

Valeo Capital (Pty) Ltd

Manual prepared in terms of section 51 of the Promotion of Access to Information Act 2 of 2000 (as amended) in respect of Valeo Capital (Pty) Ltd (a private body)

Date of compilation: 20 June 2022

Date of revision: None

1 INTRODUCTION AND PURPOSE

- 1.1 This Manual has been prepared in accordance with section 51 of the Promotion of Access to Information Act No.2 of 2000 ("**PAIA**").
- 1.2 This Manual has been prepared to assist the public to –
- 1.2.1 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
 - 1.2.2 access all the relevant contact details of the Information Officer and Deputy Information Officer (if any) who will assist the public with the records they intend to access;
 - 1.2.3 check the categories of records held by Valeo Capital which are available without a person having to submit a formal PAIA request;
 - 1.2.4 know the description of the records of Valeo Capital which are available in accordance with any other legislation;
 - 1.2.5 know the subjects and categories of the records held by Valeo Capital;
 - 1.2.6 know if the purpose of Processing of Personal Information, the description of the categories of Data Subjects and of the Personal Information relating thereto;
 - 1.2.7 know the recipients or categories of recipients to whom the Personal Information may be supplied;
 - 1.2.8 know if Valeo Capital has planned to transfer or process Personal Information outside the Republic of South Africa; and
 - 1.2.9 know whether Valeo Capital has appropriate information security measures in place to ensure the confidentiality, integrity and availability of the Personal Information which is to be processed.
- 1.3 The Manual may be amended from time to time and as soon as any amendments have been affected, the latest version of the Manual will be published in accordance with PAIA.
- 1.4 A Requester is invited to contact the Information Officer and Deputy Information Officer (if any)

should he or she require any assistance in respect of the use or content of this PAIA Manual.

- 1.5 The definitions provided in this Manual are solely for the purpose of this Manual and are not to be taken as applicable to PAIA.

2 DEFINITIONS

The following words or expressions will bear the following meanings in this Manual –

- 2.1 **“Clients”** means a natural or juristic person who or which receives services from Valeo Capital;
- 2.2 **“Data Subject”** means the natural or juristic person to whom Personal Information relates;
- 2.3 **“Deputy Information Officer”** means Valeo Capital’s deputy information officer (if any) described in paragraph 4.4;
- 2.4 **“Employee”** means any person who works for, or provides services to, or on behalf of Valeo Capital, and receives or is entitled to receive remuneration;
- 2.5 **“Information Officer”** means Valeo Capital’s information officer described in paragraph 4.3;
- 2.6 **“Manual”** means the means this manual, together with all annexures thereto (if any) as amended and made available on the website of Valeo Capital and at the offices of Valeo Capital from time to time;
- 2.7 **“PAIA”** means the Promotion of Access to Information Act No. 2 of 2000, as amended, together with any regulations published thereunder;
- 2.8 **“Personal Information”** has the meaning ascribed thereto under POPIA;
- 2.9 **“POPIA”** means the Protection of Personal Information Act No.4 of 2013, as amended, together with any regulations published thereunder;
- 2.10 **“Processing”** means any operation or activity or any set of operations, whether or not by automatic means, concerning Personal Information, including –
- 2.10.1 the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;

- 2.10.2 dissemination by means of transmission, distribution or making available in any other form by electronic communications or other means; or
- 2.10.3 merging, linking, blocking, degradation, erasure or destruction. For the purposes of this definition, "Process" has a corresponding meaning;
- 2.11 **“Regulator”** means the Information Regulator;
- 2.12 **“Valeo Capital”** means Valeo Capital Proprietary Limited, registration number 2021/834806/07, a limited liability private company duly incorporated in South Africa; and
- 2.13 **“Valeo Affiliates”** means any subsidiary, investment, shareholder or associated entity of Valeo Capital, from time to time.

