

**INFORMATION ACCESS MANUAL OF  
BIDVEST INSURANCE LIMITED  
and  
BIDVEST INSURANCE BROKERS (PTY) LIMITED**

**1. DEFINITIONS**

**“Bidvest Insurance” or “Companies”** means Bidvest Insurance Limited, Registration Number 1997/019461/06 and/or Bidvest Insurance Brokers (Pty) Ltd, Registration Number 1967/000378/07;

**“data subject”** means the person to whom personal information relates;

**“Deputy Information Officer”** means the person whose details are outlined in paragraph 7 of this manual;

**“Information Officer”** means the head of the Companies;

**“manual”** means this manual together with all its annexures;

**“PAIA”** means the Promotion of Access to Information Act 2 of 2002;

**“person”** means a natural person or a juristic person;

**“personal information”** means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to—

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

**“POPI”** means the Protection of Personal Information Act 4 of 2013;

**“private body”** has the same meaning as that of *“private body”* as defined in section 1 of PAIA;

**“processing”** means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including –

- (a) the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
- (b) dissemination by means of transmission, distribution or making available in any other form; or
- (c) merging, linking, as well as restriction, degradation, erasure or destruction of information;

**“public body”** has the same meaning as that of *“public body”* as defined in section 1 of PAIA;

**“record”** means any recorded information-

- (a) regardless of form or medium, including any of the following:

- (i) writing on any material,
  - (ii) information produced, recorded or stored by means of any tape-recorded, computer equipment, whether hardware or software or both, or other device, and any material subsequently derived from information so produced, recorded or stored.
  - (iii) label, marking or other writing that identified or described anything of which it forms part, or to which it is attached by any means,
  - (iv) book, map, graph or drawing,
  - (v) photograph, film, negative, tape or other device in which one or more visual images are embodied so as to be capable, with or without the aid of some other equipment, of being reproduced;
- (b) in the possession or control of a responsible party;
  - (c) whether or not it was created by the responsible party; and
  - (d) regardless of how it came into existence.
- “responsible party”** means a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means for processing personal information;
- “requester”** means any person making a request for access to a record of the Companies or a person acting on behalf of such person.

## 2. INTRODUCTION

The Companies offers a variety of motor vehicle and lifestyle insurance and non-insurance products to meet a variety of customer needs. Its operations include the processing of information to which access may, from time to time, be required by an individual or juristic entity.

## 3. THE PROMOTION OF ACCESS TO INFORMATION ACT (PAIA)

PAIA gives effect to the constitutional right of access to any information held by any public or private body and that is required for the exercise or protection of any rights. Any person that requests access to records will have to demonstrate that the record is required for the exercise or protection of a right.

POPI intersects with PAIA in that whereas there is a right afforded by PAIA for access to information, this must also be considered in the light of the provisions of POPI which seeks to protect the personal information of data subjects. Therefore, even where a request for information in terms of PAIA is received, such must be processed in accordance with POPI where the information constitutes personal information.

Requests for information in terms of PAIA must be made in accordance with certain procedures and accompanied by payment of the applicable fees prescribed, which we outline below. In addition, a guide on PAIA may be obtained from the Information Regulator, whose details are also provided as part of this manual.

The Information Regulator has published a Guide on how to use the Promotion of Access to Information Act 2 of 2000 which can be accessed using the following link:

[https://www.justice.gov.za/inforeg/docs/misc/PAIA-Guide-English\\_20210905.pdf](https://www.justice.gov.za/inforeg/docs/misc/PAIA-Guide-English_20210905.pdf)

Alternatively, a copy of the Guide can be obtained from the office of the Information Regulator using the contact details provided below.

#### 4. PURPOSE OF THIS MANUAL

The purpose of this manual is:

- 4.1 For purposes of PAIA: to detail the information held by the Companies and the procedure that a requestor of information is to follow and how such request shall be facilitated by the Companies; and
- 4.2 For purposes of POPI: to detail the procedure to request personal information; the purpose for which personal information may be processed; a description of the categories of data subjects for whom the Companies process personal information, as well as the categories of personal information relating to such data subjects; and the recipients to whom such personal information may be supplied.

