

**LL SHADRACH ATTORNEYS**



# **PAIA MANUAL**

**PREPARED IN TERMS OF SECTION 51 OF THE PROMOTION OF  
ACCESS TO INFORMATION ACT 2 OF 2000 (AS AMENDED)**

**DATE OF COMPILATION: 28 JUNE 2021  
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## INTERPRETATION

In this document, clause headings are for convenience and shall not be used in its interpretation unless the context clearly indicates a contrary intention:

- 1.1 an expression which denotes -
  - 1.1.1 any gender includes the other genders;
  - 1.1.2 a natural person includes a juristic person and vice versa;
  - 1.1.3 the singular includes the plural and vice versa;
- 1.2 the following expressions shall bear the meanings assigned to them below and cognate expressions bear corresponding meanings -
  - 1.2.1 **"Information Officer"** - the designated Information Officer as described in this Manual;
  - 1.2.2 **"Manual"** - this document together with all of its annexures, as amended from time to time, and published in terms of section 51 of PAIA;
  - 1.2.3 **"PAIA"** - Promotion of Access to Information Act 2 of 2000, as amended from time to time including the regulations promulgated in terms of PAIA;
  - 1.2.4 **"POPIA"** - Protection of Personal Information Act 4 of 2013, as amended from time to time including the regulations promulgated in terms of POPIA;
  - 1.2.5 **"POPIA Regulations"** - the regulations relating to the protection of personal information, GG 42110, GNR.1383 of 2018;
  - 1.2.6 **"Regulator"** - the Information Regulator of South Africa established in terms of section 39 of POPIA; and
  - 1.2.7 **"LL SHADRACH ATTORNEYS"** – a law firm with Legal Practice Council number 41152.



## 2 PURPOSE OF MANUAL

- 2.1 This Manual is issued in compliance with section 51 of PAIA, which obliges organisations to compile a guide for persons seeking access to information.
- 2.2 This purpose of this Manual is to -
  - 2.3 outline the categories of records held by LL Shadrach Attorneys and indicate the extent to which such records are accessible;
  - 2.4 equip the public with a clear understanding of the procedure for requesting access to records held by LL Shadrach Attorneys, including a description of the subjects on which records are maintained and the corresponding categories of those records;
  - 2.5 identify records of LL Shadrach Attorneys that are available in terms of other applicable legislation;
  - 2.6 furnish the relevant contact details of the Information Officer and Deputy Information Officer, who are available to assist with access requests;
  - 2.7 include a description of the PAIA guide, as revised by the Regulator;
  - 2.8 inform the public of the nature of personal information processed by LL Shadrach Attorneys, the purposes for such processing, the categories of data subjects involved, the recipients or categories of recipients to whom such information may be disclosed, and whether cross-border transfers of personal information are contemplated; and
  - 2.9 describe the security safeguards implemented by LL Shadrach Attorneys to ensure the confidentiality, integrity, and availability of personal information under its control.



### 3 CONTACT DETAILS FOR ACCESS TO INFORMATION OF LL SHADRACH ATTORNEYS

#### 3.1 The Information Officer

Name	Contact details
Leora Lizelle Shadrach	Mobile no: (083) 300 1696 Email: <a href="mailto:lizelle@shadrachlaw.africa">lizelle@shadrachlaw.africa</a>

#### 3.2 LL SHADRACH ATTORNEYS Head Office (Durban)

Physical address	2 Ncondo Place Ridgeside Umhlanga Ridge Durban 4320
Contact details and website	Tel: (031) 140 0780 Email: <a href="mailto:hello@shadrachlaw.africa">hello@shadrachlaw.africa</a> Website: <a href="http://www.shadrachlaw.africa">www.shadrachlaw.africa</a>
Postal address	2 Ncondo Place Ridgeside Umhlanga Ridge Durban 4320

### 4 GUIDANCE ON PAIA

4.1 The Regulator has, in terms of section 10(1) of PAIA updated and made available the revised Guide on how to use PAIA ("**Guide**"), in an easily comprehensible form and manner, as may be reasonably required by a person who wishes to exercise any right contemplated in PAIA and POPIA.

4.2 The Guide is available in each of the official languages and in braille.

4.3 The aforesaid Guide contains the description of -

4.3.1 the objects of PAIA and POPIA;



- 4.3.2 the postal and street address, phone and fax number and, if available, electronic mail address of -
  - 4.3.2.1 the Information Officer of every public body; and
  - 4.3.2.2 every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA<sup>1</sup> and section 56 of POPIA;<sup>2</sup>
- 4.3.3 the manner and form of a request for -
  - 4.3.3.1 access to a record of a public body contemplated in section 11;<sup>3</sup> and
  - 4.3.3.2 access to a record of a private body contemplated in section 50;<sup>4</sup>
- 4.3.4 the assistance available from the Information Officer of a public body in terms of PAIA and POPIA;
- 4.3.5 the assistance available from the Regulator in terms of PAIA and POPIA;
- 4.3.6 all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging -
  - 4.3.6.1 an internal appeal;
  - 4.3.6.2 a complaint to the Regulator; and

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<sup>1</sup> Section 17(1) of PAIA- For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.

