



# **PAIA MANUAL**

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

**(“PAIA”) as amended by the**

**Protection of Personal  
Information Act, 4 of 2013**

**(“POPIA”)**

**DATE: 1 MARCH 2025**



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## 1 Introduction

- a) The Company Promotion of Access to Information Act Manual (“Manual”) is published in terms of section 51 of the Promotion of Access to Information Act, 2 of 2000 (“PAIA”) and sections 23 to 25 of the Protection of Personal Information Act, 4 of 2013 (“POPIA”).
- b) PAIA gives effect to the provisions of section 32 of the Constitution of the Republic of South Africa, which provides for the right of access to information. This is the information that is both held by the State and by any another person. A person that is entitled to exercise a right or who needs information for the protection of any right, is entitled to access that information, subject to certain restraints.
- c) Section 51 of PAIA creates a legal right to access records (as defined in section 50 (1) of PAIA) of a private body (both natural and juristic), however this right may be negated in circumstances as set out under Chapter 4 of Part 3 of PAIA. In addition, in compliance with POPIA, a responsible party who processes personal information must notify the person to whom personal information relates (“the Data Subject”) of the manner in which the Data Subject can access their personal information held by the responsible party.

## 2 Purpose

- a) PAIA, together with all relevant legislation, provides you with the right of access to information held by the company when you request such information in accordance with the provisions of PAIA, for the exercise or protection of any of your or another person’s rights.
- b) The purpose of this Manual is to inter-alia:
  - (i) Check the categories of records held by the company which are available without a person having to submit a formal PAIA request.
  - (ii) Give a Requester a sufficient understanding of how to make a request for access to a record of the company, by providing a description of the subjects on which the body holds records and the categories of records held on each subject.
  - (iii) Provide a description of the records of the company which are available in accordance with any other legislation.
  - (iv) Give access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access.
  - (v) Provide a description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
  - (vi) Provide knowledge if the company will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto.
  - (vii) Provide a description of the categories of data subjects and of the information or categories of information relating thereto.
  - (viii) Provide knowledge about the recipients or categories of recipients to whom the personal information may be supplied.
  - (ix) Provide knowledge if the company has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
  - (x) Provide knowledge whether the company has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.
- c) Where this Manual does not deal with a procedure provided for in PAIA, you have to look to PAIA for guidance in relation to that procedure. PAIA is the law and takes precedence over this



#### 4.1 Where to get guidance regarding submitting a PAIA request

- a) The process of submitting a PAIA request can be quite daunting, even for trained lawyers. In order to assist those who are not familiar with PAIA requests the South African Human Rights Commission (“SAHRC”) has prepared a Guide that contains information to assist you in understanding how to exercise your rights under PAIA (“the Guide”). The Guide is currently available in all the official languages of South Africa and is available for inspection by the public at the offices of the Human Rights Commission at Braampark Forum 3, 33 Hoofd Street, Braamfontein, telephone number: 011 877 3600 or on its website at [www.sahrc.org.za](http://www.sahrc.org.za).
- b) In terms of the POPIA amendments to PAIA, the Information Regulator of South Africa must update and make available the existing Guide that has been compiled by the SAHRC containing such information as may reasonably be required by a person who wishes to exercise any right contemplated in POPIA and PAIA. The updated Guide will soon be made available for inspection by the public at the offices of the Information Regulator at

##### THE INFORMATION REGULATOR:

JD House  
27 Stiemens Street  
P.O. Box 31533  
Braamfontein, Johannesburg, 2001  
E-mail: [infoereg@justice.gov.za](mailto:infoereg@justice.gov.za)  
Private Bag 2700  
Houghton  
2041

#### 4.2 Information that is automatically available without a PAIA request

- a) At this stage the company does not have any categories of records which are automatically available without a person having to request access in terms of PAIA.
- b) All categories of records of the company require a formal request to access such records.

#### 4.3 Records available in terms of other legislation

- a) The company has set out below laws, inter alia that it may be subject to, and which may require it to keep certain records.
  - (i) Basic Conditions of Employment Act, 75 of 1997
  - (ii) Broad-Based Black Economic Empowerment Act, 53 of 2003
  - (iii) Companies Act, 61 of 1973
  - (iv) Compensation for Occupational Injuries and Diseases Act, 130 of 1993
  - (v) Competition Act, 89 of 1998
  - (vi) Cybercrimes Act, 19 of 2020
  - (vii) Electronic Communications and Transactions Act, 25 of 2002



- (viii) Income Tax Act, 95 of 1967
- (ix) Labour Relations Act, 66 of 1995
- (x) Occupational Health and Safety Act, 85 of 1993
- (xi) Protection of Personal Information Act, 4 of 2013
- (xii) Unemployment Insurance Act, 63 of 2001
- (xiii) Value Added Tax Act, 89 of 1991

- b) Such records will be made available to only those individuals/entities authorised to request access to such records in terms of the particular legislation. Any other persons must follow the request for access of records procedure as outlined in this Manual.

#### 4.4 Subject and categories of records held by the company

- a) PAIA requires that sufficient detail be provided to facilitate a request for access to a record of the company.
- b) A description of the subjects on which the company holds records and the categories of the records held on each subject can be found in Annexure A of this Manual, which forms an integral part of this document.