3 **GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE**

(Information required under section 51(1)(b)(i) of PAIA)

- 3.1 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.
- 3.2 The Guide is available in each of the official languages and in braille.
- 3.3 The aforesaid Guide contains *inter alia* a description of -
- 3.3.1 the objects of PAIA and POPIA;
- 3.3.2 the postal and street address, phone and fax number and, if available, electronic mail address of –
- 3.3.2.1 the information officer of every public body, and
- 3.3.2.2 every deputy information officer of every public body designated in terms of section 17(1) of PAIA;

- 3.3.3 the manner and form of a request for-
 - 3.3.3.1 access to a record of a public body contemplated in section 11 of PAIA; and
 - 3.3.3.2 access to a record of a private body contemplated in section 50 of PAIA;
- 3.3.4 the assistance available from the information officer of a public body in terms of PAIA and POPIA;
- 3.3.5 the assistance available from the Regulator in terms of PAIA and POPIA;
- 3.3.6 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;
- 3.3.7 the provisions of sections 14 and 51 of PAIA requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
- 3.3.8 the provisions of sections 15 and 52 of PAIA providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 3.3.9 the notices issued in terms of sections 22 and 54 of PAIA regarding fees to be paid in relation to requests for access; and
- 3.3.10 the regulations made in terms of section 92 of PAIA .
- 3.4 Members of the public can inspect or make copies of the Guide the office of the Regulator, during normal working hours.
- 3.5 The Guide can also be obtained from the website of the Regulator (<https://info regulator.org.za/>).
- 3.6 All queries in relation to the Guide should be directed to:

The Information Regulator of South Africa

Physical Address: JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001

Postal Address: P.O Box 31533, Braamfontein, Johannesburg, 2017

E-mail: enquiries@info regulator.org.za

Website: <https://info regulator.org.za/>

Tel: 010 023 5200

4 KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF VALEO CAPITAL

(Information required under section 51(1)(a) of PAIA)

- 4.1 Name of private body Valeo Capital Proprietary Limited
- 4.2 Office
- Postal Address: Postnet Suite 272, Private Bag X29, Somerset West, Western Cape, 7129
- Physical Address: Unit 12 Paardevlei Specialist Medical Centre, Paardevlei, Somerset West, Western Cape, 7130
- Telephone: 021 851 0091
- Email: info@valeocapital.co.za
- Website: www.valeocapital.co.za
- 4.3 Information Officer and organization co-head
- Name: David Tosi
- Tel: 021 851 0091
- Email: informationofficer@valeocapital.co.za
- Fax number: None
- 4.4 Deputy Information Officer - None
- 4.5 Access to information general contacts
- Email: informationofficer@valeocapital.co.za

5 CATEGORIES OF RECORDS OF VALEO CAPITAL WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

(Information required under section 51(1)(b)(ii) of PAIA)

Records kept in terms of other South African legislation (as set out in 6 below) may, in certain instances (and insofar as the information contained therein is of a public nature) be available for inspection without a person having to request access thereto in terms of PAIA. Save for the

mentioned and unless required by law, no records of Valeo Capital are available without a person having to request access in terms of PAIA.

6 DESCRIPTION OF THE RECORDS OF VALEO CAPITAL WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

(Information required under section 51(1)(b)(iii) of PAIA)

6.1 Records are kept in accordance with legislation applicable to Valeo Capital, which includes but is not limited to, the following:

6.1.1 Broad-Based Black Economic Empowerment Act 53 of 2003;

6.1.2 Companies Act 71 of 2008;

6.1.3 Income Tax Act 58 of 1962;

6.1.4 Financial Intelligence Centre Act No 38 of 2001;

6.1.5 Promotion of Access to Information Act 2 of 2000;

6.1.6 Protection of Personal Information Act 4 of 2013;

6.1.7 Tax Administration Act No.28 of 2011;

6.1.8 Unemployment Insurance Act No. 63 of 2001;

6.1.9 Unemployment Insurance Contributions Act No. 4 of 2002; and

6.1.10 Value Added Tax Act No.89 of 1991.

7 DESCRIPTION OF THE SUBJECTS ON WHICH VALEO CAPITAL HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT

(Information required under section 51(1)(b)(iv) of PAIA)

The subjects and categories of the records held by Valeo Capital are as set out in the table below. The inclusion of any category of records should not be taken to mean that records falling within

that category will be made available under PAIA. In particular, certain grounds of refusal as set out in PAIA may be applicable to a request for such records.