#### 5. THE INFORMATION REGULATOR

The Information Regulator is responsible for compiling a guide that will facilitate ease of use of PAIA for requesters. This guide is available in all eleven official languages from the Information Regulator, whose contact details are as follows:

The Information Regulator:

JD House  
27 Stiemens Street  
Braamfontein  
Johannesburg 2001

PO Box 31553  
Braamfontein  
Johannesburg 2017  
Tel No. +27(0) 10 023 5207  
Email: [infoereg@justice.gov.za](mailto:infoereg@justice.gov.za)  
Website: [www.justice.gov.za/infoereg](http://www.justice.gov.za/infoereg)

#### 6. CONTACT DETAILS OF THE HEAD OF THE COMPANIES

For purposes of section 51(1)(a) of PAIA the contact details of the head of the Companies are as follows:

<b>Name</b>	Phillip Donnelly
<b>Physical Address</b>	2 <sup>nd</sup> Floor, Lincoln on the Lake, 2 The High Street, Umhlanga Ridge, 4319
<b>Postal Address</b>	Bidvest Insurance PO Box 25038 Gateway 4321
<b>Telephone Number</b>	0861 888 861

<b>Email Address</b>	info@bidvestinsurance.co.za
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## 7. RECORDS THAT ARE AUTOMATICALLY AVAILABLE

7.1 The following records are automatically available to all employees from the Companies' human resources department and need not be requested in accordance with the procedure outlined in paragraph 9 of this manual:

- personnel records are available to employees to whom these relate;
- records of disciplinary hearings and related matters are available to employees to whom these relate;
- the Companies' policies and procedures;
- the Companies' document format manual.

7.2 The following records are automatically available to the general public and all employees at the Companies' premises and on the Companies' website, and need not be requested in accordance with the procedure outlined in paragraph 9:

- Brochures;
- Pamphlets; and
- Documents related to products offered by the Companies.

7.3 Insurance policy records relating to the Companies' insurance policyholders, beneficiaries, successors in title, premium payer or member of a group scheme will be made available in line with the regulatory requirements that govern the insurance and financial services industry. Requests for these records may be made by way of telephone call, letter or e-mail address using the contact details provided in paragraph 6 above. These particular requests may only be made by a person to whom such insurance policy relates.

## 8. REQUESTS FOR ACCESS

The records held by the Companies are set out in **Annexure A** (Records Which Requesters Must Apply For). Access to the documents listed in **Annexure A** is not automatic and may be refused by the Companies in certain instances as provided for by PAIA or other applicable legislation, or for any other justifiable reason. To request access to these records, please follow the procedure outlined in paragraph 9.

## 9. PROCESS FOR REQUESTING INFORMATION NOT AUTOMATICALLY AVAILABLE

9.1 Requests for access to information may be directed to the Companies' Deputy Information Officer, whose details are as follows:

<b>Deputy Information Officer</b>	Slindile Nzimande
<b>Physical Address</b>	2 <sup>nd</sup> Floor, Lincoln on the Lake, 2 The High Street, Umhlanga Ridge, 4319
<b>Postal Address</b>	Bidvest Insurance

	PO Box 25038 Gateway 4321
<b>Website</b>	<a href="http://www.bidvestinsurance.co.za">www.bidvestinsurance.co.za</a>
<b>Telephone Number</b>	0861 888 861
<b>Email Address</b>	PAIA@bidvestinsurance.co.za

## 9.2. Completion and submission of access request

9.2.1. To be granted access to a record you must complete the prescribed form, attached hereto as **Annexure B** (Form For Request For Access To A Record), and submit this form to the Companies at **PAIA@Bidvestinsurance.co.za**. Please complete all fields on the request form, ensuring that you provide us with the following information:

- Details of the record that you are requesting;
- A copy of your valid South African ID document or card;
- A copy of a power of attorney (if applicable);
- A description of the right you seek to exercise or protect; and
- Details of how the information requested must be provided if the request is granted
- Your contact details

9.2.2. If the request for access to information is successful, an access fee will be required and this will be calculated based on the prescribed fees. This access fee must be paid prior to access being given to the requested record.