### 5 Information on how you can make a PAIA Request

#### 5.1 Introduction

- a) Access to records held by the company is not automatic and can be refused by the company on any of the grounds for refusal contemplated in Chapter 4 of Part 3 of PAIA.
- b) In order to request access to records held by the company, you must identify the right you are seeking to exercise or protect and explain why the record requested is required for the exercise or protection of that right. You must also comply with all the procedural requirements set out in PAIA and detailed below.
- c) If you request information on behalf of a public body (i.e. state) for the exercise or protection of any rights, other than its rights, you must identify that the request for information is in the public's interest by stipulating adequate reasons.
- d) If you are making a request on behalf of another person, sufficient proof (to the satisfaction of the company) of the capacity in which you are making the request/acting must be submitted with the request. The type of proof required will be advised by the company upon receipt of request.

#### 5.2 Procedural Requirements

- a) In order to facilitate your request for access to records, you need to complete the form attached as Annexure C. Please note that the form must be completed in full. If the form is not completed in full, the process may be delayed until all necessary information is provided.



- b) In terms of section 23(1) of POPIA, we will need adequate proof of identity from you. Therefore, in addition to the form, you will be required to supply a certified copy of your identification document or any other legally acceptable form of identification.
- c) You must provide the form and proof of identity to the Information Officer or Deputy Information Officer of the company at the physical address or e-mails set out above. The company may, in its sole discretion, request that original certified copies be provided in certain circumstances such as if the electronic copies provided are not clear or are questionable.
- d) You must provide sufficient detail on the form to enable the Information Officer or Deputy Information Officer to identify the record that you request. When completing the form, you should also indicate:
  - (i) which form of access is required;
  - (ii) the right you are seeking to exercise or protect and explain why the requested record is necessary for you to exercise or protect that right;
  - (iii) whether you wish to be informed of the decision in any other manner;
  - (iv) in addition to a written reply, the manner and necessary particulars to be informed; and
  - (v) an email address, telephone contact numbers and postal address in South Africa.
- e) If you make a request on behalf of another person, you must show, to the reasonable satisfaction of the Information Officer or Deputy Information Officer, that you are duly authorised to make such request.
- f) If you are unable to complete the form because of illiteracy or disability, you may make the request verbally.
- g) The form must be adequately completed, with sufficient information particularly so that we can identify and determine what the access fee will be (if any), should access be granted.
- h) A request will not be processed until the request fee has been paid. The list of prescribed fees for requests and for access to records (if the request is granted) is set out in section 6 of this Manual.

### 5.3 Refusal in terms of PAIA

- a) The company may refuse access to the requested record or parts of them as allowed in terms of Chapter 4 of PAIA.
- b) Please note that all requests which we receive, will be evaluated and considered in accordance with PAIA. It is important to remember that, even though we have published this Manual and described the categories and subject matter of information or records that we hold, this does not give you any rights to access such information or records, except in terms of PAIA. Records that you may not be entitled to include those of third parties who are natural persons (i.e. humans), the commercial information of third parties, the safety of individuals or protection of property, those that are privileged from production in legal proceedings, the commercial information of a private body and research information of a third party and a private body.
- c) In instances where a third party needs to be notified of a request in order to authorise or decline access, the Company's Information Officer or Deputy Information Officer undertakes



to request same from the third party within 21 (twenty-one) days of receipt of the request and to include the required information provided for in terms of section 71(3) of PAIA.

- d) The company cannot be held responsible if a third party declines a request.

#### 5.4 Notification of refusal or granting of access to information

- a) You will be informed within 30 (thirty) days of receipt of the form if the company's decision is to refuse access to the information requested based on any of the grounds for refusal as contemplated in Chapter 4 of PAIA.
- b) Take note that the 30 (thirty) day period may be extended for a further 30 (thirty) day period should we need more time to gather the requested information. You will, however, be notified if the initial 30 (thirty) day notice period is to be extended for a further 30 (thirty) days.

#### 5.5 Refusal if the record cannot be found

- a) The Information Officer or Deputy Information Officer shall provide an affidavit or affirmation to you advising that it is not possible to give access to the record requested, if:
  - (i) the company has taken all reasonable steps have to find the requested record; and
  - (ii) it cannot be found for reasons justifiable as per section 55 of PAIA.
- b) The affidavit or affirmation will comply with all the requirements provided for in terms of section 55(2) of PAIA.
- c) In the event the record is found subsequently, the company undertakes to contact you to deliver it. The applicable access fee will first have to be paid.

## 6 Fees

There are two basic types of fees applicable in terms of PAIA - "request" and "access" fees.

### 6.1 Request Fee

- a) The request fee is an administration fee that is payable on submission of the request for access to a record and must be paid before the request is considered (unless the request is to access the requestor's personal information in which event there is no applicable fee). The request fee is not refundable if the request for access has been granted, however, it is refundable if the request for access has been denied by the company.
- b) The request fee/s applicable is indicated in Annexure G.
- c) In line with section 23(1)(a) of POPIA, a Data Subject (i.e. personal requester) has a right to request the company to confirm, free of charge, whether or not the company holds personal information about him or her. See Section 7 below of the Manual for more details.

