

INFORMATION MANUAL

FOR

RMB ASSET MANAGEMENT (PTY) LIMITED

REGISTRATION NO 1987/004655/07

AND

FIRSTRAND ALTERNATIVE INVESTMENT MANAGEMENT (PTY) LIMITED

REGISTRATION NO 2007/004246/07

**PUBLISHED IN ACCORDANCE WITH SECTION 51 OF THE PROMOTION OF
ACCESS TO INFORMATION ACT, NO 2 OF 2000**

LAST UPDATED: 11 JULY 2011

INTRODUCTION

The Promotion of Access to Information Act No. 2 of 2000 ("the Act") was promulgated on 3 February 2000, giving effect to the constitutional right of access to information held by the State and information held by other persons which information is required for the exercise or protection of rights as enshrined in the Constitution. Where a request is made in terms of the Act, the body to whom the request is made is legally obliged to release the information, except in instances where the Act expressly provides that the information may not be released.

PURPOSE OF THE MANUAL

This information manual ("manual") provides an outline of the types of records held by RMB Asset Management (Pty) Limited and/or FirstRand Alternative Investment Management (Pty) Limited and explains how one may submit requests for access to these records in terms of the Act.

The Act gives effect to everyone's constitutional right to access to information held by private sector bodies or public bodies. The aim of the Act is to foster a culture of transparency and accountability. Section 9 of the Act, recognises that such right to access to information cannot be unlimited though and should be subject to justifiable limitations, including but not limited to:

- limitations aimed at the reasonable protection of privacy;
- commercial confidentiality;
- effective, efficient and good governance; and

in a manner which balances that right with any other rights.

Wherever reference is made to "institution" in this manual, it will refer to RMB Asset Management (Pty) Limited and FirstRand Alternative Investment Management (Pty) Limited for whom this manual has been adapted and compiled.

A guide to the Act is available from the South African Human Rights Commission ("SAHRC") website: www.sahrc.org.za.

Any queries regarding this guide should be directed to:

The South African Human Rights Commission
PAIA Unit
The Research and Documentation Department

Private Bag X2700, Houghton, 2041

Telephone Number: +27 11 484 8300

Facsimile Number: +27 11 484 1360

E-mail: PAIA@sahrc.org.za

AVAILABILITY OF THIS MANUAL

You, the requester, can access this manual on our www.rmbam.co.za website or by requesting a copy from the institution's Information Officer as provided for below.

INFORMATION OFFICER'S CONTACT DETAILS

Ms. Gigi Vorlaufer

Postal Address: Private Bag 9959, Sandton, 2146
Physical Address: 7 Merchant Place, Fredman Drive, Sandton, 2196
Telephone number: +27 11 505 1426
Fax: +27 86 573 7426
E-Mail: gvorlaufer@rmbam.co.za

RECORDS HELD BY THE INSTITUTION

The institution maintains records on the following categories and subject matters. However, please note that recording a category or subject matter in this manual does not imply that a request for access to such records will be granted. All requests for access will be evaluated on a case-by-case basis in accordance with the provisions of the Act.

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

Personnel Records

- Personal records provided by personnel;
- 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; and
- Training schedules and material.

"Personnel" refers to any person who works for, or provides services to or on behalf of the institution, and receives or is entitled to receive remuneration and any other person who assists in carrying out or conducting the business of the institution. This

includes, without limitation, directors (executive and non-executive), all permanent staff, temporary staff and contract workers.

Client Related Records

- Records provided by a client to a third party acting for or on behalf of the institution;
- Records provided by a third party;
- Records generated by or within the institution relating to its clients, including transactional records.

A “client” refers to any natural or juristic entity that receives services from the institution.

Private Body Records

- Financial records;
- Operational records;
- Databases and other intellectual property;
- Information Technology;
- Marketing records;
- Internal correspondence;
- Product records;
- Statutory records;
- Internal policies and procedures;
- Treasury-related records;
- Securities and instruments; and
- Records held by officials of the institution.

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

Other Party Records

- Personnel, client or private body records which are held by another party, as opposed to the records being held by the institution itself;
- Records held by the institution 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.

The institution may possess records pertaining to other 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 the institution.

GROUNDINGS FOR REFUSAL OF ACCESS TO RECORDS

Are you entitled to use the Act to request access?

The main grounds for refusing 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; or

- 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; and
 - ✓ information disclosed in confidence by a third party to the institution, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition; or
- mandatory protection of confidential information of third parties if it is protected in terms of any agreement; or
- mandatory protection of the safety of individuals and the protection of property; or
- mandatory protection of records which would be regarded as privileged in legal proceedings; or
- the commercial activities of the institution, which may include:
 - ✓ trade secrets of the institution;
 - ✓ financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of the institution;
 - ✓ information which, if disclosed could put the institution at a disadvantage in negotiations or commercial competition; and
 - ✓ a computer program which is owned by the institution, and which is protected by copyright; or
- the research information of the institution or a third party, if its disclosure would disclose the identity of the institution, 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.

