

Access to Information Manual

How to request information from us



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1. BACKGROUND

1.1 THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000 (“PAIA”) AND THE PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013 (“POPI”)

PAIA provides for the constitutional right of access to any information held by the State or another person, where any person requires such access to exercise or protect a legitimate right.

POPI provides for inter alia the protection of personal information processed by public and private bodies and the regulation thereof. POPI has amended portions of PAIA and has established the Information Regulator, which has replaced the South African Human Rights Commission insofar as PAIA is concerned.

Should a request be made in terms of PAIA, the body to whom the request is made is obliged to release the information, subject to other applicable legislative and/or regulatory requirements, except where PAIA expressly provides that the information may or must not be released.

Section 51 of PAIA, requires that all private bodies compile a manual providing for the procedure to request information held by such private body, as well as certain information regarding the processing of personal information.

1.2 WHAT IS THE PURPOSE OF THIS MANUAL?

This manual has been prepared in terms of section 51 PAIA and updated in the light of POPI. (“**the Manual**”). This Manual applies to AFGRI Group Holdings Proprietary Limited, its affiliates and subsidiaries, as reflected in Schedule 1 hereto (collectively “**the AFGRI Group**”). This Manual is intended to:

- give a description of the records held by and on behalf of the AFGRI Group; and
- to outline the procedure to be followed and the fees payable when requesting access to any of these records in the exercise of the right of access to information with a view of enabling requesters to obtain records which they are entitled to in a quick, easy and accessible manner.

This Manual is available for public inspection:

- at the physical address of the AFGRI Group, recorded in paragraph 4 below, free of charge;
- on the AFGRI Group’s website/s, free of charge;
- in hard copy, on request by any person (along with payment of a prescribed fee).

2. COMPANY OVERVIEW AND DETAILS

**Section 51(1)(a) of PAIA*

AFGRI Group Holdings Proprietary Limited is an investment holding company with interests in a number of food, agriculture and financial services related companies providing products and services to ensure sustainable agriculture and food security and operates through several subsidiary and associate companies, as reflected in Schedule 1 of this Manual. The AFGRI Group's contact details is as follows:

Chief Executive Officer	Norman Celliers
Information Officer	Pieter Badenhorst
Deputy Information Officers	Rika Mybrug Willena Smith
Physical Address	12 Byls Bridge Bridge Boulevard Highveld Ext 73 Centurion
Postal Address	PO Box 11054 Centurion 0046
Tel nr	+27 11 063 2347
E-mail	informationofficer@afgri.co.za

3. INFORMATION REGULATOR'S GUIDE

**Section 51(1)(b)(i) of PAIA*

In order to assist those who are not familiar with PAIA or POPIA, a Guide that contains information to assist one in understanding how they may exercise their rights under PAIA ("the Guide") is available in all the South African official languages.

The Guide is currently available on the following site:

[Guide on how to use the Promotion of Access to Information Act 2 of 2000](#), as amended [Oct 2021].

This Guide will specifically assist a person on how to access his/her personal information in terms of s23 of POPIA.

[Afrikaans](#) - **[isiNdebele](#)** - **[isiXhosa](#)** - **[isiZulu](#)** - **[Siswati](#)** - **[Sepedi](#)** - **[Sesotho](#)** - **[Setswana](#)** - **[Tshivenda](#)** - **[Xitsonga](#)**

If you have any queries, or need a copy of the Guide, please contact the Information Regulator directly at:

The Information Regulator (South Africa)

JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001

P.O Box 31533, Braamfontein, Johannesburg, 2017

General enquiries: enquiries@info regulator.org.za.

Information Regulator

Physical Address:

JD House 27 Stiemens Street,
Braamfontein,
Johannesburg

Postal Address:

P.O Box 31533
Braamfontein
Johannesburg
2017

Telephone Number: +27 (0) 10 023 5200

Fax Number: (011) 403-0668
General enquiries email:
enquiries@info regulator.org.za

4. AUTOMATIC DISCLOSURES

**Section 51(1)(b)(ii) of PAIA*

A private body may, on a voluntary basis, make available a description of categories of records that are automatically available without a person having to request access in terms of PAIA. The only fee for access to these records may be a prescribed fee for reproduction.

