



**Hallmark Professional Solutions CC  
Registration Number 2007/037955/23**

**MANUAL**

**in terms of**

**The Promotion of Access to Information Act 2/2000**

**(the "ACT")**

**July 2019**

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## 1. INTRODUCTION

Hallmark Professional Solutions conducts business as a Long Term Insurance Broker. We are an Authorized Service Provider in terms of the Financial Advisory & Intermediary Service Act. Our FSP license number is FSP 6850.

## 2. COMPANY CONTACT DETAILS

Persons designated/duly authorised persons:

Directors/Member/Sole Proprietor:	Robert McGowan
Office Manager:	Robert McGowan
Postal Address:	P O Box 68383, Bryanston, 2021, South Africa Street
Address:	Regus Building, Wedgefield Office Park Block A, 17 Muswell Road South, Bryanston, Johannesburg, SA
Telephone Number:	011 781 0281
Fax Number:	086 635 7063
E-mail address:	rob@hallmarkpro.co.za
Website:	www.hallmarkpro.co.za

## 3. THE ACT

- 3.1. The ACT grants a requester access to records of the private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.
- 3.2. Requests in terms of the ACT shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7.
- 3.3. Requesters are referred to the Guide to be compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The contact details of the Commission are:

Postal Address:	Private Bag 2700, Houghton, 2041
Telephone Number:	+27-11- 877 3600
Fax Number:	+27-11- 403 0625
Website:	

#### 4. APPLICABLE LEGISLATION

No	Ref	Act
1	No 61 of 1973	Companies Act
2	No 98 of 1978	Copyright Act
3	No 55 of 1998	Employment Equity Act
4	No 95 of 1967	Income Tax Act
5	No 66 of 1995	Labour Relations Act
6	No 89 of 1991	Value Added Tax Act
7	No 37 of 2002	Financial Advisory and Intermediary Services Act
8	No 75 of 1997	Basic Conditions of Employment Act
9	No 69 of 1984	Close Corporations Act
10	No 25 of 2002	Electronic Communications and Transactions Act
11	No 2 of 2000	Promotion of Access of Information Act
12	No 30 of 1996	Unemployment Insurance Act

#### 5. ACCESS TO RECORDS AND AVAILABILITY

The head of Hallmark Professional Solutions –

- 5.1. must, during office hours and upon request, make available for public inspection a copy of the manual;
- 5.2. may not charge a fee for a public inspection referred to in paragraph (5.1); and
- 5.3. may, in respect of a copy of the manual or part thereof made available in a manner other than that contemplated in paragraph(5.1), charge the fee prescribed in Item 1 of Part III of Annexure A and the actual postage if a copy must be posted.”.

Records

##### PUBLIC AFFAIRS

- Public Product Information
- Public Corporate Records
- Media Releases

##### COMPANIES ACT RECORDS

1. Documents of incorporation
2. Memorandum and Articles of Association
3. Minutes of Board of Directors meetings
4. Records relating to the appointment of directors/ auditor/ secretary/ public officer and other officers
5. Share Register and other statutory registers

#### FINANCIAL RECORDS

1. Annual Financial Statements
2. Tax Returns
3. Accounting Records
4. Banking Records
5. Bank Statements
6. Paid Cheques
7. Electronic banking records
8. Asset Register
9. Rental Agreements
10. Invoices

#### INCOME TAX RECORDS

1. PAYE Records
2. Documents issued to employees for income tax purposes
3. Records of payments made to SARS on behalf of employees
4. All other statutory compliances:
  - o VAT
  - o Regional Services Levies
  - o Skills Development Levies
  - o UIF
  - o Workmen's Compensation

#### PERSONNEL DOCUMENTS AND RECORDS

1. Employment contracts
2. Employment Equity Plan (if applicable)
3. Medical Aid records
4. Pension Fund records
5. Disciplinary records
6. Salary records

7. SETA records
8. Disciplinary code
9. Leave records
10. Training records
11. Training Manuals

#### MARKETING

1. Market Information
2. Public Customer Information:
  - a. Product Brochures
  - b. Owner Manuals
3. Field Records
4. Performance Records
5. Product Sales Records
6. Marketing Strategies
7. Customer Database

#### Dealer Franchise Documents

#### SUBJECTS ON WHICH RECORDS ARE KEPT–

Clients / Policyholders / Service Providers and Product Suppliers of Hallmark Professional Solutions.

#### Products and Services:

Long-term insurance products, Retirement annuities, Pension Funds

Savings products, Trust services, Investment and risk products to groups and schemes.

All these records are kept in terms of legislation applicable to any of the above products or services and the Financial Services Industry in general

#### 6. FORM OF REQUEST

The requester must complete Form C and submit this form together with a request fee, to the head of the private body.

The form must be submitted to the head of the private body at his/ her address, fax number, or electronic mail address.

The form must: provide sufficient particulars to enable the head of the private body to identify the record/s requested and to identify the requester:

- Indicate which form of access is required,
- Specify a postal address or fax number of the requester in the Republic,
- Identify the right that the requester is seeking to exercise or protect,
- And provide an explanation of why the requested record is required for the exercise or protection of that right,
- If in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, to state that manner
- And the necessary particulars to be informed in the other manner,
- If the request is made on behalf of another person, to submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of the head of the private body.

## 7. PRESCRIBED FEES

The following applies to requests (other than personal requests):

- 7.1. requestor is required to pay the prescribed fees (R50.00) before a request will be processed;
- 7.2. If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);
- 7.3. A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- 7.4. Records may be withheld until the fees have been paid.
- 7.5. The fee structure is available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at [www.sahrc.org.za](http://www.sahrc.org.za), or the website of THE DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT (under regulations) at <http://www.doj.gov.za/>

Signed on this day 22<sup>nd</sup> July 2019.

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Name: Robert McGowan  
Hallmark Professional Solutions CC