



PROMOTION OF ACCESS TO INFORMATION MANUAL
Compiled in terms of Section 51 of the
Promotion of Access to Information Act, 2 of 2000 ('the Act')

State Bank of India

South Africa Operations

PAIA- 2022-2023

Version Number	2
Applicable for Year	2022-2023

Document Information

Document Owner	Information Officer, State Bank of India, Johannesburg Bank Branch, South Africa
Document Prepared By	Chief Compliance Officer South Africa
Document Reviewed By	Branch Compliance Committee
Document Approved By	Compliance/ Risk Management Committee

Contents

1. PURPOSE OF THE MANUAL	4
2. STATE BANK OF INDIA CONTACT DETAILS	4
3. STATE BANK OF INDIA PRIVACY PRACTICES	5
4. CATEGORIES OF RECORDS	6
5. CONSIDERATIONS BEFORE SUBMITTING A REQUEST	7
6. REQUEST PROCEDURE.....	8
7. TIMELINES FOR CONSIDERATION OF THE REQUEST	9
8. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS.....	9
9. REMEDIES AVAILABLE TO A REQUESTOR ON REFUSAL OF ACCESS	9
ANNEXURE 1:.....	10
ANNEXURE 2:.....	14

1. Purpose of the manual

This guide to accessing records held by State Bank of India is intended to provide guidelines to members of the public who wish to exercise their constitutional right to access to information.

This manual will provide information on how a request may be lodged; a description of the types of records that will be made available; grounds for refusal; what procedure will be followed in considering the request; the applicable fee structure; and information on the appeals procedure should the requestor of the information not be satisfied with the outcome request.

Further guidance from the South African Human Rights Commission

The South African Human Rights Commission ('SAHRC') is required by legislation to provide a guide to the Act. Further information is available from the SAHRC at:

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

Postal Address:	Private Bag 2700 Houghton 2041
Telephone:	+27 011 484 8300
Fax:	+27 011 484 1360
Website:	www.sahrc.org.za
Email:	paia@sahrc.org.za

2. State Bank of India contact details

Information Officer: Chief Operating Officer

Physical Address: 11 Cradock Avenue
Rosebank
Johannesburg

Postal: PO Box 2538
Saxonworld
2132

Tel: +27 011 778 4500

Fax: +27 011 788 6769

Email: mgrbanking.rsa@statebank.com
Website: za.statebank

Deputy Information Officer: Chief Compliance Officer

Physical Address: 11 Cradock Avenue
Rosebank
Johannesburg

Postal: PO Box 2538
Saxonworld
2132

Tel: +27 011 778 4500
Fax: +27 011 788 6769
Email: compliance.rsa@statebank.com
Website: za.statebank

3. State Bank of India Privacy Practices

We collect personal or other information to:

- Meet our responsibilities to customers, employees and other natural or juristic persons;
- Follow client instructions;
- Inform our clients of new services; and
- Make sure our business suits our clients' needs.

Personal information may be received from or provided to:

- Any regulatory authority (like the SARB, FIC, FSCA, NCR) and the regulators they appoint for the various financial sectors
- Comply with any regulation passed under the relevant legislation; or any legal process
- Protect and defend SBI's rights and property
- Protect public interest
- Third party service providers in order to uphold contractual obligations or service customers.

Trans border information flows

SBI may share with or receive personal information from parties as set out above, where these parties reside outside of the Republic of South Africa. All operations are required to abide by SBI's policies, procedures and guidelines, regardless of legislative requirements for data protection in these countries.

Employee personal information may be received from or provided to:

- Pension / provident funds and/or their trustees

- Medical aid funds
- Recruitment companies
- Credit bureau

Our security practices

- We are committed and obliged to implement all reasonable controls to safeguard access to our clients’ and employees’ personal information.
- Where third parties are required to process your personal information in relation to the purpose set out in this manual and for other legal requirements, we ensure that they are contractually bound to apply appropriate security practices

4. Categories of records

Information available on request

State Bank of India has under its control or in its possession the following categories of records under the subjects described below. The categories of records are not exhaustive and are subject to amendment from time to time. A request made for access to these records will not be automatically granted, but will be evaluated in accordance with the provisions of the Act, any other legal requirements and State Bank of India’s policies.

