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## **PAIA and POPIA Manual**

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This manual was prepared in accordance with section 51 of the Promotion of Access to Information Act, 2000 and to address requirements of the Protection of Personal Information Act, 2013.

This manual applies to

**ABCOR LABOUR LAW PRACTITIONERS (PTY) LTD.**

Registration number: **2019/570390/07**

(hereinafter **ABCOR**)

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**Version Control**

Version	Date	Author/Reviewer	Comment
1.0	22 <sup>nd</sup> June 2021	Adv. F. Marais/ Abcor LLP	Finalised for publication, effective from 22 <sup>nd</sup> June 2021

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## **PART A: INTRODUCTION**

### **A.1. What is the purpose of this Manual?**

- A.1.1. Under the Promotion of Access to Information Act 2000 (“PAIA”), **ABCOR** is required to grant individuals access to records held by **ABCOR** if that record is required by the individual to exercise or protect any legal right that individual enjoys under the law.
- A.1.2. Additionally, under the Protection of Personal Information 2013 (“POPIA”), **ABCOR** is required to be open and transparent about how **ABCOR** handles personal information and allow individuals to access and correct their personal information.
- A.1.3. The purpose of this Manual is to set out the information which **ABCOR** is legally required to disclose under PAIA and POPIA, and to explain how you can exercise your statutory rights under PAIA and POPIA with respect to records and personal information handled by **ABCOR**.

### **A.2. What is the status and scope of this Manual?**

This Manual (version 1.1) was last updated on 22<sup>nd</sup> June 2021 and will become effective on **22nd June 2021**. This Manual may be revised from time to time to reflect changes in laws and regulations, or changes in **ABCOR’s** business operation.

### **A.3. Introduction to the Organisation**

- A.3.1. ABCOR falls within the definition of a "private body" and this Manual has been compiled in accordance with the said provisions and to fulfil the requirements of the Act.
- A.3.2. A "private body" is defined as any natural person who carries or has carried on any trade, business or profession, but only in such capacity or any partnership which carries or has carried on any trade, business or profession or any former or existing juristic person (e.g. any company, close corporation or business trust).

### **A.4. What is the Data Subject rights under the Promotion of Access to Information Act, 2000?**

- A.4.1. On 9 March 2001, the Promotion of Access to Information Act, became operative, giving effect to the constitutional right of access to any information held by the State and any information that is held by another person and that is required for the exercise or protection of any rights; and to provide for matters connected therewith.
- A.4.2. Under PAIA, everyone has the right to access
  - a) any information held by the state; and

b) any information that is held by another person and that is required for the exercise or protection of any rights.

A.4.3. Records **ABCOR** makes available under PAIA is described in **Part C** of this Manual. If you wish to make a request under PAIA to **ABCOR**, please follow the procedure described Section B of this Manual. Please note that your request will be subject to the applicable charges set out in Section B.5.

A.4.4. You can learn more about your rights under PAIA by contacting the office of the Information Regulator (“IR”) at:

**Information Regulator**

<b>Address Physical:</b>	JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001
<b>Address Postal:</b>	P.O Box 31533, Braamfontein, Johannesburg, 2017
<b>Tel No:</b>	+27 (0) 10 023 5200
<b>Email:</b>	complaints.IR@justice.gov.za
<b>Web Address:</b>	<a href="https://www.justice.gov.za/inforeg/contact.html">https://www.justice.gov.za/inforeg/contact.html</a>

A.4.5. IR has produced a detailed guidance on how to exercise your rights under PAIA. This guidance (known as PAIA Section 10 Guide) is available from SAHRC and can be accessed on IR’s website.

**A.5. Availability of this manual [S 51(1)(b) – Promotion of Access to Information Act]**

A.5.1. A copy of this manual is available to the public for inspection at our website/registered offices as listed below or on request from the designated contact person.

A.5.2. **Contact Details [S 51(1)(a)]** - This contact person is responsible for the administration of and compliance with the Act in a fair objective and unbiased manner.

