

INFORMATION MANUAL

*Prepared in accordance with
Section 51 of the Promotion of Access to Information Act, No. 2 of 2000.
AND
Protection of Personal Information Act, 2013*

For

Toyota Financial Services (South Africa) Limited

This manual applies to Toyota Financial Services (South Africa) Limited

(Hereafter referred to as "TFS")

1. INTRODUCTION

The Promotion of Access to Information Act, No 2 of 2000 ("**the Act**") gives effect to the constitutional right of access to any information in records held by public or private bodies that is required for the exercise or protection of any rights. The Act 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. In addition, it explains how to access, or object to, personal information held by the FirstRand, or request correction of the personal information, in terms of Section 23 and 24 of the Protection of Personal Information Act 4 of 2013 ("POPIA").

PAIA and POPIA recognise that the right to access to information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to Limitations:

- aimed at the reasonable protection of privacy;
- relating to commercial confidentiality;
- with regard to the effective, efficient and good governance; and

in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution and the Protection of Personal Information Act 4 of 2013 ("POPIA").

This manual informs requesters of procedural and other requirements which a request must meet as prescribed by PAIA and POPIA.

2. CONTACT DETAILS AND GENERAL INFORMATION

All requests for access to records in terms of the Act must be in writing and must be addressed to **the Information Officer**, at the below contact details:

Information Officer: Innocent Ngongoma
Tel: (011) 809 2039
Fax: (011) 444 - 3607
E-mail: Innocent.Ngongoma@toyfin.co.za
Postal Address: PO Box 481, Bergvlei, 2012
Physical Address: 1st Floor, Spartan House, 15 Spartan Crescent, Sandton, 2001
Website(s): [www.toyota.co.za / finance](http://www.toyota.co.za/finance); www.wesbank.co.za

3. GUIDE OF SOUTH AFRICAN HUMAN RIGHTS COMMISSION

The South African Human Rights Commission has compiled the guide contemplated in Section 10 of the Act which contains such information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act. This guide is available from their website (www.sahrc.org.za)

Copies of the PAIA and POPIA Acts, the POPIA Regulations and guides to the Acts, can be obtained from the SAHRC or the Information Regulator and queries directed to:

• SAHRC

• Information Regulator

<ul style="list-style-type: none"> • SAHRC 	<ul style="list-style-type: none"> • Information Regulator
<ul style="list-style-type: none"> • South African Human Rights Commission • Promotion of Access to Information Act Unit • Research and Documentation Department • Private Bag 2700 • Houghton • Johannesburg • 2041 	<ul style="list-style-type: none"> • The Information Regulator (South Africa) • • • •
<ul style="list-style-type: none"> • Braampark, Forum 3 • 33 Hoofd Street • Braamfontein • Johannesburg • 2001 	<ul style="list-style-type: none"> • SALU Building • 316 Thabo Sehume Street • Pretoria • 0001
<ul style="list-style-type: none"> • Telephone number: (011) 877 3600 • Fax number: (011) 484 7146/7 • Website: www.sahrc.org.za • E-mail: info@sahrc.org.za 	<ul style="list-style-type: none"> • Telephone number: (012) 406 4818 • Fax number: (086) 500 3351 • Website: www.justice.gov.za/inforeg • E-mail: info@justice.gov.za

4. RECORDS OF TFS

It is recorded that the accessibility of the documents listed herein below, may be subject to the grounds of refusal set out hereinafter.

Records deemed confidential on the part of a third party, will necessitate permission from the third party concerned, in addition to the normal requirements, before TFS will consider access.

Upon written notice and via use of the prescribed forms, interested parties can make application to view records, within reasonable business hours.

The information is classified and grouped according to records relating to the following subjects and categories:

4.1.1 PERSONNEL RECORDS

- Personal records provided by personnel;
Records refer to information relating to an identifiable natural person, including, but not limited to:
 - (a) Information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;
 - (b) Information relating to the education or the medical, financial, criminal or employment history of the person;
 - (c) Any identifying number, symbol, email address, physical address, telephone number, location information, online identifier or other particular assigned to the person;
 - (d) The biometric information of the person;
 - (e) The personal opinions, views or preferences of the person;
 - (f) Correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
 - (g) The views or opinions of another individual about the person; and
 - (h) The name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person, but excludes information about an individual who has been dead for more than 20 years;
- Records provided by a third party relating to personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records;
- Internal evaluation records and other internal records;
- Correspondence relating to personnel;
- Training schedules and material;

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

4.1.2 CUSTOMER RELATED RECORDS

- Records provided by a customer to a third party acting for and/or on behalf of TFS;
- Records provided by a third party to TFS;
- Records generated by or within TFS relating to its customers, including transactional records;

A *"customer"* refers to any natural or juristic entity that receives services from TFS.