### 6.2 Access Fee



- a) If your request access is granted, you will have to pay an access fee prior to you actually gaining of access to the records in the required form.
- b) The access fee is intended to reimburse the company for the costs involved in reproduction of documents, searching and preparing the record requested and for any time reasonably required (in excess of the prescribed hours) to search and prepare the record.
- c) Should the preparation of the required record take more than 6 (six) hours, a deposit (which is 1/3 (one-third)) of the access fee is payable before the request will be processed by the company as a deposit.
- d) The company may withhold a record until you have paid the applicable fees (if any).
- e) In accordance with section 23(3) of POPIA, the company may charge an access fee to the Data Subject to enable the company to respond to the request. In such instances, the company must provide the Data Subject with a written estimate of the fee before providing the services. See section 7 of the Manual below for more details.

### 6.3 Notices

- a) Once your request for information has been received, the outcome of the request and any fees payable will be communicated through Annexure G.

## 7 Information related to POPIA

### 7.1 Introduction

POPIA requires the company to provide you, as a Data Subject, with certain information relating to how personal information that we process is, amongst others, used, disclosed and destroyed. The company has set out the required information below.

### 7.2 Information on how Data Subjects can request their personal information under POPIA

- a) Requests for personal information under POPIA must be made in accordance with the provisions of PAIA. This process is outlined in section 5 above.
- b) If the company provides the Data Subject with his/her personal information, the Data Subject has the right to request the correction, deletion, or destruction of his/her personal information, in the prescribed form. The Data Subject may also object to the processing of his/her personal information in the prescribed form. These forms are attached to the Manual as Annexure B.
- c) The company will give the Data Subject a written estimate of the fee for providing him/her with his/her personal information, before providing him/her with the services. The company may also require the Data Subject to provide a deposit for all or part of the fee prior to giving him/her the requested personal information.



### 7.3 Purpose of Processing

- a) POPIA provides that personal information may only be processed lawfully and in a reasonable manner that does not infringe the Data Subject's privacy.
- b) The type of personal information that the company's processes will depend on the purpose for which it is collected. The company will disclose to Data Subjects why the personal information is being collected and will process the personal information for that purpose only.

### 7.4 Personal Information that is Processed

- a) In terms of Section 69 of the Protection of Personal Information Act, 2013 (Act No. 4 of 2013), the processing of personal information relating to a data subject by means of direct marketing is prohibited unless formal, written consent is given by the data subject. The form included in Annexure F is to be filled out by the responsible party and consent is to be indicated by the data subject.

### 7.5 Categories of recipients for purposes of processing Personal Information

- a) The company may supply personal Information to these potential recipients:
  - (i) Management.
  - (ii) Employees.
  - (iii) Temporary Staff.
  - (iv) Sub-contracted Operators, and
  - (v) Public authorities or departments, which may lawfully require it.
- b) The company may disclose personal information it collects to any of its overseas affiliates or third-party service providers, with whom it engages in business or whose services or products it elects to use, including cloud services hosted in international jurisdictions.
- c) The company will, where required by applicable law, enter into written agreements to ensure that other parties comply with its confidentiality and privacy requirements. Personal information may also be disclosed where the company has a legal duty or a legal right to do so.

### 7.6 Actual or Planned Trans-Border Flows of Personal Information

- a) The company may disclose personal information collected to its shareholders, any of its overseas affiliates, associate entities or third-party service providers, with whom it engages in business or whose services or products it elects to use, including cloud services hosted in international jurisdictions. These territories include, but are not limited to these regions below:
  - (i) Sweden
  - (ii) Singapore
  - (iii) India
  - (iv) United States of America, and
  - (v) Australia.



## 7.7 General Description of Information Security Measures

- a) The company employs appropriate, reasonable technical and organisational measures to prevent loss of damage to or unauthorised destruction of personal information and unlawful access to or processing of personal information. These measures include:
- (i) Encryption of emails.
  - (ii) Firewalls.
  - (iii) Virus protection software.
  - (iv) Virtual Private Networks.
  - (v) Disaster recovery data centres.
  - (vi) Server backups.
  - (vii) Penetration tests.
  - (viii) Vulnerability assessment.
  - (ix) Logical and physical access control; and
  - (x) Vendor best practice deployment and continuous security and update maintenance of the company's information technology infrastructure.

## 8 Availability of the Manual

A link to access this Manual is available on our website and for inspection at the offices of the company.

