JEQE Management

ACCESS TO INFORMATION MANUAL
(“MANUAL”)
COMPILED IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT NO. 2 OF 2000

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1. AN INTRODUCTION TO PAIA AND POPIA

1.1 The Promotion of Access to Information Act, 2000 ("**PAIA**") came into operation on 9 March 2001, which among other things,

1.1.1 seeks to give effect to the Constitutional right of access to any information held by the State or by any other person where such information is required for the exercise or protection of any right and gives natural and juristic persons the right of access to records held by either a private or public body, subject to certain limitations, in order to enable them to exercise or protect their rights;

1.1.2 sets out the requisite procedural issues attached to information requests, including the obligation to compile a PAIA Manual;

1.1.3 obliges both public and private bodies to compile a PAIA manual, which PAIA manual sets out how a person, who is desirous of requesting certain information which he/she/it believes he/she/it has a right to, may go about requesting such information.

1.2 Where a person is desirous of obtaining information from a private and / or private body, in terms of PAIA, then such person must make a request for this by following the laid out procedure and using the prescribed forms, described under the private and / or private body's PAIA Manual.

1.3 On receipt of the request, the body receiving the request must decide if it is able to provide the requested information to the requester in accordance with the provisions of PAIA.

1.4 The Protection of Personal Information Act, 4 of 2013 ("POPIA"), which largely commenced on 1 July 2020, gives effect to a person's rights to privacy, including the rights to data privacy, and which Act, in accordance with this objective, describes and prescribes a series of conditions which have to be met when personal information is processed and used by another person, which conditions establish the minimum requirements for the processing of personal information.

1.5 POPIA amends certain provisions of PAIA, balancing the need for access and to information against the need to ensure the protection of personal information.

1.6 POPIA has established the office of the Information Regulator who will oversee and ensure that POPIA and PAIA are complied with by all persons, including individuals, and public and private entities in South Africa.

2. OUR PAIA MANUAL

2.1 This Manual is compiled in accordance with section 51 of PAIA, as amended by POPIA.

2.2 This Manual applies to all information held by JEQE Management (Pty) Ltd, bearing Registration Number 2023/542894/07 (“we”, ”us”, “JEQE” or “the company”)

2.3 For purposes of this Manual, we refer to ourselves as **“JEQE”, “we”,” us” or “our”.**

2.4 This Manual sets out how any person may:

2.4.1 go about requesting information, including personal information, which they believe we hold and which they have a right to;
2.4.2 which forms have to be completed by such person requesting the information;
2.4.3 any fees and or deposits that may have to be paid before the requested information is provided, should we agree to provide the requested information;
2.4.4 lodge a withdrawal, objection or complaint against the processing by us of personal information in terms of POPIA;
2.4.5 make or file a request for us to delete or destroy personal information in terms of POPIA.

3. WHO ARE WE - ABOUT US AND OUR BUSINESS

3.1 We are JEQE Management (Pty) Ltd, bearing Registration Number 2023/542894/07, a company registered in South Africa. Our registered address is Unit 8 Block B First Floor, 34 Impala Road, Chiselhurston, Gauteng, 2196.

3.2 JEQE is a company that deals in property investment, development and management.

If you would like to find out more about us, including our main business activities, our company profile is available at https://jeqe.co.za

4. OUR CONTACT DETAILS

4.1 Our contact details are as follows:

Full Name: JEQE Management (Pty) Ltd
Registration Number: 2023/542894/07
Website: https://jeqe.co.za

Registered Address: Unit 8 Block B First Floor, 34 Impala Road, Chiselhurston, Gauteng, 2196

5. DETAILS OF OUR INFORMATION OFFICER AND DEPUTY INFORMATION OFFICERS

5.1 The details of our Information Officer and Deputy Information Officers are as follows:

Information Officer:

Information Officer: **Ritesh Maharaj**
Telephone Number: 011 884-4717
Email Address of Information Officer: **riteshm@jeqe.co.za**

Deputy Information Officer:

Information Officer: **Thulani Mciwa**
Telephone Number: 011 884-4717
Email Address of Information Officer: **thulani@jeqe.co.za**

6. PAIA GUIDE

6.1 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.