<b>Contact person name:</b>	Charles Kinnear
<b>Physical Address:</b>	83 Falcon Crescent, Parklands, Cape Town, 7441
<b>Postal Address:</b>	83 Falcon Crescent, Parklands, Cape Town, 7441
<b>Telephone number:</b>	+ 27 74 659 8614
<b>Facsimile No:</b>	+27 86 537 8007
<b>Email address:</b>	<a href="mailto:charleskinnear@abcorllp.co.za">charleskinnear@abcorllp.co.za</a>
<b>Web Site:</b>	<a href="http://www.abcorllp.co.za">www.abcorllp.co.za</a>

**A.6. Description of the guide referred to in section 10, if available, and how to obtain access to it: [S 51(1)(b)(i)]**

- A.6.1. The Act grants a requester access to records of a 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.
- A.6.2. Requests in terms of the Act shall be made in accordance with the prescribed procedures, at the rates provided.
- A.6.3. Requesters are referred to the Guide in terms of Section 10 which has been compiled by the Information Regulator, which will contain information for the purposes of exercising Constitutional Rights.
- A.6.4. The Guide is available from the offices of the Information Regulator.
- A.6.5. The contact details of the Information Regulator are as in paragraph A.4.5.

**A.7. Records that are automatically available without a person having to request access in terms of this Act [S 51(1)(b)(ii)]**

Inspection in terms of legislation other than this Act	None
Purchase or copying from us	None
From us free of charge	List of Services, information leaflets

**A.8. Description of the records of the body which are available in accordance with any other legislation [S 51(1)(b)(iii)]**

- A.8.1. Records are kept in accordance with the following legislation (this list is not exhaustive):
  - (a) **Companies Act 71 of 2008**
    - Company’s Memorandum of Incorporation and all amendments
      - Company Incorporation
      - Names of Directors
      - Minutes of Board Meetings
      - Records relating to the appointment of directors / auditor / secretary / public officer and other officers.
  - (b) **Basic Conditions of Employment Act 75 of 1997**
    - record containing the following information Section 31:
      - employee’s name and occupation;
      - time worked (attendance register);
      - remuneration paid (wages register);
      - date of birth if under 18 years of age.

- (c) **Occupational Health and Safety Act 85 of 1993**
  - A copy of the Occupational Health and Safety Act 85 of 1993
- (d) **Compensation for Occupational Injuries and Diseases Act 130 of 1993**
  - All records required by the Act.
- (e) **Employment Equity Act 55 of 1998**
  - Summary of the Employment Equity Act, 55 of 1998, issued in terms of Section 25(1)
- (f) **Income Tax Act 58 of 1962**
  - All records required by the Act.
- (g) **Labour Relations Act 66 of 1995**
  - Records of disciplinary hearings (if any)
- (h) **Unemployment Insurance Act 30 of 1966**
  - Records detailing the contributions by contributors employed by the employer in respect of earnings paid, time worked, payments made for piece work and overtime.
- (i) **Value Added Tax Act 58 of 1962.**
  - All records required by the Act.
- (j) **Promotion of Access to Information Act 2 Of 2000.**
  - All records required by the Act.
- (k) **Protection of Personal Information Act 4 of 2013.**
  - All records required by the Act.

A.8.1. The subjects on which the organisation holds records and the categories on each subject are as listed below. Please note that a requestor is not automatically allowed to these records and that access to them may be refused in accordance with Section 62 of the Act.

**(a) Administration**

- Attendance registers
- Correspondence
- Founding Documents
- Licences (categories)
- Minutes of Management Meetings
- Minutes of Staff Meetings
- Shareholder Register
- Statutory Returns

**(b) Human Resources**

- Conditions of Service
- Employee Records
- Employment Contracts
- Employment Equity Records
- General Correspondence
- Industrial and Labour Relations Records
- Information relating to Health and Safety Regulations

- Pension and Provident Fund Records
  - Performance Appraisals
  - Personnel Guidelines, Policies and Procedures
  - Remuneration Records and Policies
  - Skills Requirements
  - Staff Recruitment Policies
  - Statutory Records
  - Training Records
- (c) Operations**
- Brochures on Company Information
  - Client and Customer Registry
  - Contracts
  - General Correspondence
  - Information relating to Employee Sales Performance
  - Marketing and Future Strategies
  - Marketing Records
  - Sales Records
  - Suppliers' Registry
- (d) Finances**
- Annual Financial Statements
  - Asset Register
  - Banking Records
  - Budgets
  - Contracts
  - Financial Transactions
  - General Correspondence
  - Insurance Information
  - Internal Audit Records
  - Management Accounts
  - Purchase and Order Information
  - Stock Records
  - Tax Records (company and employee)
- (e) Information Technology**
- IT Policies and Procedures
  - Network Diagrams
  - User Manuals



## **Part B: Make a Request under PAIA**

### **B.1. How can I make a request to ABCOR under PAIA [S 51(1)(b)(iv)]?**

- B.1.1. Records held by **ABCOR** may be accessed on request only once the requirements for access have been met.
- B.1.2. A requester is any person making a request for access to a record of **ABCOR** and in this regard, the Act distinguishes between two types of requesters:

#### **B.1.2.1. 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, **ABCOR** will provide the requested information, or give access to any record about the requester's personal information. The prescribed fee for reproduction of the information requested will be charged by **ABCOR**.

