 55,1998
Skills Development Report	Skills Development Act 97,1998
CTR/STR/TPR Reports	Financial Intelligence Centre Act 38,2001
DI Returns	Banks Act ,1993
PAYE/UIF/SDL&VAT Returns	Income Tax Act 58,1962 Value Added Tax Act 89,1991
Regulation 37.5 Report	Banks Act ,1993
Provisional Tax Return	Income Tax Act 58,1962
Workman's Compensation Return	Labour Relations Act 66,1995
LPFF monthly interest sweep report	Legal Practise Act 28,2014
Credit Information Submissions	National Credit Act 34,2005
National Payments Directive 1 report	Banks Act ,1993
Financial Sector Code report	Broad-Based Black Economic Empowerment Act 53,2003

7. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY THE GBS MUTUAL BANK

Subjects on which the body holds records	Categories of records
Strategic Documents, Plans, Proposals, Governance	<ul style="list-style-type: none"> -Annual Reports -Strategic Plan - Annual Performance Plan, - Board and Committee Minutes
Human Resources	<ul style="list-style-type: none"> - HR policies and procedures - Advertised posts - Employees records - Employment contracts - Personal Files - Skills development programme
Financial	<ul style="list-style-type: none"> -Management Accounts -Accounting Records - Fixed Asset Register -Bank Statements and Cheques -Creditors Invoices, Statements and Supporting documents
Legal	<ul style="list-style-type: none"> -Contracts, Non-Disclosure Agreements -Property Leases and Records -Insurance Policies
Marketing	<ul style="list-style-type: none"> -Customer data base -Business Development Schedules -Investment Schedules -Marketing Strategies

8. DESCRIPTION OF PRODUCTS

Products
Share Deposits (Paid Up /Sub Subscription)
Term Deposits (Short and Long term)
Savings Accounts
Tax Free Savings
Residential Mortgages
Commercial Mortgages
Asset Based Finance

9. PURPOSE OF PROCESSING PERSONAL INFORMATION

Accountability

GBS Mutual Bank as the responsible party and operator, with assistance from its Information officer and POPIA branch representatives, will ensure that all data processed, used, received and /or requested shall be stored as per its respective record management policies and that all records held by the bank shall be done in compliance with POPIA, including the retention time and destruction of personal information.

Processing Limitation

The bank will ensure that personal information is processed in a fair and lawful manner and will be adequate for purpose, reasonable, and not excessive.

Purpose Specification

The bank will ensure that personal information is collected for a specific, explicitly defined and legitimate reason and that the data subject is aware at all times of the purpose of the collection of information unless s18(4) of POPIA is applicable i.e. circumstances when non-compliance to this principle is permissible.

Further Processing Limitation

The processing of personal information for a secondary purpose would not be applicable to the bank.

Information Quality

The bank with the assistance of its information officer, POPIA branch representatives and applicable staff will take steps to ensure that the personal information collected is complete, accurate and updated where necessary.

Openness

In terms of section 14 of POPIA and section 51 of PAIA, the bank must maintain the processing of documentation under its responsibility and must provide adequate notice regarding its processing activities.

Data Subject Participation

A bank must uphold the data subject's right, to access, update, correct and delete their personal information in line with considerations as outlined in the bank's personal information requests procedural guide.

8.1 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
Customers / Clients	name, address, registration numbers or identity numbers, employment status, bank details, gender, nationality, language, contact details
Service Providers	names, registration number, identity numbers, vat numbers, address, bank details, contact details
Employees	address, contact details, qualifications, gender, race, employment history, medical history, financial history

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

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Credit and payment history, for credit information	Credit Bureaus
Various	Regulatory Bodies

8.4 Planned transborder flows of personal information

The GBS Mutual Bank, makes use of Office 365 Subscriptions provided by Absolute Cloud Solutions, a registered Microsoft Partner and retailer, based in RSA. Part of the subscription benefits includes access to Microsoft SharePoint and OneDrive. Absolute Cloud Solutions has confirmed that the servers on which the Bank's SharePoint and OneDrive data will be stored are based in the EU which falls under GDPR compliance and is therefore POPIA compliant.

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 following policies are included into the Information Security Framework.

- Access Control
- IT Acceptable User
- User Administration
- Hardware, Software and Firmware Update
- Antivirus
- Disaster Recovery

9. AVAILABILITY OF THE MANUAL

8.2 A copy of the Manual is available-

8.2.1 On www.gbsbank.co.za;

8.2.2 head office of the **GBS Mutual Bank, Makhanda** for public inspection during normal business hours;

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

8.2.4 to the Information Regulator upon request.

8.3 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 Compliance Officer of the GBS Mutual Bank will on a regular basis update this manual.

Issued by



Beverley Gail Mackenzie

Compliance Officer