Record category	Record category description
Accounting	<ul style="list-style-type: none"> • Formal books of account and financial statements • Source documents
Company secretarial	<ul style="list-style-type: none"> • Banking • Credit provision • Financial advisory and intermediary services • Forex Investment business • Long-term, Short-term Deposits
Client records	<ul style="list-style-type: none"> • Banking and deposit-taking (includes FICA) • Deceased clients • Insolvent clients • Securities services (General)
Human resources	<ul style="list-style-type: none"> • Statutory employee records • Other employee records
Health and safety	<ul style="list-style-type: none"> • Electrical installations • Construction administration and safety • Fire equipment

	<ul style="list-style-type: none"> • Elevators
National payment systems	<ul style="list-style-type: none"> • Records obtained by 'system participants' during the course of the operation and administration of the settlement system. • Records of payment instructions generated and/or obtained. • Records obtained during the course of operation and administration of a payment or Reserve Bank settlement system.

Records automatically available

The following categories of records are automatically available for inspection. This information does not need to be requested in terms of the Act.

These categories are:

- Any promotional material for public viewing
- Posters
- Campaigns
- Product information

Requests for this information may be made through the Information Officer.

Records available under any other legislation

Details of the records that are available under other legislation are attached to this manual as Annexure2.

5. Considerations before submitting a request

Before a formal request for access is submitted by a client or third party, the following need to be considered:

Is the requestor of the information submitting the request for the exercise or protection of his/her legitimate rights?

The exercise of your rights is subject to justifiable limitations, including the reasonable protection of privacy, commercial confidentiality and effective, efficient and good governance. This legislation may not be used for access to a record for criminal or civil proceedings, or requested after the commencement of such proceedings.

Is the information that is required in record form, and under the control of State Bank of India?

This Act only applies to records that have already been created, at the date of the request, and that are under the control of State Bank of India. State Bank of India is not obliged to retrieve any records on behalf a third party that are no longer under its control, even where State Bank of India created the record.

Does the requestor of the information have a legitimate right to access the record?

A request may only be made to exercise the requestor's own right. Or where the request is made on behalf of another person, the requestor must submit proof of his/her capacity to act on behalf of the person in whose name the request is made. For example, a power of attorney must be submitted with the request where a legal representative makes the request on behalf of his/her client.

6. Request procedure

If the requestor of the information is satisfied that he/she is entitled to make a request for access to records under this Act, the procedure outlined below must be followed:

Request form

No application will be considered unless it is completed on the request form in Annexure 1 to this manual. The completed form may be submitted to the Information Officer or the Deputy Information Officer by using the details described in clause 3 above.

It should be ensured that sufficient information is provided to enable us to establish:

- The record requested;
- The proof of identity of the requestor
- The form of access required, if the request is granted; and
- The contact details of the requestor

Definition of rights

A full description of the rights which the requestor of the information seeks to protect in line with the considerations outlined in clause 5.1 above must be provided.

Payment of the prescribed fees:

There are two types of fees:

- Request fee: R50
- Access fee: This is calculated by taking into account reproduction costs, search and preparation costs, as well as postal costs.

The requestor will be notified where the Information Officer requires a deposit (calculated from the access fee) and subsequent balance of the access fee. The information Officer will release the record on full payment. Where a deposit has been taken and the request has subsequently been refused, the Information Officer will refund the deposit to the requestor.

Deposits paid by a requestor will be refunded if the request is refused.

7. Timelines for consideration of the request

- Requests will be processed within 30 days, unless the request contains considerations that are of such a nature that an extension of the 30-day time limit is needed.
- Should an extension be needed, the person requesting the information will be notified, together with reasons explaining why the extension is necessary.

8. Grounds for refusal of access to records

The main grounds on which State Bank of India could refuse access to records (as per Chapter 4 {section 33-46} of the Promotion of Access to Information Act, 2 of 2000) relate to the mandatory protection of:

- a. the privacy of a third party who is a natural person;
- b. the commercial information of a third party;
- c. certain confidential information of a third party;
- d. the safety of individuals and safety of property;
- e. records privileged from production in legal proceedings;
- f. commercial information of State Bank of India, which may include without limitation –
 - i. trade secrets;
 - ii. financial, commercial, scientific or technical information; the disclosure of which could likely harm the financial or commercial interests of State Bank of India;
 - iii. information that, if disclosed, could put State Bank of India at a disadvantage in negotiations or commercial competition; and
 - iv. computer programs and related information technology software that are owned by State Bank of India and that are protected by copyright; and
- v. research information compiled by State Bank of India or a third party, if disclosure would expose the third party, the researcher or the subject matter of the research to serious disadvantage.

g. Requests for access to records that are clearly frivolous or vexatious, or that involve an unreasonable diversion of resources, will be refused.