4.1.3 PRIVATE BODY RECORDS

- Financial records;
- Operational records;
- Databases;
- Information Technology;

- Marketing records;
- Internal Correspondence;
- Product records
- Statutory records;
- Internal Policies and Procedures
- Treasury-related records;
- Legal records;
- Securities and Equities ; and
- Records held by officials of TFS

These records include, but are not limited to, the records which pertain to TFS's own affairs.

4.1.4 THIRD PARTY RECORDS

- Personnel, customer or private body records which are held by a third party, as opposed to the records held by TFS **itself**,
- Records held by TFS pertaining to third parties, including without limitation, financial records, correspondence, contractual records, records provided by the third party, and records third parties have provided about the contractors/suppliers.

TFS may possess records pertaining to third parties, including without limitation contractors, suppliers, subsidiary/holding/sister companies, joint venture companies, and service providers. Alternatively, such other parties may possess records that can be said to belong to TFS.

4.2 RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION

Where applicable to its operations, TFS also retains records and documents in terms of the legislation listed in **Appendix 3**.

Any records that are required to be made available in terms of these acts shall be made available for inspection by interested parties in terms of the requirements and conditions of the Act and the applicable legislation, should interested parties be entitled to such information.

It is recorded that the accessibility of the documents listed herein may be subject to the grounds of refusal set out in this manual.

5. PROCESSING OF PERSONAL INFORMATION

5.1 Purpose of Processing

- TFS processes Personal Information as follows:
- To render services to clients and or potential clients
- Employee administration
- Compliance with laws

5.2 Actual or Planned Transborder Flows of Personal Information

TFS transfers statistical Data (de- identified) to Toyota Europe Africa Region as part of a legitimate business requirement.

5.3 Categories of Data Subjects and their Personal Information

Entity Type	Personal Information Processed
Clients: Natural Persons	Names; contact details; physical and postal addresses; date of birth; ID number; Tax related information; ethnicity; gender; confidential correspondence
Clients – Juristic Persons / Entities	Names of contact persons; Name of Legal Entity; Physical and Postal address and contact details; Registration Number; Founding documents; Tax related information; authorised signatories, and beneficiaries.
Clients – Foreign Persons / Entities	Names; contact details; physical and postal addresses; date of birth; Passport number Tax related information; nationality; gender; confidential correspondence
Contracted Service Providers	Names of contact persons; Name of Legal Entity; Physical and Postal address and contact details; Registration Number; Tax related information; authorised signatories, and beneficiaries.
Employees / Directors (Previous and existing)	Gender, Marital Status; Age, Language, Education information; Financial Information; Employment History; ID number; Physical and Postal address; Contact details; Criminal behavior.

5.4 General Description of Information Security Measures

- TFS employs up to date technology to ensure the confidentiality, integrity and availability of the Personal Information under its care. Measures include:
 - Firewalls
 - Virus protection software and update protocols
 - Access control;
 - Outsourced Service Providers who process Personal Information on behalf of TFS are contracted to implement security controls.

6. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

The main grounds for TFS to refuse a request for information relates to the –

- Mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person;
- 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 TFS, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;

- Mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- Mandatory protection of the safety of individuals and the protection of property;
- Mandatory protection of records which would be regarded as privileged in legal proceedings;

- The commercial activities of TFS, which may include –
 - Trade secrets of TFS;
 - Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of TFS;
 - Information which, if disclosed could put TFS at a disadvantage in negotiations or commercial competition;
 - A computer program which is owned by TFS, and which is protected by copyright.
- The research information of TFS or a third party, if its disclosure would disclose the identity of TFS, the researcher or the subject matter of the research and would place the research at a serious disadvantage;
- Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

In the event that access is requested to a record that contains information about a third party, TFS is obliged to attempt to contact this third party to inform them of the request and to give them an opportunity to respond by either consenting to the access or by providing reasons why the access should be denied. In the event that the third party furnishes reasons for the support or denial of access, the designated Information Officer will consider these reasons in determining whether access should be granted.

7. REMEDIES AVAILABLE WHEN TFS REFUSES A REQUEST FOR INFORMATION

7.1 INTERNAL REMEDIES

TFS does not have internal appeal procedures. 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.

7.2 EXTERNAL REMEDIES

Subject to the provisions of the Act, a requestor that is dissatisfied with an Information Officer's refusal to disclose information, may within 30 days of notification of the decision, apply to a Court or issue a complaint to the Information Regulator for relief.