9.2.3. Upon receipt of a request the requester may be notified whether or not a deposit is required. A deposit will be required where the search for and preparation of the record will, in the opinion of the Information Officer, take more than six hours. Notification to the requestor of such deposit payable will be provided using the prescribed form in **Annexure D** (Outcome of Request and Deposit Payable).

9.2.4. **Annexure D** (Prescribed Fees) details the fees applicable in respect of requests made. Fees payable will be provided by the Deputy Information Officer once the request has been received, along with payment details. Payment can be made via a direct deposit (no credit card payments are accepted), and proof of payment must be supplied.

## 9.3. Notification

9.3.1 The Deputy Information Officer shall, as soon as reasonably possible and within 30 days after the request has been received, decide whether or not to grant the request.

9.3.2. The 30-day period indicated above may be extended for a further period of not more than 30 days where:

- the request is for a large volume of information; or
- the records are not kept at the offices of the Companies.

9.3.3. The Deputy Information Officer will notify the requester in writing should an extension be sought.

9.3.4 The requester will be notified of the decision of the Deputy Information Officer in the manner indicated by the requester.

9.3.5. If the request is granted, the requester shall be informed by the Deputy Information Officer in the manner indicated by the requester on the prescribed form in **Annexure D** (Outcome of Request and Deposit Payable). After access is granted, actual access to the record requested will be given as soon as reasonably possible.

9.3.6. If all reasonable steps have been taken to find a record, and such record cannot be found or does not exist, the Deputy Information Officer shall by means of an affidavit or affirmation notify the requester of this. A full account will be provided in the affidavit or affirmation of all steps taken to find the requested record.

## **10. REFUSAL OF REQUESTS FOR ACCESS TO INFORMATION**

10.1. An application for access to a record is subject to certain limitations for the reasons as set out in this paragraph 10, or where the requested record falls within a certain category as specified within PAIA, POPI or any other law. If it is reasonably suspected that the requester has obtained access to records through the submission of materially false or misleading information, legal proceedings may be instituted against such a requester.

10.2. If the request for access is refused, the head of the Companies or the Deputy Information Officer shall advise the requester in writing of the refusal. The notice of refusal shall state:

- adequate reasons for the refusal; and
- that the requester may lodge an appeal with a court of competent jurisdiction against the refusal of the request (including the period) for lodging such an appeal.

10.3. Upon the refusal by the head of the Companies or the Deputy Information Officer, any deposit paid by the requester will be refunded.

10.4. If the head of the Companies or Deputy Information Officer fails to respond within thirty days after a request has been received, it is deemed, in terms of section 58 read together with section 56(1) of PAIA, that the head of the Companies or the Deputy Information Officer has refused the request.

10.5. The main grounds for the Companies to refuse a request are:

- The mandatory protection of the privacy of a third party who is a natural person which would involve the unreasonable disclosure of personal information of that person;
- The mandatory protection of the commercial information of a third party, if the record contains trade secrets of that third party; financial, commercial or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party; or information disclosed in confidence to the Companies if the disclosure could put that third party at a disadvantage in negotiations or commercial competition.

- Mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- The mandatory protection of the safety of individuals and the protection of property;
- The mandatory protection of records which would be regarded as privileged in legal proceedings;
- The operations of the Companies; and
- The business activities of the Companies which may include:
  - a) Trade secrets of the Companies;
  - b) Financial, commercial, marketing or technical information which disclosure could cause harm to the financial or business interests of the Companies;
  - c) Information which, if disclosed, could put the Companies at a disadvantage in negotiations or business competition;
  - d) Intellectual property which is owned by the Companies and which is protected by law;
  - e) Any research information of the Companies or a third party, if its disclosure would put the Companies, the researcher or the subject matter of the research at a serious disadvantage.