The Act provides that the record requested must be in our possession or under our control. Therefore, even if a record was created by the institution or at some point was in the institution's possession (but is no longer in the institution's control at the time of your request), you must seek access to the record from the party under whose possession or control it is.

REMEDIES AVAILABLE WHEN THE INSTITUTION REFUSES A REQUEST FOR INFORMATION

Internal Remedies

The institution does not have internal appeal procedures. As such, any decision made by the Information Officer is final, and requesters will have to exercise such

external remedies at their disposal if the request for information is refused, and the requester is not satisfied with the answer supplied by the Information Officer.

External Remedies

A requester 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 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 for relief. For purposes of the Act, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status.

HOW TO SUBMIT A REQUEST FOR ACCESS

- The requester must complete the prescribed form attached to this manual in Appendix 1, and submit it as well payment of a request fee and an access fee, if applicable, to the Information Officer at the postal or physical address, fax number or electronic mail address as stated above.
- The prescribed form must be filled in with enough particularity to enable the Information Officer to identify -
 - ✓ The record or records requested;
 - ✓ The identity of the requester;
 - ✓ Which form of access is required, if the request is granted; and
 - ✓ The postal address or fax number of the requester.
- The requester must state that he/she requires the information in order to exercise or protect a right, and clearly state what the nature of the right is. In addition, the requester must clearly specify why the record is necessary to exercise or protect such a right.
- The institution will process the request within 30 days, unless the requester 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 whether access has been granted or denied in writing. If, in addition, the requester requires the reasons for the decision, he/she must state 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, he/she may make the request orally.
- The requester must pay the prescribed fee, before any further processing can take place.

ACCESS TO RECORDS HELD BY THE INSTITUTION

- Records held by the institution may be accessed by requests only once the prerequisite requirements for access have been met.
- A requester is any person making a request for access to a record of the institution. There are two types of requesters:

Personal Requester

Personal requester is a requester who is seeking access to a record containing personal information about the requester. The institution will voluntarily 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.

Other Requester

This requester is entitled to request access to information on third parties. However, the institution is not obliged to voluntarily grant access. The requester must fulfil the prerequisite requirements for access in terms of the Act, including the payment of a request and access fee.

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, the Information Officer will 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 a search for the record has been made and the preparation of the record for disclosure, including an arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the Information Officer will 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 will 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 will repay the deposit to the requester.

DECISION

- The institution will, within 30 days 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 the institution has to decide whether to grant to refuse the request, may be extended for a further period of not more than 30 days if the request is for a large amount of information, or the request requires a search for information held at another office of the institution and the information cannot reasonably be obtained within the original 30 day period. The institution will notify the requester in writing should an extension be sought.

REQUEST FOR ACCESS TO RECORDS OF A PRIVATE BODY

This Appendix must accompany the cover letter addressed to the relevant Information Officer

A. Particulars of private body

The RMB Asset Management / FirstRand Alternative Investment Management
Information Officer

Gigi Vorlauffer

7 Merchant Place

Fredman Drive

Sandton

Fax: + 27 86 573 7426

E-mail: gvorlauffer@rmbam.co.za

B. Particulars of person requesting access to the record

- (a) *The particulars of the person who requests access to the record must be given below.*
- (b) *The address and/or fax number in the Republic to which information is to be sent must be given.*
- (c) *Proof of the capacity in which the request is made, if applicable, must be attached.*

Full names and surname:

Identity number:

Postal address:

Fax number:

Telephone 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 folios.*

Description of record or relevant part of the record:

Reference number, if available:

Any further particulars of record:

E. Fees

- | |
|---|
| <p>(a) <i>A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.</i></p> <p>(b) <i>You will be notified of the amount of the request fee.</i></p> <p>(c) <i>The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.</i></p> <p>(d) <i>If you qualify for exemption of the payment of any fee, please state the reason therefore.</i></p> |
|---|

Reason for exemption of payment of fees:

F. Form of Access to the Record

<p><i>If you are prevented by a disability to read, view or listen to the record in the form of access provided for hereunder, state your disability and indicate in which form the record is required.</i></p>

Disability: <hr/> <hr/> <hr/>	Form in which record is required: <hr/> <hr/> <hr/>
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Mark the appropriate box with an X.

NOTES:

- (a) Compliance with your request in the specified form may depend 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 record consists of visual images: this includes photographs, slides, video recordings, computer-generated images, sketches, etc.			
	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 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.

Indicate which right is to be exercised or protected:

Explain why the record requested 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 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 _____ on this _____ day of _____ 2011

Signature of requester / person on whose
behalf request is made

FEES IN RESPECT OF PRIVATE BODIES

	R
Fee for the copy of the manual:	1,10
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:	
- Stiffy disc	7,50
- 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

Request fees:

Where a requester submits a request for access to information held by an institution on a person other than the requester himself/herself, a request fee in the amount of R50,00 is payable up-front before the institution 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:	
- Stiffy disc	7,50

- 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:	30,00

(Per hour or part of an hour reasonably required for such search)

Where a copy of a record needs to be posted the actual postal fee is payable.

Deposits

Where the institution 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.