#### **B.1.2.2. Other Requester**

This requester (other than a personal requester) is entitled to request access to information pertaining to third parties. However, **ABCOR** is not obliged to grant access prior to the requester fulfilling the requirements for access in terms of the Act. The prescribed fee for reproduction of the information requested will be charged by **ABCOR**.

### **B.2. How will my PAIA request be processed by ABCOR?**

- B.2.1. A requester must comply with all the procedural requirements contained in the Act relating to a request for access to a record.
- B.2.2. A requester must complete the request form enclosed herewith in Appendix A and submit it, as well as the payment of a request fee, if applicable to the information officer at the physical address, or electronic mail address as stated herein.
- B.2.3. The request form must be filled in with enough information to at least enable the information officer to identify:
  - a) The record or records requested.
  - b) The identity of the requester.
  - c) What form of access is required?
  - d) The postal address or fax number of the requester.
- B.2.4. A requester must state that he or she requires the information to exercise or protect a right, and clearly state what the nature of the right is, so to be exercised or protected.
- B.2.5. The requester must also provide an explanation of why the requested record is required for the exercise or protection of that right.

- B.2.6. **ABCOR** will process a request within 30 days, unless the requestor has stated special reasons which would satisfy the information officer that circumstances dictate that this period not be complied with.
- B.2.7. 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 or she must state the way it is required.
- B.2.8. If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the information officer.
- B.2.9. If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally to the Information Officer.

### **B.3. Grounds for Refusal of Access to Records in Terms of PAIA.**

The following are the grounds on which **ABCOR** may, subject to the exceptions contained in Chapter 4 of PAIA, refuse a Request for Access in accordance with Chapter 4 of PAIA:

- B.3.1. Mandatory protection of the privacy of a third party who is a natural person, including a deceased person, where such disclosure of Personal Information would be unreasonable.
- B.3.2. Mandatory protection of the commercial information of a third party, if the Records contain:
  - a) Trade secrets of that third party.
  - b) Financial, commercial, scientific, or technical information of the third party, the disclosure of which could likely cause harm to the financial or commercial interests of that third party; and/or
  - c) Information disclosed in confidence by a third party to **ABCOR**, the disclosure of which could put that third party at a disadvantage in contractual or other negotiations or prejudice the third party in commercial competition.
- B.3.3. Mandatory protection of confidential information of third parties if it is protected in terms of any agreement.
- B.3.4. Mandatory protection of the safety of individuals and the protection of property.
- B.3.5. Mandatory protection of Records that would be regarded as privileged in legal proceedings.
- B.3.6. Protection of the commercial information of **ABCOR**, which may include:
  - a) Trade secrets.
  - b) Financial/commercial, scientific, or technical information, the disclosure of which could likely cause harm to the financial or commercial interests of **ABCOR**.
  - c) Information which, if disclosed, could put **ABCOR** at a disadvantage in contractual or other negotiations or prejudice **ABCOR** in commercial competition; and/or
  - d) Computer programs which are owned by **ABCOR**, and which are protected by copyright and intellectual property laws.

- B.3.7. Research information of **ABCOR** or a third party, if such disclosure would place the research or the researcher at a serious disadvantage, and
- B.3.8. Requests for Records that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources.

