

**MANUAL PREPARED IN ACCORDANCE WITH SECTION 51 OF
THE PROMOTION OF ACCESS TO INFORMATION ACT,
NUMBER 2 OF 2000**

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1. INTRODUCTION

THE ACT

The Promotion of Access to Information Act (“the Act”) was enacted to give effect to the constitutional right of access to information, held by any public or private body, which is required for the exercise or protection of any rights. The Act sets out procedures to be followed when requesting information, after which the requested information must be released, unless the Act specifically provides that it is privileged.

THE MANUAL

The manual is designed to assist potential requesters with the procedure to be followed when requesting information from Cohesive Capital (Pty) Ltd, as contemplated in the Act. It may be amended from time to time, and such amendments will be published.

THE COMPANY

Cohesive Capital (Pty) Ltd is a Financial Services Board authorised Financial Services Provider. In terms of the FAIS Act the company carries the license number 33489. The Company focuses on the management of private client segregated equity portfolio management.

2. CONTACT DETAILS

NAME OF COMPANY:	Cohesive Capital (Pty) Ltd
DIRECTOR & INFORMATION OFFICER:	Evan Musikanth
PHYSICAL ADDRESS HEAD OFFICE:	1 st Floor, East Wing, The Palms 145 Sir Lowry Road Woodstock Cape Town 8001
POSTAL ADDRESS:	PO Box 6811 Roggebaai 8012
TELEPHONE NUMBER:	+27 (0)21 464 8860
FAX NUMBER:	+27 (0)86 443 1160
EMAIL ADDRESS:	evan@cohesivecapital.co.za
WEBSITE ADDRESS:	www.cohesivecapital.co.za

3. DESCRIPTION OF GUIDE IN TERMS OF SECTION 10 OF THE ACT

In terms of section 10 of the Act, a guide will be compiled by the South African Human Rights Commission (“the SAHRC”) containing such information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act. The contact details of the SAHRC are as follows:

ADDRESS:	PAIA Unit The Research and Documentation Department Private Bag 2700 Houghton 2041
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TELEPHONE NUMBER: +27 (0)11 484 8300
 FAX NUMBER: +27 (0)11 484 0582
 EMAIL ADDRESS: PAIA@sahrc.org.za
 WEBSITE ADDRESS: www.sahrc.org.za

4. **RECORDS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION**

Cohesive Capital (Pty) Ltd keeps records in accordance with other legislation including, but not limited to, the following:

- [Income Tax Act](#) (58 of 1962)
- [Value-Added Tax](#) (89 of 1991)
- [Financial Intelligence Centre Act](#) (38 of 2001)
- [Financial Advisory and Intermediary Services Act](#) (37 of 2002)

A FULL LIST IS AVAILABLE IN ANNEXURE A attached to the Manual

5. **DETAILS OF RECORDS HELD BY COHESIVE CAPITAL (PTY) LTD**

The following records are held by Cohesive Capital (Pty) Ltd:

- **Operational Information**
 - Internal phone and address lists
 - Statutory company documentation and returns to appropriate authorities
 - Financial records, including audited statements and invoices
 - Employee records, including contracts, salary, leave and UIF Returns
 - Computer software and licences
 - Records relating to insurance, contracts for the supply of services, leases ect
- **Communications**
 - Internal memoranda
 - External correspondence with clients
- **Other sources of information**
 - Client files including mandates
 - Research conducted

6. **AVAILABILITY OF THE MANUAL**

This manual is available as follows:

- In hard copy, to be viewed free of charge at the offices of Cohesive Capital (Pty) Ltd;
- At the offices of the SAHRC;
- On the Cohesive Capital (Pty) Ltd website.

7. **REQUESTES FOR INFORMATION**

Any request must be made on the prescribed form to the facsimile number, postal or email address of Cohesive Capital (Pty) Ltd, and must include:

- the prescribed fees, which are available on the SAHRC's website (www.sahrc.org.za) or the Department of Justice and Constitutional development's website (www.doj.gov.za);

- particulars of the requester, or if the request is made on behalf of another person, proof of the capacity in which the requester is making the request;
- the postal address or fax number of the requester;
- a description of the information required;
- an indication of what form of access is required;
- identification of the right the requester is seeking to protect or exercise; and
- an explanation of why the requested information is required for the protection or exercise of that right.

Records are held of the following subjects:

- client-related records
- personnel records
- company records
- records in the possession of or pertaining to other parties

Client-Related Records

A client includes any natural or juristic entity, who receives services from the company. Client-related information includes the following:

Company and Trust Client:

- Statutory documents
- Company financial statements
- Trust documents
- Trust financial statements
- Investment/ transaction information
- Taxation information

Individual Client Records:

- Personal details
- Investment/ transactional information
- Taxation information
- Wills
- Long and Short Term insurance details
- Correspondence

Personal Records:

Personnel refers to any person who works for or provides services to or on behalf of the private body and receives or is entitled to receive any remuneration and any other person who assists in carrying out or conducting the business of the private body. This includes, without limitation, directors, executives, non-executives, all permanent, temporary and part-time staff as well as contract workers.

- Personal Records
- Conditions of employment
- Evaluation records
- Correspondence
- Training Material

Company Records:

- Operational records
- Databases
- Marketing records
- Internal correspondence

- Product records
- Statutory records
- Internal policies and procedures

(These records include, but are not limited to, records pertaining to the company's own affairs.)

Other parties:

The company may possess records pertaining to other parties, including and without limitation: contractors, suppliers, subsidiary/holding/sister companies, joint venture companies and service providers. Alternatively, such other parties may possess records, which can be said to belong to the company. The following records may fall under this category:

- Personal, client or company records which are held by another party as opposed to being held by the company.
- Records held by the company pertaining to other parties, including without limitation financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about the contractors/suppliers.

All Cohesive Capital clients are allowed to access their own information without having to go through this formal information request process. All clients should contact their adviser to access their information.

- This process may not be used to obtain information for the use in any legal action. Records for legal action should be obtained using the rules and procedures for discovery of information that are defined for legal proceedings. The company has the right to claim all expenses and other damages that result from a request that breaks the abovementioned law.
- The process only applies to records that exist at the time of the request for information. It does not require the company to create a record which does not exist at the time the request is made.
- Provided that none of the restrictions mentioned above apply, any person wishing to access a record, in terms of the Act, that is not freely available, are required to **file a request using the prescribed form (Annexure 1)**. The form may be obtained from the Compliance Officer at the contact details contained within this document. The completed form is to be submitted to the Compliance Officer, together with the details of the authority to request the information and payment of any applicable request fees or deposits as defined by the Act and Notice R187. The fee structure can be seen in Appendix 2.
- A request made on behalf of another person should be accompanied by proof of the capacity or authority to request the information.

Failure to fully complete the prescribed form will result in delaying the process while the company requests further information.

Contact details:

Cohesive Capital (Pty) Ltd: Evan Musikanth
Telephone: +27 (0)21 464 8860
Fax: +27 (0)86 443 1160

The Compliance Officer: James George
Telephone: 086 127 3783

The compliance officer is happy to assist any person with the completion of the request forms.