9. Remedies available to a requestor on refusal of access

State Bank of India does not have any internal appeal procedures that may be followed after a request to access information has been refused. The decision made by the Information Officer or deputy Information Officer is final. In the event that the requestor of the information is not satisfied with the outcome of his/her request, he/she is entitled to apply to a court of competent jurisdiction to take the matter further.

Annexure 1:

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

A. Particulars of private body

The Head: Personal Information Officer

B. Particulars of person requesting access to the record

The particulars of the person who requests access to the record must be given below.
The address and/email address in the Republic to which the information is to be sent must be given.
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: _____

Email address: _____

The capacity in which a 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 requestor must sign all the additional folios.

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

2. Reference number, if available:

3. Any further particulars of record:

E. Fees

(a) 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.

(b) You will be notified of the amount required to be paid as the request fee.

(c) 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.

(d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption of payment of fees:

F. Form of access to 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.

Description of disability	
Form in which record is required	
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 fees 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 of images		Copy of images* Transcription of the images
3. If record consists of recorded words or information that can be reproduced in sound:			
	Listen to the soundtrack (audio cassette)		Transcription of the 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*
*If you are requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.			YES NO

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.

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

2. Explain why the record requested is required for the exercise 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 or 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 decisions regarding your request for access to the record?

Signed at _____ on _____

Signature of requestor/person on whose behalf
request is made

Annexure 2:

LEGISLATIVE DISCLOSURE REQUIREMENTS

SECTION 51 (1) (d)

LEGISLATION	PROVISION	SECTOR/INDUSTRY/DATA SUBJECT	SUMMARY OF PROVISION	PERSONS RESPONSIBLE FOR DISCLOSURE
Administration of Estates Act 66 of 1965	Section 28(5)	Banking	Banks must keep information of a cheque account or savings account that has been opened by an executive in the name of the estate and all information relating to vouchers in relation to the cheque or savings account.	The Master or any surety of the executor have the same rights to this information
Compensation for Occupational Injuries and Diseases Act 130 of 1993	Section 1	Banking	An employer must register with the Commissioner and furnish the Commissioner with prescribed particulars of its business	Employer
	Section 18	Banking	Employer to register with Director General and to furnish him with particulars	Employer
	Section 32A	Banking	Any inspector furnished with inspection authority in writing by the Board may conduct an investigation to determine compliance with the Act.	Inspector or the manager
	Section 40	Banking	An employee or employer shall at the request of the Director General furnish such further particulars regarding the accident and injuries concerned as the Director General may require	Director General
	Section 81	Banking	Employer must maintain a register or record of the earnings and prescribed particulars of all employees and shall produce such records on demand to an authorized person for inspection. Such records shall be maintained for a period of at least 4 years after the date of the last entry in that record.	Employer
	Section 82	Banking	Employer must furnish a return to the commissioner reflecting: amount of earning up to the maximum paid by him, and any further information as is necessary	Employer

Constitution of the Republic of SA Act 108 of 1996	Section 32	Banking	Everyone has the right to access any information held by another person and that is required for the exercise or protection of any rights.	Public
Inspection of Financials Institutions Act 18 of 1998	Section 4	Banking	In clearing out an inspection of the affairs of an institution under section 3 an inspector may, at any time without prior notice enter and search any premises occupied by the institution and require the production of any document relating to the affairs of that institution. Open any strong room, safe or other container in which he or she suspects any document of the institution is kept. Examine and make extracts from the copies of any document of the institution or against the issue of a receipt remove such document temporarily for that purposes. Against the issue of a receipt, seize any document of the institution which in his or her opinion may afford evidence of an offence or irregularity.	Inspector
Unemployment Insurance Act 63 Of 2001	Section 56	Insurance / Bank	(1) Every employer must, as soon as it commences activities as an employer provide information regarding its employees to the commissioner.	Unemployment Insurance Commissioner