#### 10.6. Third Party Information

- If access is requested to a record that contains information about a third party, the Information Officer is obliged to attempt to contact this third party to inform them of the request. This enables the third party the opportunity of responding by either consenting to the access or by providing reasons why the access should be denied.
- In the event of the third-party furnishing reasons for the support or denial of access, the Information Officer will consider these reasons in determining whether access should be granted, or not.

#### 10.7. Appeal

##### Internal

The Companies do not have an internal appeal procedure. As such, the decision made by the Deputy Information Officer is final, and requesters will have to exercise such external remedies at their disposal if the request for access is refused.

##### External

In accordance with sections 56(3) (c) and 78 of PAIA, a requestor may lodge a complaint with the Information Regulator using the prescribed form in **Annexure E** (Complaint form) or apply to a court for relief within 180 days of notification of the decision for appropriate relief.

## 11. PROCESSING OF PERSONAL INFORMATION

- 11.1. POPI regulates and controls the processing, collection, use, and transfer of personal information relating to identifiable, living, natural persons and juristic persons.
- 11.2. In terms of POPI, the definition of personal information includes, but is not limited to, in relation to a data subject, their name, address, contact details, date of birth, place of birth, identity number, passport number, bank details, tax number, financial information and marital status.

- 11.3. In terms of POPI, the Companies has a legal duty to collect, use, transfer and destroy personal information in a lawful, legitimate and responsible manner.
- 11.4. The Companies processes personal information in respect of, but not limited to, the following data subjects:
- Employees, contractors, consultants, job applicants, directors, learnership candidates, representatives (as defined in the Financial Advisory and Intermediary Services Act, 2002);
  - Clients;
  - Suppliers and service providers;
  - Regulators of public bodies;
  - Persons who physically interact with the Companies at the Companies' offices or through e-mail, fax, WhatsApp, websites and other means of electronic communication;
  - Third-parties involved in insurance claims; and
  - Potential business partners.
- 11.5. The Companies process personal information (without limitation):
- in accordance with its business objectives and strategies;
  - to comply with its legal and contractual obligations;
  - in order to make contact with, or attend to a data subject's queries or instructions;
  - to identify data subjects;
  - to pursue the legitimate interests of the Companies or the data subject;
  - to provide the data subject with information, which includes information about marketing in respect of the Companies;
  - to provide, maintain and improve its services;
  - to perform operational, human resource and legal requirements; and
  - to prevent fraud and abuse of the Companies' processes, systems and operations.
- 11.6. The Companies will ensure that all personal information is treated with caution and will implement reasonable security measures to protect your personal information.
- 11.7. The Companies have the following policies in place to ensure the confidentiality, integrity and availability of the personal information which is to be processed. These policies include data security measures such as data encryption, firewalls, access control and other related measures to address the risk of data breaches.
- Privacy policy;
  - Information Technology, Social Media, Electronic Communication and Data Breach policy;
  - Direct Marketing policy
  - Guide to Retention of Records;
  - Cybersecurity and Data Management policy
- The implementation of these policies is overseen by the IT Steering Committee of the Companies.
- 11.8. Once the data subject's personal information is no longer required due to the fact that the purpose for which the personal information was held has come to an end or expired, such personal information will be safely and securely archived for the required periods, as



prescribed by law. The Companies will thereafter ensure that such personal information is permanently destroyed.

11.9. In the event that a data subject requires details of the personal information the Companies hold, the data subject must submit a request in accordance with paragraph 7 of this manual.

11.10. The Companies transmit a Data Subject's personal information to entities outside of the Republic of South Africa which personal information is stored in data servers outside of South Africa. The Companies endeavour to ensure that these countries in which Data Subjects personal information is stored have similar or adequate data protection laws.