The following categories of records are automatically available for inspection, purchase or photocopying. You do not need to request this information in terms of PAIA. You may request these categories of information from the Information Officer at informationofficer@afgri.co.za :

- Newsletters / magazines intended for public viewing;
- Pamphlets / brochures intended for public viewing; and
- Other records of a public nature, typically those disclosed on the AFGRI Group's website.

5. TYPES AND CATEGORIES OF RECORDS

5.1 RECORDS HELD IN ACCORDANCE WITH OTHER LEGISLATION

**Section 51(1)(b)(iii) of PAIA*

To the extent applicable to its operations, the AFGRI Group keeps information and documents as may be required in terms of legislation other than PAIA.

Certain legislation provides that private bodies shall allow access to specific records, upon request thereof. Unless disclosure of a record is prohibited in terms of PAIA, POPI, any other legislation, regulations, contractual agreements or otherwise and provided an interested party is entitled thereto, the AFGRI Group shall make available for inspection such records requested by an interested party. Any disclosure will always be subject to meeting the requirements and conditions of PAIA, the applicable legislation and the AFGRI Group's internal policies and procedures.

Below is a non-exhaustive list of legislation that may require the AFGRI Group to keep records.

- Agriculture Product Standards Act, No. 119 of 1990
- Basic Conditions of Employment Act No. 75 of 1997
- Broad Based Black Economic Empowerment Act No 53 of 2003
- Companies Act No. 71 of 2008
- Compensation for Occupational Injuries and Diseases Act No. 130 of 1993
- Competition Act No. 89 of 1998
- Copyright Act No. 98 of 1978;
- Consumer Protection Act 68 of 2008
- Currency and Exchanges Act no 9 of 1993 (and Exchange Control Regulations)
- Customs and Excise Act No. 91 of 1964
- Employment Equity Act No. 55 of 1998
- Electronic Communications and Transactions Act No. 25 of 2002
- Financial Advisory and Intermediary Services Act 37 of 2002
- Financial Intelligence Centre Act, No. 38 of 2001;
- Financial Sector Regulation Act No. 9 of 2017
- Income Tax Act No. 58 of 1962
- Labour Relations Act No. 66 of 1995
- National Credit Act No 34 of 2005
- Occupational Health and Safety Act No. 85 of 1993
- Protection of Personal Information Act 4 of 2013
- Prevention and Combating of Corrupt Activities Act, No. 12 of 2004
- Promotion of Equality and Prevention of Unfair Discrimination Act No 4 of 2000
- Prevention of Organised Crime Act No. 121 of 1998
- Securities Transfer Tax No. 25 of 2007
- Short-term Insurance Act No. 53 of 1998
- Skills Development Levies Act No 9 of 1999
- Skills Development Act No. 97 of 1998
- Trade Marks Act. No. 194 of 1993;
- Unemployment Insurance Act No. 63 of 2001
- Unemployment Insurance Contributions Act, No 4 of 2002; and
- Value-added Tax Act No. 89 of 1991

5.2 SUBJECT CATEGORIES OF RECORDS

* *Section 51(1)(b)(iv) of PAIA*

This clause serves as a reference to the categories of information the AFGRI Group holds. The information is classified and grouped according to records relating to the following subjects and categories:

5.2.1 Personnel records

"**Personnel**" refers to any person who works for or provides services to or on behalf of the AFGRI Group and receives, or is entitled to receive, remuneration and any other person who assists in carrying out or conducting the business of the AFGRI Group. It includes, without limitation, directors (executive and non-executive), all permanent, temporary and parttime staff, as well as contract workers. Personal records provided by personnel may include:

- records provided by a third party relating to the AFGRI Group personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records, including job applications;
- Internal evaluation records and other internal records;
- Correspondence relating to, or emanating from, personnel (internal and external to the organization); and
- Training schedules and material;
- Payment records (and beneficiary payments), including banking details.