6.2 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**

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

The Information Regulator (South Africa)

Woodmead North Office Park,54 Maxwell Dr, Woodmead, Johannesburg, 2191

General enquiries: enquiries@inforegulator.org.za.

7. INFORMATION THAT IS AUTOMATICALLY AVAILABLE WITHOUT A PAIA REQUEST

7.1 All information which is housed in the public area of our websites, is automatically available which can be automatically accessed by you, subject to our website disclaimer, without having to go through the formal PAIA request process.

7.2 Automatically available information includes:

7.2.1 Annual Reports
7.2.2 Company Results
7.2.3 Interim Reports
7.2.4 Media Releases

7.3 The aforesaid automatically available information is available on the JEQE website https://jeqe.co.za

8. RECORDS KEPT IN TERMS OF THE OTHER LEGISLATION

8.1 JEQE is subject to many laws and regulations, some of which require us to keep certain records.

8.2 These laws are detailed under **Annexure " Laws".**

8.3 This list is not exhaustive.

9. CATEGORIES OF RECORDS WHICH ARE AVAILABLE WITHOUT REQUEST IN TERMS OF SECTION 52(2) OF THE ACT

At the time of this publication the Minister of Justice and Constitutional Development had not yet published any regulations under this section of PAIA.

10. A DESCRIPTION OF SUBJECTS WE HOLD RECORDS ON AND CATEGORIES OF RECORDS WHICH INFORMATION IS NOT AUTOMATICALLY AVAILABLE IN TERMS OF SECTION 51(1)(e) OF THE ACT

10.1 The following information and records identified by the headings and/or departments listed below, are not automatically available and a person has to request access to these records by completing a request of information in the prescribed manner as described under this Manual using the Annexure A.

10.1.1 **Companies Act and Trust Property Control Act Records**

- Documents of Incorporation;
- Memorandum of Incorporation;
- Trust Deeds;
- Minutes of Trustees, Board of Directors meetings and General Meetings;
- Written Resolutions;
- Records relating to the appointment of trustees /directors / auditors / company secretary / public officer and other officers;
- Share Register and other Statutory Registers; and
- Other Statutory Records.

10.1.2 **Financial Records**

- Annual Financial Statements;
- Tax Returns;
- Accounting Records;
- Banking Records;
- Bank Statements;
- Paid Cheques;
- Electronic Banking Records;
- Asset Register;
- Rental Agreements; and
- Invoices.

10.1.3 **Income Tax Records**

- PAYE Records;
- Documents issued to employees for income tax purposes;
- Records of payments made to SARS on behalf of employees;
- All other statutory compliances;
- VAT;
- Regional Services Levies;
- Skills Development Levies;
- UIF; and
- Workmen's Compensation.

10.1.4 **Personnel Documents and Records**

- Employment contracts;
- Employment policies and procedures;
- Employment Equity Plan;
- Medical Aid records;
- Pension Fund records;
- Internal evaluations and disciplinary records;
- Salary records;
- Disciplinary codes;
- Leave records;
- Training records and manuals;
- Operating manuals;
- Personal records provided by personnel;
- Other statutory records; and
- Related correspondence.

10.1.5 **Other**

- Administration;
- Information Technology;
- Insurance;
- Intellectual Property;
- Movable and Immovable Property;
- Operations;
- Third Parties; and
- Medical and Health information.

11. INFORMATION RELATED TO POPIA

11. In terms of POPIA we are required to provide you with a description of the personal information which we process and why it is processed, and who we may share this information with, which detail is described below:

11.1.1 **Personal information we process** - the type of personal information that we process will depend on the purpose for which it is collected. We will disclose to you why the personal information is being collected and will process the personal information for that purpose only, which is done under our specific and detailed processing notices housed on our website. Below is a listing of the personal information that is processed by us, including the category of data subject that it belongs to. The information provided under this section refers to broad categories of information. This list is not exhaustive.