**B.4. What if I'm not happy about how ABCOR handled my PAIA/POPIA request?**

- B.4.1. If you are not satisfied about the way in which your request was handled by **ABCOR** (including where you are not happy about the Access Fee charged **by ABCOR** the length of **time ABCOR** is taking to process your request), you can make an application for relief to the Constitutional Court, the High Court or another court of similar status.
- B.4.2. Please note that if you wish to make an application to the court, you will need to do so within 180 days of receiving the relevant decision made by **ABCOR**,

**B.5. What are the charges applicable to my PAIA/POPIA request?**

- B.5.1. There are two types of fees which are payable under PAIA, namely Request Fee, and Access Fee.
- B.5.2. Request Fee is payable upon making a request to access records/personal information, and it is **R57.00** (inclusive of VAT) for each request. You do not have to pay a Request Fee if:
  - a. You are a private individual requesting access to your own records/personal information;
  - b. You are single and earning less than R14,812 p/a; or
  - c. You are married (or in a life partnership), and earning less than R27,192 p/a.
- B.5.3. Access Fee is payable in respect of records/personal information which are produced in response to your request. Access Fee is payable by everyone who makes a request. The rate of Access Fees are as follows:

Type of activity involved in producing the record or personal information	Rate (inc. VAT)
For every photocopy of an A4-size page or part thereof.	R1.25
For every printed copy of an A4-size page or part thereof. Held on a computer or in electronic or machine-readable form.	R0.86
For a copy in a computer-readable form on stiffer disk.	R8.55
For a copy in a computer-readable form on CD.	R79.80
For a transcription of visual images, for an A4-size page or part thereof.	R45.60
For a copy of visual images.	R68.40
For a transcription of an audio record, for an A4-size page or part thereof.	R22.80
For a copy of an audio record.	R34.20

Type of activity involved in producing the record or personal information	Rate (inc. VAT)
Each hour or part of an hour (excluding the first hour) reasonably required to search for and prepare the record/personal information for disclosure.	R34.20
For posting the record/personal information.	Actual postage incurred
For confirming whether <b>ABCOR</b> handles personal information of the requestor (POPIA s23(1)(a) request)	Free of charge

B.5.4. Please note that:

- a. where Request Fee is payable, your request will not be processed until you pay the Request Fee;
- b. where Access Fee is payable, the record/personal information you requested will not be released until the Access Fee is paid; and

B.5.5. Please also note that if you are not a private individual and if the search for and preparation of the record requested is in **ABCOR**'s view likely to require more than 6 hours of work, **ABCOR** reserves the right to require you to pay 1/3<sup>rd</sup> of the Access Fee up front as a deposit.

**Part C: Protection of Personal Information Act**

**C.1. Purpose of the processing [S 51(1)(c)(i)]**

Description of category of data subjects	Purpose of the Processing
<b>Employees</b>	<ol style="list-style-type: none"> <li>1. Human Resource Management</li> <li>2. Verification of applicant employees' information during recruitment process</li> <li>3. General matters relating to employees:               <ol style="list-style-type: none"> <li>a. Pension;</li> <li>b. Medical aid;</li> <li>c. Payroll;</li> <li>d. Disciplinary action;</li> <li>e. Training relationship.</li> </ol> </li> <li>4. Any other reasonably required purpose relating to the employment or possible employment</li> </ol>
<b>Clients</b>	<ol style="list-style-type: none"> <li>1. Registration as a client.</li> <li>2. Compliance with Legislation.</li> <li>3. Delivering of Service.</li> <li>4. Manage payments, etc.</li> <li>5. Manage our relationship.</li> </ol>
<b>Visitors</b>	Security of employees and facilities.
<b>Suppliers, professional advisers and consultants</b>	<ol style="list-style-type: none"> <li>1. Administration of Agreement</li> <li>2. Verifying and updating information</li> <li>3. Performing duties in terms of any agreement.</li> <li>4. Make, or assist in making, credit decisions.</li> <li>5. Operate and manage accounts and manage any application, agreement or correspondence vendors may have with the Organisation.</li> <li>6. Communicating with vendors by email, SMS, letter, telephone or in any other way about the Organisation's the services.</li> <li>7. Performing other administrative and operational purposes including the testing of systems.</li> <li>8. Recovering any debt vendors may owe the Organisation.</li> <li>9. Complying with the Organisation's regulatory and other obligations.</li> <li>10. Any other reasonably required purpose relating to the Organisation business</li> </ol>

**C.2. Categories of data subjects and of the information or categories of information relating thereto [S 51(1)(c)(ii)]**

Category of data subjects	Information or categories of information relating thereto
<b>Employees</b>	<ol style="list-style-type: none"> <li>1. Full name and identifying particulars.</li> <li>2. Occupation of the employee.</li> </ol>