5.2.2 Client Related records

"**Client**" refers to any natural or juristic entity that receives products or services from the AFGRI Group. This includes prospective clients who submit applications to the AFGRI Group, but which or who ultimately do not become the AFGRI Group clients. Client related records may include:

- records provided by a client to a third party acting for or on behalf of the AFGRI Group;
- records provided by a third party (for example, records from a financial adviser);
- records generated by or within the AFGRI Group relating to its clients;
- Transactional records and recorded call centre calls;
- Correspondence with a client that is implicitly or explicitly of a private or confidential nature;
- records pertaining to a client retrieved from other sources, i.e. credit bureau.

5.2.3 Private Body records

These records include, but are not limited to, the records which pertain to the AFGRI Group's own affairs. These include:

- Financial records;
- Operational records;
- Information technology;
- Communication;
- Administrative records, such as contracts and service level agreements;
- Product records;
- Statutory records;
- Internal policies and procedures; and
- Human resources records.

5.2.4 Other Party records

These records include:

- records held by the AFGRI Group pertaining to other parties, including without limitation, financial records, correspondence, contractual records, records provided by the other party (for example third party beneficiaries or employees of a client), and records third parties have provided about the AFGRI Group's contractors / suppliers.
- The AFGRI Group may possess records pertaining to other parties including, but not limited to, contractors, suppliers, and service providers and such other parties may possess records that can be said to belong to the AFGRI Group.

Important to note:

The accessibility of the records may be subject to the grounds of refusal as set out in paragraph 6 of this Manual. In addition, records deemed confidential on the part of a third party, will necessitate permission from such third party, before the AFGRI Group will consider access and disclosure of the requested records.

6. ACCESS PROCEDURE

** Section 51(1)(b)(iv) of PAIA*

Any person requesting access to information in terms of PAIA and this Manual (a “requester”) must follow the procedure set out in this clause. It is important to note that:

- Access to a record can be refused based on the grounds set out in paragraph 6 below;
- An application for access to a record is subject to certain limitations if the requested record falls within a certain category as specified within Chapter 4 of PAIA; and
- If it is reasonably suspected that a person has obtained access to information and records through the submission of materially false or misleading information, legal proceedings may be instituted against such a person.

6.1 ACCESS REQUEST PROCEDURE

**Section 51(1)(b)(iv) of PAIA*

A requester must complete the prescribed form, enclosed herewith as Schedule 2 ("**Form C Access Request Form**") and submit it to the Information Officer at the postal or physical address, fax number or electronic mail address recorded in paragraph 2. A fee or deposit may be payable. To facilitate a timely response:

- The Access Request Form must be comprehensively and clearly completed in type or block letters.
- Proof of identity is required. Please enclose a copy of the requester’s identification document.
- Every applicable question must be answered. If a question does not apply "N/A" should be stated in response to that question. If there is nothing to disclose in reply to a particular question "Nil" should be stated in response to that question.

The Access Request Form must be completed with enough particularity to enable the Information Officer to identify:

- The record(s) requested;
- The identity number of the requester;
- The form of access required if the request is granted;
- The postal address, fax number or electronic mail address of the requester; and
- The requester must also state that he or she requires the information in order to exercise or protect a right, and clearly state the nature of the right to be exercised or protected. In addition, the requester must clearly specify why the record is necessary

to exercise or protect such a right. If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the Information Officer.

If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally. The requester will 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 must state the manner and the particulars so required.

6.2 PAYMENT OF FEES

Fees, if applicable, must be paid prior to access being given to the requested record. Payment details can be obtained from the Information Officer and can be made via a direct deposit. Proof of payment must accompany the Access Request Form submitted. The following fees are (or may be) payable:

- Request fee
- Access fee
- Reproduction fee
- Request fee
- Deposit

Note that the requester may lodge a complaint to the Information Regulator or an application with a court against the tender or payment of the deposit.