- **Clients** - Natural persons: names; contact details; physical and postal addresses; date of birth; ID number; tax related information; nationality; gender; confidential correspondence.
- **Clients** – Juristic persons / entities: names of contact persons; name of legal entity; physical and postal address and contact details; financial information; registration number; founding documents; tax related information; authorised signatories; beneficiaries; ultimate beneficial owners.
- **Clients** – Foreign persons / entities: names; contact details; physical and postal, financial information addresses; date of birth; passport number tax related information; nationality; gender; confidential correspondence; registration number; founding documents; tax related information; authorised signatories, beneficiaries, ultimate beneficial owners.
- **Contracted Service Providers**: Names of contact persons; name of legal entity; physical and postal address and contact details; financial information; registration number; founding documents; tax related information; authorised signatories, beneficiaries, ultimate beneficial owners.
- **Intermediary / Advisor:** Names of contact persons; name of legal entity; physical and postal address and contact details; financial information; registration number; founding documents; tax related information; authorised signatories, beneficiaries, ultimate beneficial owners.
- **Employees / Directors / Potential Personnel / Shareholders / Volunteers / Employees' family members / Temporary Staff:** gender, pregnancy; marital status; race, age, language, education information; financial information; employment history; ID number; next of kin; children's name, gender, age, school, grades; physical and postal address; contact details; opinions, criminal behaviour and/or criminal records; well-being; trade union membership; external commercial interests; medical information.
- **Website end-users / Application end-users:** names, electronic identification data: IP address; log-in data, cookies, electronic localization data; cell phone details, GPS data.

11.1.2 **Sharing of personal information -** we may supply personal Information to the following potential recipients:

- Management;
- Employees;
- Temporary Staff;
- Sub-contracted Operators;
- Stakeholders and shareholders; and
- Other recipients in international organisation.

11.1.3 **Cross border exchanges** - we may disclose personal information we process 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. Personal information may also be disclosed where we have a legal duty or a legal right to do so. We will in this regard, endeavour to enter into written agreements to ensure that other parties comply with the POPIA and our confidentiality and privacy requirements.

11.1.4 **General description of information security measures –** JEQE 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:

- Firewalls;
- Virus protection software and update protocols;
- Logical and physical access control;
- Secure setup of hardware and software making up our information technology infrastructure; and
- Outsourced service providers who are contracted to implement security controls.

11.2 Any request for access to personal information as per the provisions of POPIA, must be made in accordance with the provisions of PAIA. This process is outlined in paragraph 12 below.

11.3 You have the right to request the correction, deletion or destruction of your personal information, in the prescribed form, which form is available on our website. We have also attached the prescribed forms to this Manual for your convenience.

11.4 You may object to the processing of your personal information in the prescribed form, which form is available on our website. We have also attached the prescribed forms to this Manual for your convenience.

12. REQUEST PROCEDURE

12.1 PAIA states that a requester must be given access to any record of a private body if- that record is required for the exercise or protection of any rights; that person complies with the procedural requirements in this Act relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of PAIA. A request contemplated includes a request for access to a record containing personal information about the requester or the person on whose behalf the request is made.

12.2 Any request for access to a record or to personal information in terms of PAIA or POPIA must be made on the form attached hereto marked Form 2 - **Annexure "A"** - called - **Request for access to record of private body**, or one which substantially corresponds with the form.

12.3 A request for access to information which is not housed under this form or which does not comply with POPIA or PAIA will be rejected and returned to you.

12.4 Section 54 of PAIA entitles JEQE to levy a charge or to request a fee to enable it to recover the cost of processing a request and providing access to records. The fees that may be charged are set out in the Regulations promulgated under PAIA and POPIA. Where a decision to grant a request has been taken by JEQE, the record will not be disclosed until the necessary deposits and / or fees have been paid in full, where applicable. The Fee payable will depend on the type of information requested. These fees are described under Annexure "B" - Fees in respect of private bodies.