Subjects on which the body holds records	Categories of records
Accounting / financial records	<ul style="list-style-type: none"> - Annual financial statements - Tax returns - Audit reports - Invoices in respect of creditors and debtors - Bank facilities and account details - Details of accounting officer or auditors - Formal books of account and other financial statements - Source documents - Banking records - Management accounts - Management reports - Other financial and tax records
CIPC and Company documentation	<ul style="list-style-type: none"> - Agreements to which Valeo Capital is a party - Company CIPC documents - Company registration documents - Director records - Memorandum of Incorporation - Share register and other statutory registers - Minutes of meetings - Shareholder and board resolutions
Client information	<ul style="list-style-type: none"> - Client contact information - Client mandates - Client documentation - Correspondence with Clients - Records regarding mandates and transaction involving Clients - Other information relating to, or held on behalf of Valeo Capital Clients - Proposals made to Clients or prospective Clients

Human Resources	<ul style="list-style-type: none"> - Policies and procedures - Employees records - Applicant CV's and records - Contracts of employment - Disciplinary records - Employee tax information - Payroll records - Internal policies and procedures
Information technology	<ul style="list-style-type: none"> - Records regarding computer systems and software systems used by Valeo Capital - Records of CRM and cloud systems used by Valeo Capital - Precedent database
Intellectual property	<ul style="list-style-type: none"> - Trade-marks, copyrights and designs (registered or unregistered) - Records relating to domain names - Other documentation relating to intellectual property
Market participant	<ul style="list-style-type: none"> - Market participant contact information - Market participant position and field of focus
Marketing	<ul style="list-style-type: none"> - Marketing material used by Valeo Capital
Movable property records	<ul style="list-style-type: none"> - Agreements for the lease or sale of movable property - Records regarding insurance in respect of movable property - Asset register
Other	<ul style="list-style-type: none"> - Internal and external correspondence - Internal and external spreadsheets
Service provider and third-party information	<ul style="list-style-type: none"> - Service provider and third-party contact information - Service provider and third-party agreements - Service provider and third-party documentation - Correspondence with service providers and third-parties - Other information relating to, or held on behalf of Service provider and third-party

8 PROCESSING OF PERSONAL INFORMATION

(Information required under section 51(1)(c) of PAIA)

8.1 Purpose of Processing Personal Information

- 8.1.1 Personal Information is retained only for as long as is necessary to accomplish the business purposes or for as long as may be permitted or required by applicable law.
- 8.1.2 Personal Information is or will be processed for *inter alia* the following purposes –
 - 8.1.2.1 for the purposes of providing information on activities of our Clients to Data Subjects;
 - 8.1.2.2 for the purposes of allowing Data Subjects to participate in corporate actions involving our Clients;
 - 8.1.2.3 for purposes of maintaining contact details and records of Employees, Clients, suppliers and third-parties;
 - 8.1.2.4 for the purposes of providing services to Data Subject;
 - 8.1.2.5 for the purposes of obtaining information as per the requirements of the Financial Intelligence Centre Act No. 38 of 2001;
 - 8.1.2.6 for the purposes of conducting an assessment or due diligence processes on prospective Clients;
 - 8.1.2.7 in order to comply with obligations imposed under the Based Black Economic Empowerment Act No 53 of 2003 and the Department of Trade and Industry's Codes of Good Practice on Broad-Based Black Economic Empowerment, as amended or reissued from time to time;
 - 8.1.2.8 for the purposes of performing general information technology related functions;
 - 8.1.2.9 for accounting and audit purposes;
 - 8.1.2.10 for employment-related purposes such as administering payroll, deductions, Employees tax and the like;

- 8.1.2.11 for taxation purposes;
 - 8.1.2.12 for purposes of administering and paying service providers and third-parties;
 - 8.1.2.13 for direct marketing purposes;
 - 8.1.2.14 for such other purposes to which the Data Subject may consent from time to time; and
 - 8.1.2.15 for such other purposes as authorised in terms of applicable law.
- 8.1.3 Valeo Capital will process Personal Information only in ways that are for, or compatible with the purposes for which the Personal Information was collected or that are subsequently authorised by the relevant Data Subject.
- 8.1.4 Valeo Capital will retain Personal Information only for as long as is necessary to accomplish the purposes for which the Personal Information was collected or for as long as may be permitted or required by applicable law.