	<ol style="list-style-type: none"> <li>3. Remuneration paid.</li> <li>4. Tax which has been deducted.</li> <li>5. Unemployment insurance fund contributions.</li> <li>6. Disciplinary Proceedings.</li> <li>7. Banking Details.</li> </ol>
<b>Clients</b>	<ol style="list-style-type: none"> <li>1. Names.</li> <li>2. Contact details.</li> <li>3. Postal address.</li> <li>4. Date of birth.</li> <li>5. ID number.</li> <li>6. Tax related information.</li> <li>7. Nationality.</li> <li>8. Gender.</li> <li>9. Confidential correspondence.</li> </ol>
<b>Visitors</b>	Full name and identifying particulars
<b>Suppliers, professional advisers and consultants</b>	<ol style="list-style-type: none"> <li>1. Company, Contact Person and Banking Details.</li> <li>2. Professional details.</li> </ol>

**C.3. Planned transborder flows of personal information [S 51(1)(c)(iv)]**

- C.3.1. Some of our external third parties may be based outside your country so their processing of your Personal Information could involve a transfer of data outside your country.
- C.3.2. Whenever we transfer your Personal Information out of your country, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:
  - (a) We will only transfer your Personal Information to countries that have appropriate data protection and privacy legislation to protect your Personal Information.
  - (b) Where we use certain service providers, we conclude an agreement with them to confirm that your Personal Information is confidential, they can only process on our instructions and that they should establish and maintain appropriate technological and organisational measures to protect your Personal Information.
  - (c) Where we use providers based in the US, we may transfer data to them if they are part of the Privacy Shield which requires them to provide protection to Personal Information similar to the principles under the GDPR, which we believe are good principles to ensure compliance.
- C.3.3. By submitting your Personal Information to us you consent to the transfer of your Personal Information outside the borders of the Republic of South Africa.

**C.4. General description allowing a preliminary assessment of the suitability of the information security measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information which is to be processed [S 51(1)(c)(v)]**

C.4.1. **ABCOR** undertakes to institute and maintain the data protection measures to accomplish the following objectives outlined below. The details given are to be interpreted as examples of how to achieve an adequate data protection level for each objective. **ABCOR** may use alternative measures and adapt to technological security development, as needed, provided that the objectives are achieved.

1. **Access Control of Persons:**

**ABCOR** shall implement suitable measures in order to prevent unauthorized persons from gaining access to the data processing equipment where the data are processed.

2. **Data Media Control:**

**ABCOR** undertakes to implement suitable measures to prevent the unauthorized manipulation of media, including reading, copying, alteration or removal of the data media used by **ABCOR** and containing personal information of Customers.

3. **Data Memory Control:**

**ABCOR** undertakes to implement suitable measures to prevent unauthorized input into data memory and the unauthorised reading, alteration or deletion of stored data.

4. **User Control:**

**ABCOR** shall implement suitable measures to prevent its data processing systems from being used by unauthorised persons by means of data transmission equipment.

5. **Access Control to Data:**

**ABCOR** represents that the persons entitled to use **ABCOR's** data processing system are only able to access the data within the scope and to the extent covered by their respective access permissions (authorisation).

6. **Transmission Control:**

**ABCOR** shall be obliged to enable the verification and tracing of the locations / destinations to which the personal information is transferred by utilization of **ABCOR's** data communication equipment / devices.

7. **Transport Control:**

**ABCOR** shall implement suitable measures to prevent Personal Information from being read, copied, altered or deleted by unauthorized persons during the transmission thereof or during the transport of the data media.

8. **Organisation Control:**

**ABCOR** shall maintain its internal organisation in a manner that meets the requirements of this Manual.

**C.4.2.** ABCOR is doing this by implementing the following security measures:

- a) Staff awareness program
- b) Policies
- c) Procedure Guidelines
- d) Technical Security Measures
- e) Organisational Security Measures



**Part D: Forms**

**FORM 2**

**REQUEST FOR ACCESS TO RECORD [Regulation 7]**

**NOTE:**

1. Proof of identity must be attached by the requester.
2. If requests made on behalf of another person, proof of such authorisation, must be attached to this form.

**TO:** The Information Officer

(Address)

E-mail address:

Fax number:

Mark with an "X"

- Request is made in my own name       Request is made on behalf of another person.