13. ACCESS TO HEALTH RECORDS OR OTHER RECORDS IN TERMS OF SECTION 61 OF THE ACT

13.1 For the purposes of this section, the term "relevant person" shall refer to the requester and /or the authorized person making a request on the persons behalf.

13.2 Requesters must stipulate in their request for information and/or what health information is required, understanding that information held by a medical practitioner must be obtained directly from him or her. No hospital can release information held by another party, or information that is protected by a medical practitioner /patient relationship.

13.3 The Information Officer, in terms of Section 50 of the Act, may only grant a request for access to information and/or a record provided by a medical practitioner in his or her capacity as such, about the physical or mental health of the requester him /herself, or to authorised person making such a request on behalf of the person concerned.

13.4 The Information Officer may in terms of Section 61 (1) of the Act, refuse access to information and/or records, if he or she is of the opinion that such disclosure would cause serious harm to the requester's physical and/ or mental health.

13.5 Before the Information Officer allows, grants or facilitates access to information and/or records, he or she may consult with the treating medical practitioner who, subject to Section 61(2) had been nominated by the relevant person.

13.6 If the relevant person is:

13.6.1 under the age of 16 years, a person having parental responsibilities for the relevant person, must make the nomination referred to in Section 61(2)(a) of the Act; and/or

13.6.2 incapable of managing his or her affairs, a person appointed by the court to manage those affairs must make that nomination.

13.7 If after the Information Officer has given access to the medical practitioner, and the medical practitioner is of the opinion that the disclosure of the information and/or record to the relevant person, would likely cause serious harm to his or her physical and/or mental health, or well being, the Information Officer may only grant access to that information and/or record if he or she has been given sufficient guarantees by the requester, that adequate provision has been made for such counselling or arrangement as are reasonably practicable before, during or after the disclosure of the information and/or record limit, alleviate or avoid such harm to the relevant person.

13.8 Before access to the information and/or record is so given to the requester, the person responsible for such counselling or arrangements must be given access to the information and/or record.

13.9 The Information Officer may also refuse access to the Information and/or records in terms of any other law.

14. PRESCRIBED FEES

14.1 Section 54 of PAIA entitles JEQE levy a request fee where records are requested under PAIA.

14.2 No request fee may be charged where a data subject in terms of POPIA asks a responsible party to confirm, (*which has to be done free of charge), whether or not the responsible party holds personal information about the data subject.

14.3 Where personal records have to be produced or provided to a requester by JEQE, in terms of either PAIA or POPIA, then certain prescribed fees may be levied by Ascendis, and such records will not be disclosed until the necessary deposits and / or fees have been paid in full, where applicable.

14.4 The Fees payable will depend on the type of information requested. These fees are described under **Annexure "B"** - Fees in respect of private bodies.

14.5 Should the request be refused, the requester may lodge an application at court against the tender or payment of the requested fee as will be advised in the Notice (in terms of (sec 54(3)(b) of the Act).

14.6 If the request is granted then a further access fee is payable for the search, reproduction and preparation of the record in a particular format as well as for any time, that has exceeded the prescribed hours, to search and in order prepare the record for disclosure (in terms of sec 54(6)) of the Act).

14.7 The fees schedule can be downloaded from the Department of Justice website at http://www.doj.gov.za.

15. PROOF OF IDENTITY

When requesting records or information under PAIA or POPIA, you will be required to submit acceptable proof of identity such as a certified copy of your identity document or other legal forms of identity.

16. TIMELINES FOR CONSIDERATION OF A REQUEST FOR ACCESS

16.1 Requests will be processed within 30 (thirty) days, from date of receipt thereof, unless the request contains considerations that are of such a nature that an extension of the time limit is needed.

16.2 Should an extension be required, you will be notified, together with reasons explaining why the extension is necessary, which in most cases be a period of 30 (thirty) days.