## 9 Information Regulator

Any queries where you believe the company has not adequately dealt with your request, or to lodge a complaint should be directed to:

The Information Regulator (South Africa)

JD House

P.O Box 31533, 27 Stiemens Street

Braamfontein

Johannesburg

2001

Complaints email: [complaints.IR@justice.gov.za](mailto:complaints.IR@justice.gov.za)

## Annexures

### Annexure A: Subjects and Categories of Records held by the Company Section 51(1)(e)

|    |                                 |   |
|----|---------------------------------|---|
| 1. | Companies Act Records           | <ul style="list-style-type: none"> <li>• Documents of Incorporation</li> <li>• Legal Compliance Records</li> <li>• Memorandum of Incorporation</li> <li>• Disclosure Certificate</li> <li>• Minutes of Board of Directors' Meetings</li> <li>• Records relating to the appointment of directors/ auditors</li> </ul>  |
| 2. | Financial Records               | <ul style="list-style-type: none"> <li>• Accounting Records</li> <li>• Annual Financial Statements</li> <li>• Auditors' Report</li> <li>• Bank Statements</li> <li>• Banking Records</li> <li>• Details of Auditors</li> <li>• Details of Legal Service Providers</li> <li>• Electronic Banking Records</li> <li>• Invoices</li> <li>• Tax Returns</li> </ul>                         |
| 3. | Income Tax Records              | <ul style="list-style-type: none"> <li>• Documents issued to employees for income tax purposes</li> <li>• PAYE Records</li> <li>• Records of payments made to SARS on behalf of employees</li> <li>• Tax Clearance Certificate</li> <li>• Value Added Tax</li> <li>• Skills Development Levies</li> <li>• Unemployment Insurance Fund</li> </ul>                                      |
| 4. | Personnel Documents and Records | <ul style="list-style-type: none"> <li>• Disciplinary Records</li> <li>• Employment Contracts</li> <li>• Grievance and Disciplinary Records</li> <li>• Training Records</li> <li>• Performance Management Records</li> <li>• Induction Records</li> <li>• Relocation Records</li> <li>• Exit interview questionnaire Records</li> <li>• Application for employment Records</li> </ul> |
| 5. | Leave Records                   | <ul style="list-style-type: none"> <li>• Records containing all employees' names and occupation</li> <li>• Salary Records</li> </ul>  |
| 6. | Supplier Records                | <ul style="list-style-type: none"> <li>• The name of the supplier</li> <li>• The address of the supplier</li> <li>• A description of the supplier's services</li> <li>• Proof of date of payment;</li> <li>• Proposals received from the potential suppliers</li> <li>• Supplier's invoices</li> </ul>  |
| 7. | Insurance Records               | <ul style="list-style-type: none"> <li>• Insurance policies including, inter alia, (i) records of assets owned by the company, (ii) the company's banking details, (ii) name, address and contact details of the broker and, (iv) the name, address and contact details of the underwriter.</li> </ul>  |
| 8. | Immovable Property Records      | <ul style="list-style-type: none"> <li>• Records for the lease and ownership of immovable property</li> </ul>   |



**Annexure B: POPIA - Form 1 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, 2017**  
[Regulation 2(1)]

Note:

1. *Affidavits or other documentary evidence in support of the objection must 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.*

Reference Number....

| <b>A</b>   |             | <b>DETAILS OF DATA SUBJECT</b>      |  |
|--|-------------|-------------------------------------|--|
| Name and surname of data subject:  |             |                                     |  |
| Residential, postal or business address:                                       |             |                                     |  |
|  |             |                                     |  |
|  | Code (    ) |                                     |  |
| Contact number(s):   |             |                                     |  |
| Fax number:  |             |                                     |  |
| E-mail address:  |             |                                     |  |
| <b>B</b>   |             | <b>DETAILS OF RESPONSIBLE PARTY</b> |  |
| Name and surname of responsible party (if the responsible party is a natural): |             |                                     |  |
| Residential, postal or business address:                                       |             |                                     |  |
|  |             |                                     |  |
|  | Code (    ) |                                     |  |
| Contact number(s):   |             |                                     |  |
| Fax number:  |             |                                     |  |
| E-mail address:  |             |                                     |  |

|  |   |
|--|---|
| Name of public or private body <i>(if the responsible party is not a natural person)</i> : |   |
| Business address:  |   |
|  |   |
|  | Code (    )   |
| Contact number(s):   |   |
| Fax number:  |   |
| E-mail address:  |   |
| <b>C</b>   | <b>REASONS FOR OBJECTION</b> <i>(Please provide detailed reasons for the objection)</i> |
|  |   |

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

.....  
*Signature of data subject (applicant)*



Annexure C: PAIA - Form 02 Request for Access to Record

# 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  |           |  |                                 |
| Identity Number   |           |  |                                 |
| Capacity in which request is made<br><i>(when made on behalf of another person)</i> |           |  |                                 |
| Postal Address  |           |  |                                 |
| Street Address  |           |  |                                 |
| E-mail Address  |           |  |                                 |
| Contact Numbers   | Tel. (B): |  | Facsimile: <input type="text"/> |
|   | Cellular: |  |                                 |
| Full names of person on whose behalf request is made <i>(if applicable)</i> :       |           |  |                                 |
| Identity Number   |           |  |                                 |
| Postal Address  |           |  |                                 |

|  |          |  |           |
|--|----------|--|-----------|
| Street Address   |          |  |           |
| E-mail Address   |          |  |           |
| Contact Numbers  | Tel. (B) |  | Facsimile |
|  | Cellular |  |           |
| <b>PARTICULARS OF RECORD REQUESTED</b>   |          |  |           |
| <i>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.)</i> |          |  |           |
| Description of record or relevant part of the record:  |          |  |           |
|  |          |  |           |
|  |          |  |           |
|  |          |  |           |
|  |          |  |           |
| Reference number, if available   |          |  |           |
| Any further particulars of record  |          |  |           |
|  |          |  |           |
|  |          |  |           |
|  |          |  |           |
|  |          |  |           |
| <b>TYPE OF RECORD</b><br><i>(Mark the applicable box with an "X")</i>  |          |  |           |
| 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   |          |  |           |