6.2.1 Request Fee

An initial "request fee" is payable on submission of the Access Request Form. The prescribed fee is set out below in Schedule 3. **This fee is not applicable to requesters (data subjects), seeking access to records that contain their personal information in terms of POPI.**

6.2.2 Access Fee

If the request for access is successful, an access fee must be paid. This fee is for the search, reproduction and/or preparation of the record(s). The access fee will be calculated based on the prescribed fees set out below in Schedule 3.

6.2.3 Reproduction Fee

This fee is applicable in respect of documents/records which are voluntarily disclosed (see paragraph 4 (Automatic Disclosure) above). This is for reproduction, copying and transcribing the relevant documents / records. The reproduction fee will be calculated based on the prescribed fees set out below in Schedule 3.

6.2.4 Deposit

If the search for and the preparation of the record for disclosure would, in the opinion of the Information Officer, require more than 6 hours, the requester may be required to pay as a deposit, equal to one third of the access fee (the fee which will be payable if the request is granted). Note that the requester may lodge a complaint to the Information Regulator or an application with a court against the tender or payment of the deposit. If a deposit has been paid in respect of a request for access which is subsequently refused, then the Information Officer must refund the deposit to the requester. The requester must pay the prescribed fee before any processing, or any further processing can take place.

6.3 NOTIFICATION OF DECISION

The Information Officer will, within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect. The 30 day period, within which the AFGRI Group has to decide whether to grant or refuse the request, may be extended for a further period of not more than 30 days if the information cannot reasonably be obtained within the original 30 day period. *(For example, the time period may be extended if the request is for a large amount of information, or the request requires the AFGRI Group to search for information held at another office of the AFGRI Group.)*

The Information Officer will notify the requester in writing should an extension be required. The requester may lodge a complaint to the Information Regulator or an application with a court against the extension.

6.4 THIRD PARTY NOTIFICATION

The AFGRI Group must take all reasonable steps to inform a third party to whom or which a requested record relates if the disclosure of that records would –

- involve the disclosure of personal information about that third party;
- involve the disclosure of trade secrets of that third party; any other financial, commercial, scientific or technical information (other than trade secrets) of that third party;
- likely to cause harm to the commercial or financial interests of that third party;
- reasonably be expected to put that third party at a disadvantage in contractual or other negotiations; or
- prejudice that third party in commercial competition;
- constitute an action for breach of a duty of confidence owed to a third party in terms of an agreement or otherwise; or
- involve the disclosure of information about research being, or to be, carried out by or on behalf of a third party, the disclosure of which would be likely to expose the third party, a person that is or will be carrying out the research on behalf of the third party, or the subject matter of the research, to serious disadvantage.

The AFGRI Group will inform the third party as soon as reasonably possible, but in any event, within 21 days after that request is received. Within 21 days of being informed of the request, the third party may-

- make written or oral representations to the Information Officer why the request for access should be refused; or
- give written consent for the disclosure of the record to the requester.
- the AFGRI Group will notify the third party of the outcome of the request. If the request is granted, adequate reasons for granting the request will be given.

The third party may lodge a complaint to the Information Regulator or an application with a court against the decision within 30 days after notice is given, after which the requester will be given access to the record after the expiry of the 30-day period.

7 GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

Subject to the provisions of Chapter 4 of PAIA, the AFGRI Group may refuse a request for information on the following basis:

- Personal Information of a Third Party (Natural Person)
Mandatory protection of the privacy of a third party who is a natural person (including a deceased person) which would involve the unreasonable disclosure of personal

information of that natural person;

- Safety

Mandatory protection of the safety of individuals and the protection of property;

- Commercial Information of a Third Party

Mandatory protection of the commercial information of a third party, if the record contains:

- Trade secrets of that third party;
- Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party; and
- Information disclosed in confidence by a third party to the AFGRI Group or if the disclosure could put that third party at a disadvantage in business negotiations or commercial competition; and
- confidential information of third parties if it is protected in terms of any agreement or legislation.