17. GROUNDS FOR REFUSAL OF ACCESS AND PROTECTION OF INFORMATION

17.1 There are various grounds upon which a request for access to a record may be refused. These grounds include:

- the protection of personal information of a third person (who is a natural person) from unreasonable disclosure;
- the protection of commercial information of a third party (for example: trade secrets; financial, commercial, scientific or technical information that may harm the commercial or financial interests of a third party);
- if disclosure would result in the breach of a duty of confidence owed to a third party;
- if disclosure would jeopardise the safety of an individual or prejudice or impair certain property rights of a third person;
- if the record was produced during legal proceedings, unless that legal privilege has been waived;

- if the record contains trade secrets, financial or sensitive information or any information that would put JEQE at a disadvantage in negotiations or prejudice it in commercial competition; and/or
- if the record contains information about research being carried out or about to be carried out on behalf of a third party or by JEQE

17.2 Section 70 of PAIA contains an overriding provision. Disclosure of a record is compulsory if it would reveal (i) a substantial contravention of, or failure to comply with the law; or (ii) there is an imminent and serious public safety or environmental risk; and (iii) the public interest in the disclosure of the record in question clearly outweighs the harm contemplated by its disclosure.

17.3 If the request for access to information affects a third party, then such third party must first be informed within 21 (twenty one) days of receipt of the request. The third party would then have a further 21 (twenty one) days to make representations and/or submissions regarding the granting of access to the record.

18. REMEDIES AVAILABLE TO A REQUESTER ON REFUSAL OF ACCESS

18.1 If the Information Officer decides to grant a requester access to the particular record, such access must be granted within 30 (thirty) days of being informed of the decision.

18.2 Where the Information Officer declines any requester access to the particular record, such decision will be relayed to the requester. There is no internal appeal procedure.

18.3 In the event that you are not satisfied with the outcome you are entitled to apply to the Information Regulator or a court of competent jurisdiction to take the matter further.

18.4 Where a third party is affected by the request for access and the Information Officer has decided to grant you access to the record, the third party has 30 (thirty) days in which to appeal the decision in a court of competent jurisdiction. If no appeal has been lodged by the third party within 30 (thirty) days, you must be granted access to the record.

19. AVAILABILITY OF THIS MANUAL

Copies of this Manual are available for inspection, free of charge, at the registered offices of JEQE at Unit 8 Block B First Floor, 34 Impala Road, Chiselhurston, Gauteng, 2196

ANNEXURE A

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 (*when made on behalf of another person*)*:*				
Postal Address:				
Street Address:				
E-mail Address:				
Contact numbers:	Tel. (B):		Facsimile:	
	Cellular:			
Full names of person on whose behalf request is made (*if applicable*)*:*				
Identity number:				
Postal Address:				
Street Address:				
E-mail Address:				
Contact numbers:	Tel. (B):		Facsimile	
	Cellular:			

PARTICULARS OF RECORD REQUESTED	
Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located. (*If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.*)	
Description of record or relevant part of the record:	
Reference number, if available:	
Any further particulars of record:	

TYPE OF RECORD (*Mark the applicable box with an "X"*)	
Record is in written or printed form	
Record comprises virtual images (*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 (*Mark the applicable box with an "X"*)	
Personal inspection of record 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*)	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format (*including transcriptions*)	
E-mail of information (*including soundtracks if possible*)	
Cloud share/file transfer	
Preferred language: (*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*)	

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:	

FEES
a)A request fee must be paid before the request will be considered. *b)You will be notified of the amount of the access fee to be paid.* *c)The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.* *d)If you qualify for exemption of the payment of any fee, please state the reason for exemption*

Reason:	

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 (*Please specify*)

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

.....

Signature of requester / person on whose behalf request is made

.....