**FORM OF ACCESS**  
*(Mark the applicable box with an "X")*

|  |  |
|--|--|
| 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   |  |

**MANNER OF ACCESS**  
*(Mark the applicable box with an "X")*

|   |  |
|---|--|
| 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<br><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>  |  |

**PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED**

*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.*

|  |  |
|--|--|
| Indicate which right is to be exercised 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<br><i>(Please specify)</i> |
|----------------|-----------|---|
|                |           |   |

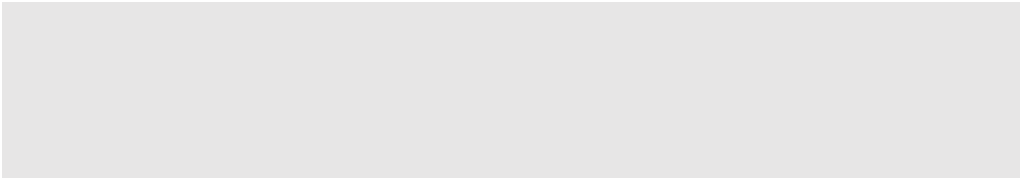
Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

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

-----  
**FOR OFFICIAL USE**

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

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



**Annexure D: PAIA - Form 04 Internal Appeal Form**

# INTERNAL APPEAL FORM

## FORM 4

[Regulation 9]

Reference Number: .....

| PARTICULARS OF PUBLIC BODY   |          |  |           |
|--|----------|--|-----------|
| Name of Public Body  |          |  |           |
| Name and Surname of Information Officer:   |          |  |           |
| PARTICULARS OF COMPLAINANT WHO LODGES THE INTERNAL APPEAL  |          |  |           |
| Full Names   |          |  |           |
| Identity Number  |          |  |           |
| Postal Address   |          |  |           |
| Contact Numbers  | Tel. (B) |  | Facsimile |
|  | Cellular |  |           |
| E-Mail Address   |          |  |           |
| Is the internal appeal lodged on behalf of another person?   | Yes      |  | No        |
| If answer is "yes", capacity in which an internal appeal on behalf of another person is lodged: <i>(Proof of the capacity in which appeal is lodged, if applicable, must be attached.)</i> |          |  |           |
| PARTICULARS OF PERSON ON WHOSE BEHALF THE INTERNAL APPEAL IS LODGED<br><i>(If lodged by a third party)</i>   |          |  |           |
| Full Names   |          |  |           |
| Identity Number  |          |  |           |
| Postal Address   |          |  |           |
| Contact Numbers  | Tel. (B) |  | Facsimile |
|  | Cellular |  |           |
| E-Mail Address   |          |  |           |

**DECISION AGAINST WHICH THE INTERNAL APPEAL IS LODGED**  
*(mark the appropriate box with an "X")*

|   |  |
|---|--|
| Refusal of request for access   |  |
| Decision regarding fees prescribed in terms of section 22 of the Act  |  |
| Decision regarding the extension of the period within which the request must be dealt with in terms of section 26(1) of the Act |  |
| Decision in terms of section 29(3) of the Act to refuse access in the form requested by the requester                           |  |
| Decision to grant request for access  |  |

**GROUNDS FOR APPEAL**

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

|   |  |
|---|--|
| State the grounds on which the internal appeal is based:                    |  |
| State any other information that may be relevant in considering the appeal: |  |

You will be notified in writing of the decision on your internal appeal. Please indicate your preferred manner of notification:

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

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

\_\_\_\_\_  
**Signature of Appellant/Third party**

-----

**FOR OFFICIAL USE**  
**OFFICIAL RECORD OF INTERNAL APPEAL**

|   |     |  |   |     |  |
|---|-----|--|---|-----|--|
| Appeal received by:<br><i>(state rank, name and surname of Information Officer)</i>   |     |  |   |     |  |
| Date received:  |     |  |   |     |  |
| Appeal accompanied by the reasons for the information officer's decision and, where applicable, the particulars of any third party to whom or which the record relates, submitted by the information officer: |     |  |   | Yes |  |
|   |     |  |   | No  |  |
| <b>OUTCOME OF APPEAL</b>  |     |  |   |     |  |
| Refusal of request for access. Confirmed?   | Yes |  | New decision<br><i>(if not confirmed)</i> |     |  |
|   | No  |  |   |     |  |
| Fees (Sec 22). Confirmed?   | Yes |  | New decision<br><i>(if not confirmed)</i> |     |  |
|   | No  |  |   |     |  |
| Extension (Sec 26(1)). Confirmed?   | Yes |  | New decision<br><i>(if not confirmed)</i> |     |  |
|   | No  |  |   |     |  |
| Access (Sec 29(3)). Confirmed?  | Yes |  | New decision<br><i>(if not confirmed)</i> |     |  |
|   | No  |  |   |     |  |
| Request for access granted. Confirmed?  | Yes |  | New decision<br><i>(if not confirmed)</i> |     |  |
|   | No  |  |   |     |  |