Likewise, a third party dissatisfied with an Information Officer's decision to grant a request for information, may within 30 days of notification of the decision, apply to a court with appropriate jurisdiction or issue a complaint to the Information Regulator for relief.

8. REQUEST PROCEDURE

- The following procedural requirements serve as guidelines for requestors and
- The requestor must comply with all the procedural requirements contained in the Act relating to the request for access to a record.
- The requester must complete the prescribed form enclosed herewith in Appendix 1, and submit same as well as payment of a request fee and a deposit, if applicable to the Information Officer at the postal or physical address, fax number or electronic mail address as stated in paragraph 2 above.
- The prescribed form must be filled in with enough detail particularity to at least enable the information Officer to identify –
 - The record or records requested;
 - The proof of identity of the requester;

- Which forms of access is required, if the request is granted;
- The postal address or fax number of the requester.
- The requester must state the nature of the right for which access to the requested records is required. The courts have indicated that access to the records must be “necessary” for the exercise or protection of the right so stated. This right of access may not be used to access records under criminal or civil proceedings, or where such proceedings have commenced.
- Subject to the provisions in the Act in respect of extensions, TFS will process the request within 30 days from when the request is received and the fee is paid, unless the requestor has stated special reasons which would satisfy the Information Officer that circumstances dictate that the above time periods not be complied with.
- The requester shall be informed in writing whether access has been granted or denied if, in addition, the requester requires the reasons for the decision in any other manner; he must state the manner and the particulars so required.
- 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.
- If an individual is unable to complete the prescribed form because of illiteracy or disability, such person may make the request orally.
- The requester may pay the prescribed fee, before any further processing can take place.

9. ACCESS TO RECORDS HELD BY TFS

- Records held by TFS may be accessed by requests only once the prerequisite requirements for access have been met, unless such records are of a public nature i.e.: those disclosed by TFS on the TFS website may be accessed without the need to submit a formal application.
- Other non-confidential records, such as statutory records maintained at CIPC, may also be accessed without the need to submit a formal application, however, please note that an appointment to view such records will still need to comply with the requirements laid down for this purpose.
- A requester is any person making a request for access to a record of TFS. There are two types of requesters :

9.1 PERSONAL REQUESTER

- A personal requester is a requester who is seeking access to a record containing personal information about the requester.
- Subject to the provisions of the Act and applicable law, TFS will provide the requested information, or give access to any record with regard to the requester’s personal information. The prescribed fee for reproduction of the information requested will be charged.

9.2 OTHER REQUESTER

- This requester (other than a personal requester) is entitled to request access to information on third parties. However, TFS is not obliged to grant access. The requester must fulfill the prerequisite requirements for access in terms of the Act and the Protection of Personal Information Act, 2013; including the payment of a request and access fee.

10. FEES

- The Act provides for two types of fees, namely :
 - A request fee, which will be a standard fee; and
 - An access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.
- When the 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 (if any), before further processing of the request.
- If the search for the record has been made and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the Information Officer shall notify the requester to pay as a deposit, the prescribed portion of the Access fee which would be payable if the request is granted.
- The Information Officer shall withhold a record until the requester has paid the fees as indicated in Appendix 2.
- A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.
- 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.

11. DECISION

- TFS will, within 30 days (excludes weekends & public holidays) of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.
- The 30 day period with which TFS has to decide whether to grant or refuses to request, may be extended for a further period of not more than thirty days if the request is for a large number of information or the request requires a search for information held at another office of TFS and the information cannot reasonably be obtained within the original 30 day period. The Bank will notify the requester in writing should an extension be sought.

12. AVAILABILITY OF THE MANUAL

- This manual is made available in terms of Regulation Number R.187 of 15 February 2002.
- The manual of TFS is available on the following websites:
 - <http://toyota.co.za/toyota-finance>

PRESCRIBED FORM TO BE COMPLETED BY A REQUESTER

FORM C

REQUEST FOR ACCESS TO RECORDS OF PRIVATE BODY

(Section 53(1) of the Promotion of Access to Information Act, No 2 of 2000)
 (PROTECTION OF PERSONAL INFORMATION Act, 2013)

(Regulation 10)

A. Particulars of private body

The Head:

B. 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 :

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 be completed only if a request for information is made on behalf of another person

Full Names and Surname:

Identity Number:

D. 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) *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 folio's.***

1. Description of the Record or relevant part of the record:

2. Reference number, if available:

3. Any further particulars of the record:

E. Fees:

- (a) *A request for access to a record, other than 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 the access is required and the reasonable time required to search for and prepare a record.*
- (d) *If you qualify for exemption of the payment of any fee, please state the reason therefore.*

Reason for exemption of payment of the fee:

F. Form of Access to the 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 :				
	View the images		Copy of the images * Transcription of the images*	
3. If the 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 the 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
A postal fee is payable.				