FOR OFFICIAL USE

Reference number:	
Request received by: (*state rank, name and surname of information officer*)	
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 (*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 information on flash drive (*including virtual images and soundtracks*)	
Copy of information on compact disc drive (*including virtual images and soundtracks*)	
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 (*including transcriptions*)	
E-mail of information (*including soundtracks if possible*)	
Cloud share/file transfer	
Preferred language: (*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*)	

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 •To be provided by requestor	R40.00		
(ii) Compact disc •If provided by requestor •If provided to the requestor	R40.00 R60.00		
	Service to		

For a transcription of visual images per A4-size page	be outsourced. Will depend on the quotation of the service provider		
Copy of visual images			
Transcription of an audio record, per A4-size	R24.00		
Copy of an audio record (i)Flash drive •To be provided by requestor (ii)Compact disc •If provided by requestor •If provided to the requestor	 R40.00 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*)	

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 4- LODGING OF AN INTERNAL APPEAL

[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: (*Proof of the capacity in which appeal is lodged, if applicable, must be attached.*)					
PARTICULARS OF PERSON ON WHOSE BEHALF THE INTERNAL APPEAL IS LODGED (*If lodged by a third party*)					
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 (*Please specify*)

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

.....

Signature of appellant/Third party

.....

FOR OFFICIAL USE OFFICIAL RECORD OF INTERNAL APPEAL			
Appeal received by: (*state rank, name and surname of Information officer*)			
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		
OUTCOME OF APPEAL			
Refusal of request for access. Confirmed?	Yes No	New decision (*if not confirmed*)	
Fees (Sec 22). Confirmed?	Yes No	New decision (*if not confirmed*)	
Extension (Sec 26 (1)). Confirmed?	Yes No	New decision (*if not confirmed*)	
Access (Sec 29 (3)). Confirmed?	Yes No	New decision (*if not confirmed*)	
Request for access granted. Confirmed?	Yes No	New decision (*if not confirmed*)	

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

.....

Relevant authority

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 compliant 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: inforeg@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		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	

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

Postal address	Facsimile	Other electronic communication (*Please specify*)

PART A PERSONAL INFORMATION OF COMPLAINANT				
Full names:				
Identity number:				
Postal Address:				
Street Address:				
E-mail Address:				
Contact numbers:	Tel. (B):		Facsimile	
	Cellular			
PART B REPRESENTATIVE INFORMATION (*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*)				
Full names of representative:				
Nature of representation:				
Identity number/Registration number:				
Postal Address:				
Street Address:				
E-mail Address:				
Contact numbers:	Tel. (B):		Facsimile	
	Cellular			
PART C **THIRD PARTY INFORMATION** (*Please attach letter of authorisation*)				
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
Tell us about the steps you have taken to try to resolve your complaint (*Complaints should first be submitted directly to the public body for response and possible resolution; there are limited exceptions*)

Date on which request for access to records submitted:					
Please specify the nature of the right(s) to be exercised or protected, if a compliant 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.					
PART F **DETAILED TYPE OF ACCESS TO RECORDS** (*Please select one or more of the following to describe your complaint to the Information Regulator*)					
Unsuccessful appeal: (Section 77A (2) (*a*) or section 77A (3) (*a*) of PAIA)	*I have appealed against the decision of the public body and the appeal is unsuccessful.*				
Unsuccessful application for condonation: (Sections 77A (2) (*b*) and 75 (2) of PAIA)	*I filed my appeal against the decision of the public body late and applied for condonation. The condonation application was dismissed.*				
Refusal of a request for access: (Section 77A (2) (*c*) (i) or 77A (2) (*d*) (i) or 77A (3) (*b*) of PAIA)	*I requested access to information held by a body and that request was refused or partially refused.*				
The body requires me to pay a fee and I feel it is excessive: (Sections 22 or 54 of PAIA)	*Tender or payment of the prescribed fee.*				
	The tender or payment of a deposit.				
Repayment of the deposit: (Section 22 (4) of PAIA)	*The information officer refused to repay a deposit paid in respect of a request for access which is refused.*				
Disagree with time extension: (Sections 26 or 57 of PAIA)	*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.	
Form of access denied: (Section 29 (3) or 60 (*a*) of PAIA)	*I requested access in a particular and reasonable form and such form of access was refused.*	
Deemed refusal: (Section 27 or 58 of PAIA)	*It is more than 30 days since I made my request and I have not received a decision.*	
	Extension period has expired and no response was received.	
Inappropriate disclosure of a record: (Mandatory grounds for refusal of access to record)	*Records (that are subject to the grounds for refusal of access) have inappropriately/unreasonable been disclosed.*	
No adequate reasons for the refusal of access: (Section 56 (3) (*a*) of PAIA)	*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.*	
Partial access to record: (Section 28 (2) or 59 (2) of PAIA)	*Access to only a part of the requested records was granted and I believe that more of the records should have been disclosed.*	