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

\_\_\_\_\_  
**Relevant Authority**



**Annexure E: PAIA - Form 05 Compliant Form**



# INFORMATION REGULATOR (SOUTH AFRICA)

Ensuring protection of your personal information  
and effective access to information

Address: JD House, 27 Stiemens Street  
Braamfontein, Johannesburg, 2001  
P.O. Box 31533  
Braamfontein, Johannesburg, 2017  
Tel: 010 023 5200

Email: [PAIAComplaints@infoRegulator.org.za](mailto:PAIAComplaints@infoRegulator.org.za)

## COMPLAINT FORM

### FORM 5

[Regulation 10]

#### NOTE:

1. This form is designed to assist the Requester or Third Party (hereinafter referred to as "the Complainant") in requesting a review of a Public or Private Body's response or non-response to a request for access to records under the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) ("PAIA"). Please fill out this form and send it to the following email address: [PAIAComplaints@infoRegulator.org.za](mailto:PAIAComplaints@infoRegulator.org.za) or complete online complaint form available at <https://www.justice.gov.za/inforeg/>.
2. PAIA gives a member of the public a right to file a complaint with the Information Regulator about any of the nature of complaints detailed in part F of this complaint form.
3. It is the policy of the Information Regulator to defer investigating or to reject a complaint if the Complainant has not first given the public or private body (herein after referred to as "the Body") an opportunity to respond to and attempt to resolve the issue. To help the Body address your concerns prior to approaching the Information Regulator, you are required to complete the prescribed **PAIA Form 2** and submit it to the Body.
4. A copy of this Form will be provided to the Body that is the subject of your complaint. The information you provide on this form, attached to this form or that you supply later, will only be used to attempt to resolve your dispute, unless otherwise stated herein.
5. The Information Regulator will only accept your complaint once you confirm having complied with the prerequisites below.
6. **Please attach copies of the following documents, if you have them:**
  - a. Copy of the form to the Body requesting access to records;
  - b. The Body's response to your complaint or access request;
  - c. Any other correspondence between you and the Body regarding your request;
  - d. Copy of the appeal form, if your complaint relate to a public body;
  - e. The Body's response to your appeal;
  - f. Any other correspondence between you and the Body regarding your appeal;
  - g. Documentation authorizing you to act on behalf of another person (if applicable);
  - h. Court Order or Court documents relevant to your complaint, if any.
7. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.

#### CAPACITY OF PERSON/PARTY LODGING A COMPLAINT

(Mark with an "X")

Complainant Personally

Representative of Complainant

Third Party

#### PREREQUISITES

|   |     |  |    |  |
|---|-----|--|----|--|
| Did you submit request (PAIA form) for access to record of a public/private body?                                 | Yes |  | No |  |
| Has 30 days lapsed from the date on which you submitted your PAIA form?   | Yes |  | No |  |
| Did you exhaust all the internal appeal procedure against a decision of the Information officer of a public body? | Yes |  | No |  |
| Have you applied to Court for appropriate relief regarding this matter?   | Yes |  | No |  |

| <b>FOR INFORMATION REGULATOR'S USE ONLY</b> |     |  |    |
|---|-----|--|----|
| Received by: (Full names)                   |     |  |    |
| Position                                    |     |  |    |
| Signature                                   |     |  |    |
| Complaint accepted                          | Yes |  | No |
| Reference Number                            |     |  |    |
| Date stamp                                  |     |  |    |

| Postal address | Facsimile | Other electronic communication<br>(Please specify) |
|----------------|-----------|--|
|                |           |  |

| <b>PART A<br/>PERSONAL INFORMATION OF COMPLAINANT</b> |          |  |           |
|---|----------|--|-----------|
| Full Names  |          |  |           |
| Identity Number                                       |          |  |           |
| Postal Address  |          |  |           |
| Street Address  |          |  |           |
| E-Mail Address  |          |  |           |
| Contact numbers                                       | Tel. (B) |  | Facsimile |
|   | Cellular |  |           |

| <b>PART B<br/>REPRESENTATIVE INFORMATION</b>  |          |  |           |
|---|----------|--|-----------|
| <i>(Complete only if you will be represented. A Power of Attorney must be attached if complainant is represented, failing which the complaint will be rejected)</i> |          |  |           |
| Full Names of Representative  |          |  |           |
| Nature of representation  |          |  |           |
| Identity Number / Registration Number   |          |  |           |
| Postal Address  |          |  |           |
| Street Address  |          |  |           |
| E-mail Address  |          |  |           |
| Contact Numbers   | Tel. (B) |  | Facsimile |
|   | Cellular |  |           |

| <b>PART C<br/>THIRD PARTY INFORMATION</b>                         |         |  |        |
|---|---------|--|--------|
| <i>(Please attach letter of authorisation)</i>                    |         |  |        |
| Type of Body  | Private |  | Public |
| Name of Public / Private Body                                     |         |  |        |
| Registration Number (if any)                                      |         |  |        |
| Name, Surname and Title of person authorised to lodge a complaint |         |  |        |
| Postal Address  |         |  |        |
| Street Address  |         |  |        |
| E-mail Address  |         |  |        |