**I, Phillip Donnelly, the Managing Director and Information Officer of the Companies, do hereby confirm that this is the approved access-to-information manual, in compliance with section 51 of the Promotion of Access to Information Act, 2 of 2000 as well as POPI Regulation 4.**

This PAIA Manual was approved on 16 August 2022.



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**Phillip Donnelly**  
**Managing Director**  
**Information Officer**

**ANNEXURE A**  
**RECORDS WHICH REQUESTERS MUST APPLY FOR**

The following records are not automatically available without a request in terms of PAIA or any particular legislation.

***Records and/or documents kept in compliance with the requirements of legislation such as those listed below (this list is not exhaustive)***

***Legislation***

- Basic Conditions of Employment Act 75 of 1997;
- Broad-based Black Empowerment Act 53 of 2003;
- Companies Act 71 of 2008;
- Compensation for Occupational Injuries and Disease Act 130 of 1993 Companies Act 61 of 1973;
- Copyright Act 98 of 1978;
- Electronic Communications and Transactions Act 25 of 2002;
- Employment Equity Act 55 of 1998;
- Financial Advisory and Intermediary Services Act 37 of 2002;
- Income Tax Act 58 of 1962;
- Insurance Act 18 of 2017;
- Labour Relations Act 66 of 1995;
- Occupational Health & Safety Act 85 of 1993;
- Protection of Constitutional Democracy Against Terrorist and Related Activities Act 33 of 2004;
- Pension Funds Act 24 of 1956;
- Short-term Insurance Act 53 of 1998;
- Skills Development Levies Act 9 of 1999;
- South African Qualifications Authority Act 598 of 1995;
- Unemployment Insurance Act 63 of 2001; and
- Value Added Tax Act 89 of 1991.

***Financial and Administrative Records***

- Accounting and audit records;
- External auditors' reports in respect of audits conducted;
- Tax returns;
- Other documents and agreements relating to taxation;
- Bank facilities and accounts details;
- Bank statements;
- Other financial records;
- Securities and equities;
- Guarantees given by, or in respect of the Companies;
- Treasury related records;
- Other financial commitments of the Companies;
- Other banking records of the Companies;

- Product records;
- Representative mandates;
- Statutory records; and
- All operational, administrative and other records held by the Companies.

#### ***Human Resources and Employment Records***

- List of employees
- Contracts of employment with directors and employees of the Companies;
- Expenditure or reimbursement agreements with directors of the Companies;
- Documents relating to any employee benefits;
- Compensation or redundancy payments;
- Employee records;
- Pension Funds;
- Training manuals and leave records;
- Employment Equity Plan of the Companies;
- Procedural agreements and policies of the Companies;
- Disciplinary records and documentation pertaining to disciplinary proceedings; and
- All other information relating to previous and current employees of the Companies.

#### ***Intellectual Property***

- Trademarks, patents, copyrights and all designs held by the Companies;
- Licences relating to intellectual property rights; and
- Other agreements relating to intellectual property rights.

#### ***Permits***

- Licences, material permits, consents, approvals, authorisations and certificates;
- Applications for permits and licences; and
- Registrations and declarations of permits;

#### ***Insurance Records***

- Insurance policies taken out for the benefit of the Companies and its employees.

#### ***Immovable and Movable Property***

- Title deeds of any property owned by the Companies;
- Agreements for the lease or sale of land and/or other immovable property by the Companies;
- Agreements for the lease or sale of movable property by the Companies;
- Mortgage bonds, liens, notarial bonds or security interests on property; and
- Other agreements for the purchase, ordinary sale, conditional sale, or hire of assets.

#### ***Information Technology***

- Information technology policy;
- Licensing and software contracts;
- Procurement Agreements;
- Infrastructure maintenance and support agreements;

- Software vendor license, maintenance and support agreements; and
- Development agreements.

#### ***Operations***

- Compliance reports;
- Complaints register;
- FICA internal compliance policy;
- Client register;
- Representative mandates;
- Binder agreements;
- Intermediary agreements; and
- All other policies and records relating to operations.