PERSONAL INFORMATION									
Full Names	<input style="width: 100%;" type="text"/>								
Identity Number	<input style="width: 100%;" type="text"/>								
Capacity in which request is made <i>(when made on behalf of another person)</i>	<input style="width: 100%;" type="text"/>								
Postal Address	<input style="width: 100%;" type="text"/>								
Street Address	<input style="width: 100%;" type="text"/>								
E-mail Address	<input style="width: 100%;" type="text"/>								
Contact Numbers	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Tel. (B):</td> <td style="width: 30%;"><input style="width: 95%;" type="text"/></td> <td style="width: 10%;">Facsimile:</td> <td style="width: 30%;"><input style="width: 95%;" type="text"/></td> </tr> <tr> <td>Cellular:</td> <td colspan="3"><input style="width: 100%;" type="text"/></td> </tr> </table>	Tel. (B):	<input style="width: 95%;" type="text"/>	Facsimile:	<input style="width: 95%;" type="text"/>	Cellular:	<input style="width: 100%;" type="text"/>		
	Tel. (B):	<input style="width: 95%;" type="text"/>	Facsimile:	<input style="width: 95%;" type="text"/>					
Cellular:	<input style="width: 100%;" type="text"/>								
Full names of person on whose behalf request is made <i>(if applicable)</i> :	<input style="width: 100%;" type="text"/>								
Identity Number	<input style="width: 100%;" type="text"/>								
Postal Address	<input style="width: 100%;" type="text"/>								

Street Address				
E-mail Address				
Contact Numbers	Tel. (B)		Facsimile	
	Cellular			

**PARTICULARS OF RECORD REQUESTED**

*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. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)*

Description of record or relevant part of the record:			
Reference number, if available			
Any further particulars of record			

**TYPE OF RECORD**  
*(Mark the applicable box with an "X")*

Record is in written or printed form	
Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	
Record consists of recorded words or information which can be reproduced in sound	
Record is held on a computer or in an electronic, or machine-readable form	

<b>FORM OF ACCESS</b> <i>(Mark the applicable box with an "X")</i>	
Printed copy of record <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i>	
Written or printed transcription of virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	
Transcription of soundtrack <i>(written or printed document)</i>	
Copy of record on flash drive <i>(including virtual images and soundtracks)</i>	
Copy of record on compact disc drive <i>(including virtual images and soundtracks)</i>	
Copy of record saved on cloud storage server	

<b>MANNER OF ACCESS</b> <i>(Mark the applicable box with an "X")</i>	
Personal inspection of record at registered address of public/private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i>	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language <i>(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)</i>	

<b>PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED</b>	
<i>If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.</i>	
Indicate which right is to be exercise or protected	

Explain why the record requested is required for the exercise or protection of the aforementioned right:	

<b>FEEES</b>	
a)	<i>A request fee must be paid before the request will be considered.</i>
b)	<i>You will be notified of the amount of the access fee to be paid.</i>
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>
d)	<i>If you qualify for exemption of the payment of any fee, please state the reason for exemption</i>
Reason	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Facsimile	Electronic communication <i>(Please specify)</i>

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
**Signature of Requester / person on whose behalf request is made**

-----FOR

**OFFICIAL USE**

Reference number:	
Request received by: <i>(State Rank, Name And Surname of Information Officer)</i>	
Date received:	
Access fees:	
Deposit (if any):	

\_\_\_\_\_  
**Signature of Information Officer**

## ANNEXURE A

### [Fees]

1.	The request fee payable by every requester	R140.00
2.	Photocopy/printed black & white copy of A4-size page	R2.00 per page or part thereof.
3.	Printed copy of A4-size page	R2.00 per page or part thereof
4.	For a copy in a computer-readable form on:	
i.	Flash drive (to be provided by requestor)	R40.00
ii.	Compact disc	
	• If provided by requestor	R40.00
	• If provided to the requestor	R60.00
5.	For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on quotation from Service provider.
6.	Copy of visual images	
7.	Transcription of an audio record, per A4-size page	R24.00
5.	Copy of an audio record on:	
i.	Flash drive (to be provided by requestor)	R40.00
ii.	Compact disc	
	• If provided by requestor	R40.00
	• If provided to the requestor	R60.00
6.	To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation. To not exceed a total cost of	R145.00  R435.00

7. Deposit: If search exceeds 6 hours	One third of amount per request calculated in terms of items 2 to 8.
8. Postage, e-mail or any other electronic transfer	Actual expense, if any.

D.2.

**FORM 2**

**Request for:**

Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.

Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information.

