



中国建设银行
China Construction Bank

Johannesburg Branch

(Incorporated in the People's Republic of China)

China Construction Bank Corporation
Manual in terms of
Section 51 of the
Promotion of Access to Information Act
2 of 2000



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1. Introduction

China Construction Bank Corporation, Johannesburg (CCB-JHB) is registered as a 'Bank' in terms of the Banks Act no 94 of 1990. The Bank's service offering includes building a business focusing on bilateral loans (including CCB domestic guaranteed loans), syndication loans, trade finance, project finance, Renminbi service, FX trade and settlements. The business targets clients in the integrated energy, communication, mining, financial services, trading, logistics, manufacturing and media industries in 47 countries in the sub Saharan region, providing multi facet services to our clients.

2. Contact Details and General Information

All requests for access to records in terms of the Promotion of Access to Information Act (PAIA Act) from CCB-JHB must be in writing and must be addressed to the department designated by the General Manager to receive requests; the Compliance Department, using the contact details below:

CCB-JHB- Compliance Department

Company Registration Number: 2000/011198/10

Postal Address: Private Bag X10007,
Sandton,
2146

Physical Address: Fifth Floor, China Construction Bank Johannesburg,
95 Grayston Drive,
Morningside,
2196

Tel: (011) 520 9400

Email: compliance@ccbjhb.co.za

Website: za.ccb.com



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3. The Promotion of Access to Information Act

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 Constitutional Rights. The Act sets out the procedures attached to such request, the requirements which a requester must meet, as well as the grounds for refusal or partial refusal of such request. If a public body lodges a request, the public body must be acting in the public interest.

CCB-JHB has compiled this manual in order to inform requesters of the procedure to be followed when requesting records, ensuring the protection of any rights, and inform the requestor of any other requirements which they must meet, as prescribed by the Act, when requesting records.

4. Guide of the South African Human Rights Commission

4.1 Requesters are referred to section 10 of the Guide compiled by the South African Human Rights Commission (SAHRC), which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.

4.2 The contact details of the Commission are as follows:

Postal Address: Private Bag 2700, Houghton, 2041

Telephone Number: +27-11-877 3600

Fax Number: +27-11-403 0625

Website: www.sahrc.org.za

5. Applicable Legislation

The below table sets out a list of legislation in accordance with which records of CCB-JHB are available.

No.	Legislation
1.	Banks Act, No 94 of 1990
2.	Financial Intelligence Centre Act 2001 (as amended)
3.	Currencies and Exchanges Act, No. 9 of 1993 (Exchange Control Rulings, Exchange Control Regulations)



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4.	National Payment System Act.
5.	Financial Markets Act (OTC Derivative Regulation)
6.	Companies Act, No. 71 of 2008
7.	Protection of Personal Information Act 4 of 2013
8.	Labour Relations Act, No 66 of 1995 and amendments
9.	Basic Conditions of Employment Act, No. 57 of 1997
10.	Electronic Communications and Transactions Act
11.	Occupational Health and Safety Act, No. 85 of 1993
12.	Income Tax Act, No. 58 of 1962
13.	Employment Equity Act, No. 55 of 1998
14.	Compensation of Occupational Injuries and Diseases Act, No. 130 of 1993
15.	Financial sector code read with Broad Based Black Economic Empowerment Act, No. 53 of 2003

6. Categories of Records

Records are categorized and sub-divided into the following categories:

- those that are voluntarily disclosed and automatically available to the public by a private body;
- personnel records;
- client related records;
- CCB-JHB's internal records; and
- other party records.

6.1 Voluntary Disclosed and Automatically Available Records

- a. This category of records are automatically available without a person being required to request access in terms of the Act. Such records are available on CCB-JHB's website, for example:
 - i. Public product information
 - ii. PAIA Manual
 - iii. Public Corporate Records
 - iv. Media Releases

6.2 Personnel Records

- a. Personal records provided by personnel
- b. Records acquired from a third party relating to personnel,
- c. Employment contracts relating to personnel,
- d. Internal performance records of personnel,



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- e. Training schedules and material

6.3 Client Related Records

- a. Personal Records provided by a client to CCB-JHB for transactional purposes;
- b. Records provided by a third party;
- c. Records generated by CCB-JHB within China Construction Bank, Head Office systems and its Branches, relating to the client, including transactional records.