#### ***Miscellaneous Agreements***

- Loans from third parties (including banks);
- Suretyship agreements;
- Security agreements, guarantees and indemnities, including notarial bond agreements;
- Any agreements restricting the trading activities of the Companies;
- All management agreements;
- Marketing agreements, including marketing and event management plans, promotional brochures and publications, media releases and brand information;
- Agreements in terms of which the Companies are a member of a joint venture, consortium, partnership, incorporated or unincorporated association, and shareholders' agreements of another entity, which the Companies are a party to;
- Supply agreements;
- Agreements with customers;
- Confidentiality and/or non-disclosure agreements;
- Other records pertaining to third parties and records belonging to the Companies in the possession of third parties; and
- Any other agreements.

#### ***Correspondence***

- Correspondence of the Companies including internal and external memoranda.

#### ***Technical Records***

- Documentation pertaining to any studies conducted by the Companies; and
- Technical information in the possession of the Companies.

#### ***Other information***

- B-BBEE plans of the Companies;
- Quality assurance and control policy documents; and
- Customer profiles.

**ANNEXURE B**  
FORM FOR REQUEST FOR ACCESS TO A RECORD

**REQUEST FOR ACCESS TO RECORD OF A PRIVATE BODY**

Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No 2 of 2000) (**Regulation 4**)

**Particulars of person requesting access to the record**

- a) The particulars of the person who requests access to the records must be recorded below.  
 b) Furnish an address and/or fax number within South Africa to which information must be sent.  
 c) If the request is made on behalf of another person, proof of authorisation to act on behalf of that person must be attached.

Mark with an "X"

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

Full names and surname			
Identity number			
Postal address			
Telephone number		Fax number	
E-mail address			

**A. Particulars of person on whose behalf request is made**

This section must be completed only if a request for information is made on behalf of another person.			
Full names and surname			
Identity number			
Copy of Authorisation attached?	Yes		No

**B. Particulars of record**

a)	Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.
b)	If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester <b>must sign</b> all the additional folios.
1.	Description of record or relevant part of the record:
2.	Reference number, if available:
3.	Any further particulars of record:


**Fees**

<p>a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.</p> <p>b) You will be notified of the amount required to be paid as the request fee.</p> <p>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.</p> <p>d) If you qualify for exemption of the payment of any fee, please state the reason therefore.</p>
Reason for exemption from payment of fees

**Form of access to record**

<p>If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.</p>	
Disability	Form in which record is required
<p>Mark the appropriate box with an "X"</p> <p>NOTES:</p> <p>a) Your indication as to the required form of access depends on the form in which the record is available.</p> <p>b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.</p> <p>c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.</p>	
<p>1. If the record is in written or printed form:</p>	
<input type="checkbox"/> Copy of record*	<input type="checkbox"/> Inspection of record
<p>2. If record consists of visual images: (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)</p>	
<input type="checkbox"/> View the images	<input type="checkbox"/> Copy of the images* <input type="checkbox"/> Transcription of the images*
<p>3. If record consists of recorded words or information which can be reproduced in sound:</p>	
<input type="checkbox"/> Listen to the soundtrack (audio cassette)	<input type="checkbox"/> Transcription of soundtrack* (written or printed document)

4. If record is held on computer or in an electronic or machine-readable form:					
	Printed copy of record		Printed copy of information derived from the record*	Copy in computer readable form* (flash drive or external hard drive)	
*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? A postal fee is payable.				YES	NO

**C. Particulars of right to be exercised or protected:**

<p>If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester <b>must sign</b> all the additional folios.</p> <p>Indicate which right is to be exercised or protected</p>   <p>Explain why the requested record is required for the exercising or protection of the aforementioned right</p>   
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**D. Notice of decision regarding request for access:**

<p>You will be notified in writing whether your request has been approved or denied. If you wish to be informed thereof in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.</p> <p>How would you prefer to be informed of the decision regarding your request for access to the record? Please provide contact details.</p>  
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Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