8.2 Description of the categories of Data Subjects and of the Personal Information relating thereto

Valeo Capital Processes Personal information in relation to the categories of Data Subjects and in relation to *inter alia* the Personal Information included in the table below but not limited thereto.

Categories of Data Subjects	Personal Information relating to Data Subjects
Clients	name, address, contact details, email addresses, registration numbers or identity numbers, bank details, organisational structure details, director and Employee details and vat numbers
Service Providers and third-parties (including regulatory bodies like the JSE, the CTSE and the TRP)	name, address, contact details, email addresses, registration numbers or identity numbers, bank details, organisational structure details, director and Employee details and vat numbers
Employees and prospective	name, address, contact details, email addresses,

employees	identity numbers, bank details, taxation details, family member contact details, curriculum vitae, disciplinary action detail and employment history
Market participants	name, address, contact details, email addresses, position in organisation

8.3 **The recipients or categories of recipients to whom the Personal Information may be supplied**

8.3.1 Valeo Capital may provide Personal information to the following recipients or categories of recipients –

8.3.1.1 Valeo Affiliates;

8.3.1.2 regulators in terms of applicable laws and the requirements of any stock exchange;

8.3.1.3 the South African Revenue Services;

8.3.1.4 Service providers to the extent required to provide our services;

8.3.1.5 hosting, data storage or archiving service providers and for payment processing;

8.3.1.6 professional advisors to Valeo Capital or Clients; and/or

8.3.1.7 to a third parties in accordance with a court order or for Valeo Capital to comply with the law.

8.4 **Planned transborder flows of Personal Information**

Valeo Capital does not have any planned transborder flows of Personal Information.

8.5 **General description of information security measures**

8.5.1 Valeo Capital has implemented reasonable technical, administrative and physical security measures to protect Personal Information from unauthorised access or disclosure and improper use.

8.5.2 Security measures are continuously reviewed and updated where necessary.

- 8.5.3 Valeo Capital complies with the following security requirements –
- 8.5.3.1 Alarm system – Access to our office is protected by a facial recognition alarm system;
 - 8.5.3.2 Physical Access – Access to Personal Information is restricted in our offices to Employees only and only to those Employees who need the Personal Information for a specific reason;
 - 8.5.3.3 Information technology access – All Employees have unique passwords to access our information technology system and each have a unique user ID assigned to them;
 - 8.5.3.4 Information technology security – our information systems have appropriate security measures in place to maintain the integrity and confidentiality of the Personal Information;
 - 8.5.3.5 Confidentiality undertakings – all Employees are bound by confidentiality undertakings;
 - 8.5.3.6 Back-ups – All Personal Information is backed-up regularly;
 - 8.5.3.7 Malware protection – the information technology system has comprehensive malware protection software employed; and
 - 8.5.3.8 Systems Review – the information technology system is subject to regular reviews in order to ensure that all of the above security measures are functioning effectively and applied consistently.

9 AVAILABILITY OF THE MANUAL

- 9.1 A copy of the Manual is available-
- 9.1.1 on www.valeocapital.co.za;
 - 9.1.2 at the office of the Valeo Capital for public inspection during normal business hours;
 - 9.1.3 to any person upon request and upon the payment of a reasonable prescribed fee; and
 - 9.1.4 to the Information Regulator upon request.

9.2 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 co-head of a Valeo Capital will on a regular basis update this Manual.

Issued by

DAVID TOSI

Co-head and Executive Director