6.4 CCB-JHB Internal Records

- a. Financial Records
- b. Operational Records
- c. Databases and internal systems Records
- d. Information Technology Records
- e. Product Records
- f. Statutory Records
- g. Internal policies and procedures Records
- h. Treasury related Records
- i. Service providers Records

6.5 Other Party Records

- a. Records held by CCB-JHB pertaining to other parties, including but not limited to, financial records, correspondence, contractual records, records provided by another other party or records third parties have provided about contractors or suppliers.
- b. Personnel or client records held by a third party, on behalf of CCB-JHB.

7. Request Procedure

All requests for records made by a requester must comply with the guidelines set out below, which have been set out in line with requirements of the PAIA Act, relating to the request for records:

- 7.1 The requester must complete the prescribed form enclosed herein (Form C- Annexure A) and submit same with the prescribed fee for requesting records, if applicable, to the CCB-JHB Compliance Department on the address stated in paragraph 2 above.
- 7.2 The request must be addressed to the CCB-JHB Compliance Department as the Designated Information Officer.
- 7.3 The prescribed form must be completed in detail in order to allow the Information Officer to identify :
 - a. The record (s) requested;



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- b. The identity of the requester;
- c. The form of access as required;
- d. The contact details of the requester; and
- e. The right which the requester is seeking to exercise or protect, with an explanation of the reason the record is required to exercise or protect the right.

Access to records will only be considered once the full payment of the prescribed fee has been received from the requester, thereafter, CCB-JHB will respond to the request for records within 30 days.

8. Grounds for Refusal of Access to Records

CCJ-JHB has a legal right to refuse access to records which a requester has requested on the following grounds:

- 8.1 Mandatory protection of privacy of a third party, who is natural person, if the disclosure of a record would involve the unreasonable disclosure of personal information about the third party, including a deceased individual;
- 8.2 Mandatory protection of commercial information of a third party, if the request includes trade secrets, information supplied in confidence by the third party and financial, commercial, scientific or technical information of the third party, which the disclosure thereof would cause harm to the commercial or financial interest of that third party;
- 8.3 Mandatory protection of certain confidential information of a third party, which if it is disclosed would constitute an action for breach of duty of confidence owed to the third party in terms of an agreement;
- 8.4 Mandatory protection of safety of individuals, and protection of property where the disclosure could be reasonably expected to endanger the life or physical safety of an individual;
- 8.5 Commercial information of China Construction Bank Corporation;
- 8.6 Mandatory protection of records privileged from production in legal proceedings; and
- 8.7 Mandatory protection of research information of a third party, and protection of research information of CCB-JHB.

9. Availability of Manual

A copy of this manual shall be available on CCB-JHB's website as stated below:

za.ccb.com



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10. Fees in Respect of Private Bodies

- 10.1** The fee for a copy of the manual as contemplated in regulation 9(2)(c) of the Regulations is R1,10 for every photocopy of an A4-size page or part thereof.
- 10.2** The fees for reproduction referred to in regulation 11(1) are as follows:
- a) For every photocopy of an A4-size page or part thereof R1,10;
 - b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form R0,75;
 - c) For a copy in a computer-readable form on –
 - i. stiffy disc R7,50
 - ii. compact disc R70,00;
 - d) For a transcription of visual images, for an A4-size page or part thereof R40,00;
 - e) For a copy of visual images R60,00;
 - f) For a transcription of an audio record, for an A4-size page or part thereof R20,00;
 - g) For a copy of an audio record R30,00;
- 10.3** The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50, 00.
- 10.4** The access fees payable by a requester referred to in regulation 11(3) are as follows:
- a) For every photocopy of an A4-size page or part thereof R1,10;
 - b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form R0, 75;
 - c) For a copy in a computer-readable form on –
 - i. stiffy disc R7,50
 - ii. compact disc R70,00;
 - d) For a transcription of visual images, for an A4-size page or part thereof R40,00;
 - e) For a copy of visual images R60,00;
 - f) For a transcription of an audio record, for an A4-size page or part thereof R20,00;
 - g) For a copy of an audio record R30,00;
 - h) To search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation.
- 10.5** For purposes of section 54(2) of the Act, the following applies:
- (a) Six hours, as the hours to be exceeded before a deposit is payable; and
 - (b) one third of the access fee is payable as a deposit by the requester.



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- 10.6 The actual postage is payable when a copy of a record must be posted to a requester.

11. Contravention of Procedure

- 11.1. All employees are required to adhere to this procedure. Contraventions of this procedure will be viewed in a serious light and is subject to internal disciplinary action, the outcome of which may include dismissal.