- Commercial Information of the AFGRI Group

Information on the commercial activities of the AFGRI Group, which may include:

- Trade secrets of the AFGRI Group;
- Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of the AFGRI Group; and
- Information, that if disclosed, in could put the AFGRI Group at a disadvantage in any business negotiations or commercial competition; and
- A computer program which is owned by the AFGRI Group and which is protected by copyright.

- Legal Proceedings

Mandatory protection of records which would be regarded as privileged in legal proceedings;

- Research

The research information of the AFGRI Group or a third party, if its disclosure would disclose the identity of the institution, the researcher or the subject matter of the research and would place the research at a serious disadvantage;

8 REMEDIES

8.1 INTERNAL REMEDIES

The AFGRI Group does not have internal appeal procedures. Therefore, the decision made by the Information Officer is final. Requesters who are dissatisfied with a decision of the Information Officer will have to exercise external remedies at their disposal.

8.2 EXTERNAL REMEDIES

All complaints, by a requester or a third party, can be made to the Information Regulator or a court, in the manner prescribed below.

9 COMPLAINTS TO THE INFORMATION REGULATOR

The requester or third party, as the case may be, may submit a complaint in writing to the Information Regulator, within 180 days of the decision, alleging that the decision was not in compliance with the provisions of PAIA. The Information Regulator will investigate the complaint and reach a decision - which may include a decision to investigate, to take no further action or to refer the complaint to the Enforcement Committee established in terms of POPI.

The Information Regulator may serve an enforcement notice confirming, amending or setting aside the impugned decision, which must be accompanied by reasons.

10 APPLICATION TO COURT

An application to court maybe brought in the ordinary course. For purposes of PAIA, any reference to an application to court includes an application to a Magistrates' Court.

11 DETAILS ON THE PROCESSING OF PERSONAL INFORMATION

The following phrases shall, unless otherwise stated bear corresponding meanings as follows:

“**data subject**” shall ascribe to the meaning as promulgated in section 1 of POPI.

“**personal information**” shall ascribe to the meaning as promulgated in section 1 of POPI.

11.1 PURPOSE OF PROCESSING PERSONAL INFORMATION

In terms of POPI, personal information must be processed for a specified purpose. The purpose for which data are processed by the AFGRI Group will depend on the nature of the data and the particular data subject (as defined in POPI). This purpose is ordinarily disclosed, explicitly or implicitly, at the time the data are collected. It includes:

- to pursue our business objectives and strategies;
- to comply with lawful obligations;
- to carry out actions for the conclusion and performance of a contract;
- to pursue our own or a data subject's legitimate interests, or that of a third party to whom the personal information is supplied;
- to obtain, by law or to protect the respective party's legitimate interests, personal information from a credit bureau or credit provider or credit association information about a data subject's credit record, including personal information about any judgement or default history;
- to provide as required by law or to protect the respective party's legitimate interests, personal Information to credit bureaus, credit providers or credit associations, information about certain data subject's credit record, including personal information about any judgement or default history;
- to communicate with a data subject and attending to enquiries and requests;
- to provide a data subject information pertaining to ourselves, our services and products;
- for the purposes of providing, maintaining, and improving the AFGRI Group's products and services, and to monitor and analyse various usage and activity trends pertaining thereto;
- for the purposes of performing internal operations, including management of employees, employee wellness programmes, the performance of all required HR functions, call centres, customer care lines and enquiries, attending to all financial matters including budgeting, planning, invoicing, facilitating and making payments, making deliveries, sending receipts, and generally providing commercial support,

where needed, requested or required; and

- for the purpose of preventing fraud and abuse of our processes, systems, procedures and operations, including conducting internal and external investigations and disciplinary enquiries and hearings.

11.2 CATEGORIES OF DATA SUBJECTS

The AFGRI Group holds information and records on the following category of data subjects:

- Employees / personnel of the AFGRI Group;
- Clients of the AFGRI Group;
- Any third party with whom the AFGRI Group conducts its business services;
- Contractors of the AFGRI Group;
- Suppliers of the AFGRI Group;
- Service providers of the AFGRI Group.