|   |   |  |           |  |
|---|---|--|-----------|--|
| Contact Numbers   | Tel. (B):   |  | Facsimile |  |
|   | Cellular  |  |           |  |
| <b>PART D</b>   |   |  |           |  |
| <b>BODY AGAINST WHICH THE COMPLAINT IS LODGED</b>   |   |  |           |  |
| Type of body  | Private   |  | Public    |  |
| Name of public / private body   |   |  |           |  |
| Registration number (if any)  |   |  |           |  |
| Name, surname and title of person you dealt with at the public or private body to try to resolve your complaint or request for access to information  |   |  |           |  |
| Postal Address  |   |  |           |  |
| Street Address  |   |  |           |  |
| E-mail Address  |   |  |           |  |
| Contact Numbers   | Tel. (B):   |  | Facsimile |  |
|   | Cellular  |  |           |  |
| Reference Number given (if any)   |   |  |           |  |
| <b>PART E</b>   |   |  |           |  |
| <b>COMPLAINT</b>  |   |  |           |  |
| <i>Tell us about the steps you have taken to try to resolve your complaint (Complaints should first be submitted directly to the public or private body for response and possible resolution)</i> |   |  |           |  |
|   |   |  |           |  |
| Date on which request for access to records submitted.  |   |  |           |  |
| Please specify the nature of the right(s) to be exercised or protected, if a complaint is against a private body.   |   |  |           |  |
| Have you attempted to resolve the matter with the organisation?   | Yes   |  | No        |  |
| If yes, when did you receive it? (Please attach the letter to this application.)  |   |  |           |  |
| Did you appeal against a decision of the information officer of the public body?  | Yes   |  | No        |  |
| If yes, when did you lodge an appeal?   |   |  |           |  |
| Have you applied to Court for appropriate relief regarding this matter?   | Yes   |  | No        |  |
| If yes, please indicate when was the matter adjudicated by the Court? Please attach Court Order, if there is any.   |   |  |           |  |
| <b>PART F</b>   |   |  |           |  |
| <b>DETAILED TYPE OF ACCESS TO RECORDS</b>   |   |  |           |  |
| <i>(Please select one or more of the following to describe your complaint to the Information Regulator)</i>   |   |  |           |  |
| Unsuccessful appeal (Section 77A(2)(a) or section 77A(3)(a) of PAIA)  | <i>I have appealed against the decision of the public body and the appeal is unsuccessful.</i>  |  |           |  |
| Unsuccessful application for condonation (Sections 77A(2)(b) and 75(2) of PAIA)   | <i>I filed my appeal against the decision of the public body late and applied for condonation. The condonation application was dismissed.</i> |  |           |  |

|  |  |  |
|--|--|--|
| Refusal of a request for access (Section 77A(2)(c)(i) or 77A(2)(d)(i) or 77A(3)(b) of PAIA)              | <i>I requested access to information held by a body and that request was refused or partially refused.</i>   |  |
| The body requires me to pay a fee and I feel it is excessive (Sections 22 or 54 of PAIA)                 | <i>Tender or payment of the prescribed fee.</i>  |  |
|  | <i>The tender or payment of a deposit.</i>   |  |
| Repayment of the deposit (Section 22(4) of PAIA)   | <i>The information officer refused to repay a deposit paid in respect of a request for access which is refused.</i>  |  |
| Disagree with time extension (Sections 26 or 57 of PAIA)   | <i>The body decided to extend the time limit for responding to my request, and I disagree with the requested time limit extension or a time extension taken to respond to my access request.</i> |  |
| Form of access denied (Section 29(3) or 60(a) of PAIA)   | <i>I requested access in a particular and reasonable form and such form of access was refused.</i>   |  |
| Deemed refusal (Section 27 or 58 of PAIA)  | <i>It is more than 30 days since I made my request and I have not received a decision.</i>   |  |
|  | <i>Extension period has expired and no response was received.</i>  |  |
| Inappropriate disclosure of a record (Mandatory grounds for refusal of access to record)                 | <i>Records (that are subject to the grounds for refusal of access) have inappropriately/unreasonable been disclosed.</i>   |  |
| No adequate reasons for the refusal of access (Section 56(3)(a) of PAIA)                                 | <i>My request for access is refused, and no valid or adequate reasons for the refusal, were given, including the provisions of this Act which were relied upon for the refusal.</i>              |  |
| Partial access to record (Section 28(2) or 59(2) of PAIA)  | <i>Access to only a part of the requested records was granted and I believe that more of the records should have been disclosed.</i>   |  |
| Fee waiver (Section 22(8) or 54(8) of PAIA)  | <i>I am exempt from paying any fee and my request to waive the fees was refused.</i>   |  |
| Records that cannot be found or do not exist (Section 23 or 55 of PAIA)                                  | <i>The Body indicated that some or all of the requested records do not exist and I believe that more records do exist.</i>   |  |
| Failure to disclose records  | <i>The Body decided to grant me access to the requested records, but I have not received them.</i>   |  |
| No jurisdiction (exercise or protection of any rights) (Section 50(1)(a) of PAIA)                        | <i>The Body indicated that the requested records are excluded from PAIA and I disagree.</i>  |  |
| Frivolous or vexatious request (Section 45 of PAIA)  | <i>The Body indicated that my request is manifestly frivolous or vexatious and I disagree.</i>   |  |
| Other (Please explain)   |  |  |
| <b>PART G<br/>EXPECTED OUTCOME</b>   |  |  |
| How do you think the Information Regulator can assist you? Describe the result or outcome that you seek. |  |  |
| <b>PART H<br/>AGREEMENTS</b>   |  |  |