\_\_\_\_\_  
**SIGNATURE OF REQUESTER/PERSON ON WHOSE BEHALF REQUEST IS MADE**

**ANNEXURE C  
PRESCRIBED FEES**

<b>Reproduction of documents</b>	<b>Fees (R)</b>
<b>A copy of the manual as contemplated in regulation 9(2)(c) – for every photocopy of an A4-size page or part of the page</b>	<b>1,10</b>
<b>A photocopy of an A4-size page or part of the page</b>	<b>1,10</b>
<b>A printed copy of an A4-size page or part of the page on a computer or in electronic or machine-readable form</b>	<b>0,75</b>
<b>A transcription of visual images on an A4-size page or part of the page</b>	<b>40,00</b>
<b>A copy of visual images</b>	<b>60,00</b>
<b>A transcription of an audio record on an A4-size page or part of the page</b>	<b>24,00</b>
<b>Access fee payable</b>	<b>Fees (R)</b>
<b>A photocopy of an A4-size page or part of the page</b>	<b>1,10</b>
<b>A printed copy of an A4-size page or part of the page on a computer or in electronic form</b>	<b>0,75</b>
<b>A copy in a computer-readable form on a flash drive or an external hard drive (encrypted), excluding hardware cost.</b>	<b>40,00</b>
<b>A transcription of visual images on an A4-size page or part of the page</b>	<b>40,00</b>
<b>A copy of visual images</b>	<b>60,00</b>
<b>A transcription of an audio record on an A4-size page or part of the page</b>	<b>24,00</b>
<b>Search for and preparation of the record for disclosure for every hour or part of an hour (excluding the first hour) that is reasonably needed to do the search and preparation</b>	<b>30,00</b>

For the purposes of section 54(2) of the Act, the following also applies:

- You must pay a deposit where the search for and preparation of the record is expected to take more than six hours.
- You must pay one-third of the access fee as a deposit up front.
- You must pay the fee to have the record delivered to you.



**ANNEXURE D**

**OUTCOME OF REQUEST AND OF FEES PAYABLE**

[Regulation 8]

Note:

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

Reference number:

TO:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

**1. You requested:**

Personal inspection of information at registered address of public/private body ( <i>including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form</i> ) <u>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.</u>	
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**OR**

**2. You requested:**

<u>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)</u>	
<u>Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)</u>	
<u>Transcription of soundtrack (written or printed document)</u>	
Copy of information on flash drive ( <i>including virtual images and soundtracks</i> )	
Copy of information on an external hard drive ( <i>including virtual images and soundtracks</i> )	
<u>Copy of record saved on cloud storage server.</u>	

**3. To be submitted:**

Postal services to postal address	
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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>	
<u>Cloud share/file transfer</u>	
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	Number of items / pages	Total
Photocopy	R1.10 per page		
Printed copy	R1.10 per page		
Copy in a computer-readable form on: a) Flash drive (encrypted) – to be provided to requestor b) External hard drive (encrypted) • If provided by requestor • If provided to the requestor	R140.00  R40.00 R700.00		
Transcription of visual Images per A4-size page	Service to be outsourced. Will depend on the quotation of the service provider.		
Copy of visual images			
Transcription of an audio record	R24.00		

Copy of an audio record (i) Flash drive (encrypted) • To be provided by requester	R40.00		
(ii) External Hard Drive (encrypted) • If provided by requestor • If provided to the requestor	R40.00 R700.00		
Postage, courier service, e-mail or any other electronic transfer	Actual costs		
<b>TOTAL:</b>			

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

Yes                       No

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

\_\_\_\_\_  
Deputy Information Officer

## ANNEXURE E

### COMPLAINT FORM

[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 2 of 2000 (“PAIA”). Please fill out this form and send it to the Information Regulator (“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 Regulator about any of the nature of complaints detailed in part E of this complaint form-
3. It is the policy of the 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 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 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: [inforeg@justice.gov.za](mailto:inforeg@justice.gov.za)  
Tel number: +27 (0) 10 023 5200