Fee waiver: (Section 22 (8) or 54 (8) of PAIA)	*I am exempt from paying any fee and my request to waive the fees was refused.*	
Records that cannot be found or do not exist: (Section 23 or 55 of PAIA)	*The Body indicated that some or all of the requested records do not exist and I believe that more records do exist.*	
Failure to disclose records:	*The Body decided to grant me access to the requested records, but I have not received them.*	
No jurisdiction (exercise or protection of any rights): (Section 50 (1) (*a*) of PAIA)	*The Body indicated that the requested records are excluded from PAIA and I disagree.*	
Frivolous or vexatious request: (Section 45 of PAIA)	*The Body indicated that my request is manifestly frivolous or vexatious and I disagree.*	
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

ANNEXURE B

FEES

Fees in Respect of Public Bodies

Item	Description	Amount
1.	The request fee payable by every requester	R100.00
2.	Photocopy of A4-size page	R1.50 per page or part thereof.
3.	Printed copy of A4-size page	R1.50 per page or part thereof.
4.	For a copy in a computer-readable form on: (i)Flash drive (to be provided by requestor) (ii)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: (i)Flash drive (to be provided by requestor) (ii)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	R100.00 R300.00
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.

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.”.

ANNEXURE C

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) *(Please provide detailed reasons for the objection)*

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

.....

Signature of data subject/designated person

ANNEXURE D

FORM 2

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	**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** **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.** *(Please provide detailed reasons for the request)*

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

.....

Signature of data subject/ designated person

ANNEXURE " LAWS "

RECORDS KEPT IN TERMS OF THE OTHER LEGISLATION

- Accreditation for Conformity Assessment, Calibration and Good Laboratory Practice Act 19 of 2006 (Science)
- Administrative Adjudication of Road Traffic Offences Act 46 of 1998 (Transport)
- Advertising on Roads and Ribbon Development Act 2 of 1940 (Environment and Conservation)
- Alienation of Land Act 68 of 1981 (Contract and Delict)
- Apportionment of Damages Act 34 of 1956 (Contract and Delict)
- Arbitration Act 42 of 1965 (Procedural Law)
- Auditing Profession Act 26 of 2005 (Professions)
- Basic Conditions of Employment Act 75 of 1997 (Labour)
- Bills of Exchange Act 34 of 1964 (Commercial Law)
- Broad-Based Black Economic Empowerment Act 53 of 2003 (Constitutional Law)
- Broadcasting Act 4 of 1999 (Communication)
- Business Names Act 27 of 1960 (Commercial Law)
- Companies Act 61 of 1973 (Corporate Law)
- Companies Act 71 of 2008 (Corporate Law)
- Compensation for Occupational Injuries and Diseases Act 130 of 1993 (Labour)
- Competition Act 89 of 1998 (Commercial Law)
- Constitution of the Republic of South Africa 108 of 1996 (Constitutional Law)
- Consumer Protection Act 68 of 2008 (Commercial Law)
- Conventional Penalties Act 15 of 1962 (Contract and Delict)
- Copyright Act 98 of 1978 (Commercial Law)
- Convention on Agency in the International Sale of Goods Act 4 of 1986 (Commercial Law)
- Council for Medical Schemes Levies Act 58 of 2000 (Health)
- Counterfeit Goods Act 37 of 1997 (Commercial Law)
- Criminal Procedure Act 51 of 1977 (Procedural Law)
- Customs and Excise Act 91 of 1964 (Revenue)
- Debt Collectors Act 114 of 1998 (Legal Administration)
- Designs Act 195 of 1993 (Commercial Law)
- Electronic Communications Act 36 of 2005 (Communication)
- Electronic Communications and Transactions Act 25 of 2002 (Communications)
- Employment Equity Act 55 of 1998 (Labour)
- Environment Conservation Act 73 of 1989 (Environment and Conservation)
- Financial Intelligence Centre Act 38 of 2001 (Criminal Law)
- Formalities in respect of Leases of Land Act 18 of 1969 (Contract and Delict)
- Hazardous Substances Act 15 of 1973 (Health)
- Health Act 63 of 1977 (Health)
- Identification Act 68 of 1997 (Citizenship)
- Immigration Act 13 of 2002 (Citizenship)