A	DETAILS OF THE DATA SUBJECT
Name(s) and surname/ registered name of data subject:	
Unique identifier/ Identity Number:	
Residential, postal or business address:	
	Code (    )
Contact number(s):	
Fax number/E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname/ registered name of responsible party:	
Residential, postal or business address:	
	Code (    )
Contact number(s):	

Fax number/ E-mail address:	
C	INFORMATION TO BE CORRECTED/DELETED/ DESTROYED/ DESTROYED

<b>D</b>	<p><b>REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(a) WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY ; and or</b></p> <p><b>REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(b) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN.</b></p> <p><i>(Please provide detailed reasons for the request)</i></p>

Signed at ..... this ..... day of..... 20.....

.....  
*Signature of data subject/ designated person*



**D.3. Objection to the Processing of Personal Information**

**Form 1**  
**Objection to the Processing of Personal Information in terms of Section 11(3) of the**  
**Protection of Personal Information Act, 2013 (ACT NO.**  
**4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018**  
[Regulation 2]

*Note:*

1. *Affidavits or other documentary evidence as applicable in support of the objection may be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*
3. *Complete as is applicable.*

A	DETAILS OF DATA SUBJECT
Name(s) and surname/ registered name of data subject:	
Unique Identifier/ Identity Number	
Residential, postal or business address:	
	Code (    )
Contact number(s):	
Fax number/E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname/ Registered name of responsible party:	
Residential, postal or business address:	
	Code (    )
Contact number(s):	
Fax number/ E-mail address:	
C	REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f) <i>(Please provide detailed reasons for the objection)</i>


Signed at ..... this ..... day of .....20.....

.....  
*Signature of data subject/designated person*

**FORM 3**  
**OUTCOME OF REQUEST AND OF FEES PAYABLE**  
[Regulation 8]

Note:

1. If your request is granted the—
  - (a) amount of the deposit, (if any), is payable before your request is processed; and
  - (b) requested record/portion of the record will only be released once proof of full payment is received.
2. Please use the reference number hereunder in all future correspondence.

Reference number: \_\_\_\_\_

**TO:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Your request dated \_\_\_\_\_, refers.

**1. You requested:**

Personal inspection of information at registered address of public/private body ( <i>including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form</i> ) is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you will be liable for the fees prescribed in Annexure B.	
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**OR**

**2. You requested:**

Printed copies of the information ( <i>including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form</i> )	
Written or printed transcription of virtual images ( <i>this includes photographs, slides, video recordings, computer-generated images, sketches, etc</i> )	
Transcription of soundtrack ( <i>written or printed document</i> )	
Copy of information on flash drive ( <i>including virtual images and soundtracks</i> )	
Copy of information on compact disc drive ( <i>including virtual images and soundtracks</i> )	
Copy of record saved on cloud storage server	

**3. To be submitted:**

Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format ( <i>including transcriptions</i> )	
E-mail of information ( <i>including soundtracks if possible</i> )	
Cloud share/file transfer	
Preferred language: ( <i>Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available</i> )	

Kindly note that your request has been:

Approved

Denied, for the following reasons:

**4. Fees payable with regards to your request:**

Item	Cost per A4-size page or part thereof/item	Number of pages/items	Total
Photocopy			
Printed copy			
For a copy in a computer-readable form on:			
(i) Flash drive <input type="checkbox"/> To be provided by requestor	R40.00		
(ii) Compact disc <input type="checkbox"/> If provided by requestor <input type="checkbox"/> If provided to the requestor	R40.00 R60.00		
For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on the quotation of the service provider		
Copy of visual images			
Transcription of an audio record, per A4-size	R24.00		
Copy of an audio record			
(i) Flash drive • To be provided by requestor	R40.00		
(ii) Compact disc • If provided by requestor • If provided to the requestor	R40.00 R60.00		
Postage, e-mail or any other electronic transfer:	Actual costs		
<b>TOTAL:</b>			

**5. Deposit payable (if search exceeds six hours):**

Yes  No

Hours of search	Amount of deposit <i>(calculated on one third of total amount per request)</i>

The amount must be paid into the following Bank account:

Name of Bank: \_\_\_\_\_  
 Name of account holder: \_\_\_\_\_  
 Type of account: \_\_\_\_\_  
 Account number: \_\_\_\_\_  
 Branch Code: \_\_\_\_\_  
 Reference Nr: \_\_\_\_\_  
 Submit proof of payment to: \_\_\_\_\_

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
*Information officer*