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

(Mark with an “X”)

<input type="checkbox"/>	Complainant personally
<input type="checkbox"/>	Representative of complainant
<input type="checkbox"/>	Third party

<b>PREREQUISITES</b>
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Did you submit request (PAIA form) for access to record of a private body?	Yes		No	
Has 30 days lapsed from the date on which you submitted your PAIA form?	Yes		No	
Have you applied to Court for appropriate relief regarding this matter?	Yes		No	

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

<b>PART A PERSONAL INFORMATION OF COMPLAINANT</b>
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Full names:				
Identity number:				
Postal Address:				
Street Address:				
E-mail address:				
Contact numbers:	Tel. (B):		Facsimile	
	Cellular			

<b>PART B REPRESENTATIVE INFORMATION</b>
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(Complete only if you will be represented. A Power of Attorney must be attached if complainant is a representative, 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
	Cell		

PART C THIRD PARTY INFORMATION (Please attach letter of authorisation)			
Type of body:	Private		
Name of private body:			
Registration number:			
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
Name of body:	
Registration number:	
Name, surname and title of person you dealt with at the 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		

<b>PART E COMPLAINT</b>			
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 complaint is against a private body:			
Have you attempted to resolve the matter with the organisation?	Yes		No
If yes, when did you receive it? (Please attach the letter to this application.)			
Did you appeal against a decision of the information officer of the public body?	Yes		No
If yes, when did you lodge an appeal?			
Have you applied to Court for appropriate relief regarding this matter?	Yes		No
If yes, please indicate when was the matter adjudicated by the Court. Please attach Court Order, if there is any.			

<b>PART F DETAILED TYPE OF ACCESS TO RECORDS</b>	
(Please select one or more of the following to describe your complaint to the 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 (d)(i) or 77A(3)(b) or 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 request fee.	
	The tender deposit or payment of a deposit fee.	
Repayment of the deposit: (Section 22(4) of PAIA)	The information officer refused to repay 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: (Sections 29(3) or sections 60(a) of PAIA)	I requested access in a particular and reasonable form and such form of access was refused.	



Deemed refusal: (Sections 27 or 58 of PAIA)	It is more than 30 days since I made my request and I have not received a decision. No response received and no extension has been taken.	
	Extension period has expired and nonresponse 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 to records have been inappropriately or unreasonable 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) of 59(2) of PAIA)	Access to only a part of the requested records was granted and I believe that more of the records should be disclosed.	
Fee waiver: (Sections 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 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 disagree.	

	My request to a responsible party to confirm whether or not the responsible party holds personal my information has been refused	
	My request for access to record or a description of my personal information held by the responsible party, including information about the identity of all third parties, or categories of third parties, who have, or have had, access to my personal information has been refused.	
Other: (Please explain):		

<b>PART G</b> <b>EXPECTED OUTCOME</b> How do you think the Regulator can assist you? Describe the result or outcome that you seek.

<b>PART H</b> <b>AGREEMENTS</b>
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The legal basis for the following agreements is explained in the Privacy Notice on how to file your complaint document. For the Regulator to process your complaint, you need to check each one of the checkboxes below to show your agreement:

- I consent to being contacted at the above e-mail address or through that of my representative on my behalf. I acknowledge that sending e-mail over the Internet is not secure, in that it can be intercepted and/or manipulated and retransmitted.
  
- I agree that the Regulator may use the information provided in my complaint to assist it in researching issues relating to the promotion the right of access to information as well as the protection of the right to privacy in South Africa. I understand that the Regulator will never include my personal or other identifying information in any public report, and that my personal information is still protected by Protection of Personal Information Act, 2013. I understand that if I do not agree, the 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 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 authorize anyone (such as an employer, service provider, witness) who has information needed to process my complaint to share it with the Regulator. The 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 Regulator; otherwise, my complaint could experience a delay or even be closed.

Signed at

this day of

20

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Complainant