**The legal basis for the following agreements is explained in the Privacy Notice on how to file your complaint document. In order for the Information Regulator to process your complaint, you need to check each one of the checkboxes below to show your agreement:**

*I agree that the Information Regulator may use the information provided in my complaint to assist it in researching issues relating to the promotion of the right of access to information as well as the protection of the right to privacy in South Africa. I understand that the Information Regulator will never include my personal or other identifying information in any public report, and that my personal information is still protected by the Protection of Personal Information Act, 2013 (Act No. 4 of 2013). I understand that if I do not agree, the Information Regulator will still process my complaint.*

*The information in this Complaint Form is true to the best of my knowledge and belief.*

*I authorize the Information Regulator to collect my personal complaint information (such as the information about me in this complaint form) and use it to process my human rights complaint relating to the right of access to information and / or the protection of the right to privacy.*

*I authorise anyone (such as an employer, service provider, witness) who has information needed to process my complaint to share it with the Information Regulator. The Information Regulator can obtain this information by talking to witnesses or asking for written records. Depending on the nature of the complaint, these records could include personnel files or employer data, medical or hospital records, and financial or taxpayer information.*

*If any of my contact information changes during the complaint process, it is my responsibility to inform the Information Regulator; otherwise my complaint could experience a delay or even be closed.*

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

---

**Complainant/Representative/Authorised person of Third party**



**Annexure F: POPIA - Form 04 Application for the Consent for the Processing of Personal Information for the Purpose of Direct Marketing**

**FORM 4**

**APPLICATION FOR THE CONSENT OF A DATA SUBJECT FOR THE PROCESSING OF  
PERSONAL INFORMATION FOR THE PURPOSE OF DIRECT MARKETING IN TERMS OF  
SECTION 69(2) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO.  
4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2017**  
[Regulation 6]

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
*(Name and address of data subject)*

FROM: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Contact number(s): \_\_\_\_\_  
Fax number: \_\_\_\_\_  
E-mail address: \_\_\_\_\_  
*(Name, address and contact details of responsible party)*

Dear \*Mr/Ms/Dr/Adv/Prof \_\_\_\_\_

**PART A**

1. In terms of section 69 of the Protection of Personal Information Act, 2013 (Act No. 4 of 2013), the processing of personal information of a data subject (the person to whom personal information relates) for the purpose of direct marketing by means of any form of electronic communication, including automatic calling machines, facsimile machines, SMSs or e-mail is prohibited unless written consent to the processing is given by the data subject. You may only be approached once for your consent by this responsible party. After you have indicated your wishes in Part B, you are kindly requested to submit this Form either by post, facsimile or e-mail to the address, facsimile number or e-mail address as stated above.

2. "Processing" means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including—
- (a) the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
  - (b) dissemination by means of transmission, distribution or making available in any other form; or
  - (c) merging, linking, as well as restriction, degradation, erasure or destruction of information.

3. "Personal information" means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to—

- (a) information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;
- (b) information relating to the education or the medical, financial, criminal or employment history of the person;
- (c) any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
- (d) the biometric information of the person;
- (e) the personal opinions, views or preferences of the person;
- (f) correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
- (g) the views or opinions of another individual about the person; and
- (h) the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.

---

*(Signature of person authorised by responsible party)*

Full names and designation of person signing on behalf of responsible party:

---

---

Date: \_\_\_\_\_

**PART B**

I, \_\_\_\_\_ (*full names*) hereby:

Consent to goods and services to be marketed by means of unsolicited electronic communication.

**SPECIFY GOODS AND SERVICES:**

**SPECIFY METHOD OF COMMUNICATION:** FAX :  
E - MAIL :  
SMS :  
OTHERS – SPECIFY:

Give my consent.

Do not give my consent.

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

.....  
*Signature of data subject*



Annexure G: PAIA - Form 03 Outcome of Request and of Fees Payable

**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. |  |
|---|--|

**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:<br>( <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                                       | R40.00   |                       |       |
| • To be provided by requestor                         |  |                       |       |
| (ii) Compact disc                                     | R40.00   |                       |       |
| • If provided by requestor                            |  |                       |       |
| • If provided to the requestor                        | 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                                       | R40.00   |                       |       |
| • To be provided by requestor                         |  |                       |       |
| (ii) Compact disc                                     | R40.00   |                       |       |
| • If provided by requestor                            |  |                       |       |
| • If provided to the requestor                        | 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<br>(calculated on one third of total amount per request) |
|-----------------|--|
|                 |  |

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