This list of categories of data subjects is non-exhaustive.

11.3 RECIPIENTS TO WHOM PERSONAL INFORMATION WILL BE SUPPLIED

Depending on the nature of the data, the AFGRI Group may supply information or records to the following categories of recipients:

- Statutory oversight bodies, regulators or judicial commissions of enquiry making a request for data (i.e. the National Credit Regulator in terms of the National Credit Act 34 of 2005);
- Any court, administrative or judicial forum, arbitration, statutory commission, or ombudsman making a request for data or discovery in terms of the applicable rules (i.e. the Competition Commission in terms of the Competition Act 89 of 1998);
- South African Revenue Service, or another similar authority;
- Third parties with whom the AFGRI Group has a contractual relationship for the retention of data (for example, a third party archiving services);
- Research/ academic institutions;
- Auditing and accounting bodies (internal and external);
- Anyone making a successful application for access in terms of PAIA.

Subject to the provisions of POPIA and the National Credit Act 34 of 2005, the AFGRI Group may share information about a client's creditworthiness with any credit bureau or credit providers industry association or other association for an industry in which the AFGRI Group operates.

This list of recipients is non-exhaustive.

11.4 PLANNED TRANSBORDER FLOWS OF PERSONAL INFORMATION

The AFGRI Group may, and envisage to, transfer personal information to third parties who is in a foreign country in order to administer certain services, i.e. to any of our overseas subsidiaries, associate entities or third-party service providers, with whom we engage in business or whose services or products we elect to use, including cloud services hosted in international jurisdictions.

We endeavour to enter into written agreements to ensure that other parties comply with our confidentiality and privacy requirements, but remember that personal information may also be disclosed where we have a legal duty or a legal right to do so.

Internal cross-border transfers, as well as external cross-border transfers of information are subject to the provisions of POPI.

11.5 SECURITY MEASURES

The AFGRI Group takes extensive information security measures to ensure the confidentiality, integrity and availability of personal information in the AFGRI Group's possession. These measures include the implementation of:

- Firewalls;
- Virus protection software and update protocols;
- Logical and physical access control; and
- Secure setup of hardware and software making up our information technology infrastructure.

The AFGRI Group takes appropriate technical and organizational measures designed to ensure that personal data remain confidential and secure against unauthorized or unlawful processing and against accidental loss, destruction or damage. Please note that notwithstanding the contents of this clause, no method of storage is 100% secure. Therefore, while we strive to use commercially acceptable measures designed to protect personal information, we cannot guarantee its absolute security.

Approved by:	AGH Executive Committee
Date approved:	30 June 2023
Version:	3.0

AFGRI GROUP: SUBSIDIARIES AND AFFILIATES

No	Company
1.	AFGRI Holdings Proprietary Limited
2.	AFGRI Group Holdings Proprietary Limited
3.	AFGRI Proprietary Limited
4.	AFGRI International Proprietary Limited
5.	Grocapital Advisory Services Proprietary Limited
6.	GroCapital Financial Services Proprietary Limited
7.	GroCapital Broking Services Proprietary Limited
8.	Harvest Time Investments Proprietary Limited
9.	AFGRI Agri Services Proprietary Limited
10.	AFGRI Equipment Proprietary Limited
11.	Lemang Agricultural Services Proprietary Limited
12.	UNIGRO Financial Services Proprietary Limited
13.	UNIGRO Investment Holdings Proprietary Limited
14.	UNIGRO Insurance Brokers Proprietary Limited
15.	UNIGRO Administrators Proprietary Limited
16.	Philafrica Foods Proprietary Limited
17.	Southern Proteins Proprietary Limited
18.	Afrique Pet Food Proprietary Limited
19.	AFGRI Grain Silo Company Proprietary Limited

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"	
<input type="checkbox"/> Request is made in my own name	<input type="checkbox"/> Request is made on behalf of another person.