- Immovable Property (Removal or Modification of Restrictions) Act 4 of 1965 (Estates)
- Import and Export Control Act 45 of 1963 (Commercial Law)
- Income Tax Act 58 of 1962 (Income Tax)
- Insolvency Act 24 of 1936 (Estates)
- Institution of Legal Proceedings against certain Organs of State Act 40 of 2002(Procedural Law)
- Justices of the Peace and Commissioners of Oaths Act 16 of 1963 (Legal Administration)
- Labour Relations Act 66 of 1995 (Labour)
- Long-term Insurance Act 52 of 1998 (Financial Institutions and Insurance)
- Measurement Units and Measurement Standards Act 18 of 2006 (Science)
- Medical Schemes Act 131 of 1998 (Health)
- Medicines and Related Substances Control Act, No 101 of 1965(Health)
- Mental Health Care Act No 17 of 2002 (Health)
- Merchandise Marks Act 17 of 1941 (Commercial Law))
- National Credit Act 34 of 2005 (Contract and Delict)
- National Environmental Management Act 107 of 1998 (Environment and Conservation)
- National Environmental Management: Air Quality Act 39 of 2004 (Environment and Conservation)
- National Environmental Management: Waste Act 59 of 2008 (Environment and Conservation
- National Health Act 61 of 2003 (Health)
- National Railway Safety Regulator Act 16 of 2002 (Transport)
- National Roads Act 54 of 1971 (Transport)
- National Road Safety Act 9 of 1972 (Transport)
- National Road Traffic Act 93 of 1996 (Transport)
- National Water Act 36 of 1998 (Resources)
- Nursing Act No 33 of 2005 (Health)
- Occupational Health and Safety Act 85 of 1993 (Labour)
- Patents Act 57 of 1978 (Commercial Law)
- Pension Funds Act 24 of 1956 (Welfare and Pensions)
- Pharmacy Act No 56 of 1974 (Health)
- Prescription Act 68 of 1969 (Procedural Law)
- Prescribed Rate of Interest Act 55 of 1975 (Contract and Delict)
- Private Security Industry Regulation Act 56 of 2001 (Professions)
- Promotion of Access to Information Act 2 of 2000 (Constitutional Law)
- Protection of Businesses Act 99 of 1978 (Commercial Law)
- Regulation of Interception of Communication and Provision of Communications- Related Information Act 70 of 2002 (Communication)
- Road Traffic Act 29 of 1989 (Transport)
- Short-term Insurance Act 53 of 1998 (Financial Institutions and Insurance)
- Skills Development Act 97 of 1998 (Labour)
- Skills Development Levies Act 9 of 1999 (Labour)

- South African Passports and Travel Documents Act (Citizenship)
- Standards Act 8 of 2008 (Science)
- The South African National Roads Agency Limited and Roads Act 7 of 1998 (Transport)
- Tobacco Products Control Act 83 of 1993 (Health)
- Trade Marks Act 94 of 1993 (Commercial Law)
- Trade Metrology Act 77 of 1973 (Science)
- Trade Practices Act 76 of 1976 (Commercial Law)
- Transfer Duty Act 40 of 1949 (Revenue)
- Unemployment Insurance Act 63 of 2001 (Labour)
- Unemployment Insurance Contributions Act 4 of 2002 (Labour)
- Value-Added Tax Act 89 of 1991 (Revenue)
- Water Services Act 108 of 1997 (Resources)