G. 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.
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1. Indicate which right is to be exercised or protected:

2. Explain why the requested record is required for the exercising or protection of the aforementioned right.

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 thereof 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 _____ 20 _____

SIGNATURE OF REQUESTER / PERSON
ON WHO'S BEHALF REQUEST IS MADE

REPRODUCTION FEES

Where TFS has voluntarily provided the Minister with a list of categories or records that will automatically be made available to any person requesting access thereto, the only charge that may be levied for obtaining such records, will be a fee for reproduction of the record in question.

THE APPLICABLE FEES FOR REPRODUCTION AS REFERRED TO ABOVE IS:

	R
• For every photocopy of an A4-size page or part thereof	1.10
• For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form	0.75
• For a copy in a computer-readable form on :	
o Compact Disc	70.00
• A transcription of visual images, for an A4-size page or part thereof	40.00
• For a copy of visual images	60.00
• A transcription of an audio record, for an A4-size page or part thereof	20.00
• For a copy of an audio record	

Request fees:

Where a requester submits a request for access to information held by a Bank on a person other than the requester himself / herself, a request fee in the amount of R 50.00 is payable up-front before TFS will further process the request received.

Access fees:

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 specially excluded in terms of the Act or an exclusion is determined by the Minister in terms of Section 54 (8).

The applicable access fees which will be payable are:

	R
• For every photocopy of an A4-size page or part thereof	1.10
• For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form	0.75
• For a copy in a computer-readable form on :	
o Compact Disc	70.00
• A transcription of visual images, for an A4-size page or part thereof	40.00
• For a copy of visual images	60.00
• A transcription of an audio record, for an A4-size page or part thereof	20.00
• For a copy of an audio record	30.00
• To search for a record that must be disclosed (- per hour or part of an hour reasonably required for such search)	30.00
• Where a copy of a record needs to be posted, the actual postal fee is payable.	

Deposits:

Where TFS receives a request for access to information held on a person other than the requester himself / herself and the Information Officer upon receipt of the request is of the opinion that the preparation of the required record of disclosure will take more than 6 (six) hours, a deposit is payable by the requester.

The amount of the deposit is equal to 1/3 (one third) of the amount of the applicable access fee.

Note: In terms of Regulation 8, Value Added Tax (VAT) must be added to all fees prescribed in terms of the Regulations.

RECORDS KEPT IN TERMS OF APPLICABLE LEGISLATION

- B
 - Basic Conditions of Employment Act, 75 of 1997
 - Broad-Based Black Economic Empowerment Act, 53 of 2003
- C
 - Companies Act, No. 71 of 2008
 - Compensation for Occupational Injuries and Diseases Act, No. 130 of 1993
 - Consumer Protection Act, No 68 of 2008
- E
 - Electronic Communication and Transaction Act, No. 25 of 2005
 - Electronic Communications Act 36 of 2005
 - Employment Equity Act 55 of 1998
- F
 - Financial Advisory and Intermediary Services Act, No 37 of 2002
 - Financial Intelligence Centre Act, No 38 of 2001
- I
 - Income Tax Act, No. 58 of 1962,
 - Insolvency Act 24 of '936
- L
 - Labour Relations Act, No. 66 of 1995
- N
 - National Credit Act 34 of 2005
- O
 - Occupational Health and Safety Act, No. 85 of 1993
- P
 - Prescription Act, No.68 of 1969
 - Prevention of Organised Crime Act, No.121 of 1998
 - Prevention and Combating of Corrupt Activities Act, No.12 of 2004
 - Protection of Personal Information Act, No.4 of 2013
 - Promotion of Access to Information Act, No.2 of 2000
 - Promotion of Equality and Prevention of Unfair Discrimination Act, No.4 of 2000 (*as amended*)
 - Protected Disclosures Act, No.26 of 2000
- R
 - Regulation of Interception of Communications and Provision of Communication-related Information Act, No.70 of 2002
- S
 - Skills Development Act, No.97 of 1998
 - Skills Development Levies Act, No.9 of 1999
 - South African Revenue Services Act, No.34 of 1997
- T
 - Tax Administration Act 28 of 2011
 - Tax Administration Laws Amendment Act 44 of 2014
- U
 - Unemployment Insurance Act, No. 63 of 2002
- V
 - Value Added Tax Act, No. 89 of 1991