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

MANNER OF ACCESS <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>	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED <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 exercised or protected:	
Explain why the record requested is required for the exercise or protection of the aforementioned right:	

FEES
<p>a) A request fee must be paid before the request will be considered.</p> <p>b) You will be notified of the amount of the access fee to be paid.</p> <p>c) The fee payable for access to a record depends on the form in which access is required and the</p>

reasonable time required to search for and prepare a record.

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

Reason:	

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

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 (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) 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: <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	Number of	Total
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	page or part thereof/item	pages/items	
Photocopy			
Printed copy			
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 •If provided to the requestor	R40.00 R60.00		
For a transcription of visual images per A4-size page	Service to be outsourced.		
Copy of visual images	Will depend on the quotation of the service provider		
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		
TOTAL:			

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

Yes

No

Hours of search		Amount of deposit (calculated on one third of total amount per request)	
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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

FORM 5 - LODGING OF COMPLAINT

[Regulation 10.]

Note:

1.This form is designed to assist the Requester (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 Information Regulator or complete the 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 E 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 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:

- Copy of the form to the Body requesting access to records;
- The Body's response to your complaint or access request;
- Any other correspondence between you and the Body regarding your request;
- Copy of the appeal form, if your complaint relate to a public body;
- The Body's response to your appeal;
- Any other correspondence between you and the Body regarding your appeal;
- Documentation authorizing you to act on behalf of another person (if applicable);
- 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.

TO:

The Information Regulator
P.O Box 31533
Braamfontein,
2017

E-mail address: infoereg@justice.gov.za

Tel number: +27 (0) 10 023 5200

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	N o	
Has 30 days lapsed from the date on which you submitted your PAIA form?	Yes	N o	
Did you exhaust all the internal appeal procedure against a decision of the Information officer of a public body?	Yes	N o	
Have you applied to Court for appropriate relief regarding this matter?	Yes	N	

E-mail Address:			
Contact numbers:	Tel. (B):		Facsimile
	Cellular		
PART C THIRD PARTY INFORMATION <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 complaint:			
Postal Address:			
Street Address:			
E-mail Address:			
Contact numbers:	Tel. (B):		Facsimile
	Cellular		

PART D BODY AGAINST WHICH THE COMPLAINT IS LODGED			
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 to access of information:			
Postal Address:			
Street Address:			
E-mail Address:			
Contact numbers:	Tel. (B):		Facsimile
	Cellular		
Reference number given (if any):			

PART E COMPLAINT			
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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/unreasonably 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):		

**PART G
EXPECTED OUTCOME**

How do you think the Information Regulator can assist you? Describe the result or outcome that you seek.

PART H AGREEMENTS

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

SCHEDULE 3 - FEES

Fees in Respect of Private Bodies

Item	Description	Amount
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: (iii)Flash drive (to be provided by requestor) (iv)Compact disc •If provided by requestor •If provided to the requestor	R40.00 R40.00 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
8.	Copy of an audio record on: (v)Flash drive (to be provided by requestor) (vi)Compact disc •If provided by requestor •If provided to the requestor	R40.00 R40.00 R60.00
9.	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
10.	Deposit: If search exceeds 6 hours	One third of amount per request calculated in terms of items 2 to 8.
11.	Postage, e-mail or any other electronic transfer	Actual expense, if any.”.

SCHEDULE 4 – POPIA FORMS

**FORM 1 - OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION
IN TERMS OF SECTION 11(3) OF POPIA**

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 of20.....

.....

Signature of data subject/designated person

REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018

[Regulation 3]

Note:

1. *Affidavits or other documentary evidence as applicable in support of the request 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.*

Mark the appropriate box with an "x".

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/ DESTRUCTED/ DESTROYED
D	<p>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</p> <p>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.</p> <p><i>(Please provide detailed reasons for the request)</i></p>

Signed at this day of20.....

.....

Signature of data subject/ designated person