<sup>2</sup> Section 56(a) of POPIA- Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.

<sup>3</sup> Section 11(1) of PAIA- A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA 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 this Part.

<sup>4</sup> Section 50(1) of PAIA- A requester must be given access to any record of a private body if- a) that record is required for the exercise or protection of any rights; b) that person complies with the procedural requirements in PAIA relating to a request for access to that record; and c) access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.



- 4.3.6.3 an application with a court against a decision by the Information Officer of a public body, a decision on internal appeal or decision by the Regulator or a decision of the head of a private body;
- 4.3.7 the provisions of sections 14 and 51 requiring a public body and a private body, respectively, to compile a manual, and how to obtain access to a manual;
- 4.3.8 the provisions of sections 15<sup>5</sup> and 52<sup>6</sup> providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 4.3.9 the notices issued in terms of sections 22<sup>7</sup> and 54<sup>8</sup> regarding fees to be paid in relation to requests for access; and
- 4.3.10 the regulations made in terms of section 92.<sup>9</sup>
- 4.4 Members of the public can inspect or make copies of the Guide from the offices of LL SHADRACH ATTORNEYS and the Regulator during normal working hours. The Guide is available in English and Afrikaans.
- 4.5 The Guide can also be obtained -
- 4.6 upon request to the Information Officer; or
- 4.7 from the website of the Regulator (<https://info regulator.org.za/>).

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<sup>5</sup> Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access.

<sup>6</sup> Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access.

<sup>7</sup> Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

<sup>8</sup> Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

<sup>9</sup> Section 92(1) of PAIA provides that –"The Minister may, by notice in the Gazette, make regulations regarding- (a) any matter which is required or permitted by this Act to be prescribed; (b) any matter relating to the fees contemplated in sections 22 and 54; (c) any notice required by this Act; (d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and (e) any administrative or procedural matter necessary to give effect to the provisions of this Act."



## 5 RECORDS HELD BY LL SHADRACH ATTORNEYS

### 5.1 Records that are automatically available

5.1.1 At this stage no notices have been published by the Regulator on the categories of records automatically available without a person having to request access thereto in terms of PAIA.

5.1.2 The records that are located on the LL SHADRACH ATTORNEYS website, however, are automatically available and are freely accessible to any person requesting this information. It is therefore not necessary to apply for access thereto in terms of PAIA. LL SHADRACH ATTORNEYS' website address is [www.shadrachlaw.africa](http://www.shadrachlaw.africa).

### 5.2 Records held by LL SHADRACH ATTORNEYS in accordance with other legislation

LL SHADRACH ATTORNEYS is obliged, in terms of applicable legislation, to retain certain records. For purposes of PAIA, the firm maintains records in compliance with, inter alia, the following legislation—

- 5.2.1 Basic Conditions of Employment Act 75 of 1997;
- 5.2.2 Broad-Based Black Economic Empowerment Act 53 of 2003;
- 5.2.3 Companies Act 71 of 2008;
- 5.2.4 Compensation for Occupational Injuries and Diseases Act 130 of 1993;
- 5.2.5 Electronic Communications and Transaction Act 25 of 2002;
- 5.2.6 Employment Equity Act 55 of 1998;
- 5.2.7 Financial Intelligence Centre Act 38 of 2001;
- 5.2.8 Income Tax Act 58 of 1962;
- 5.2.9 Labour Relations Act 66 of 1995;
- 5.2.10 Legal Practice Act 28 of 2014;
- 5.2.11 Occupational Health and Safety Act 85 of 1993;
- 5.2.12 Pension Funds Act 24 of 1956;
- 5.2.13 Skills Development Levies Act 9 of 1999;
- 5.2.14 Skills Development Act 9 of 1999;
- 5.2.15 Unemployment Insurance Act 63 of 2001; and
- 5.2.16 Value Added Tax Act 89 of 1991.



### 5.3 Other types of records held by LL SHADRACH ATTORNEYS

The table below sets out the types of records and subject matters in respect of which LL SHADRACH ATTORNEYS maintains records, together with the corresponding categories of such records. These records are not automatically accessible and may only be obtained upon submission of a request in terms of PAIA. Any such request may be refused on one or more of the grounds for refusal contemplated in PAIA.

Subject	Description of record
<b>Statutory records</b>	<ul style="list-style-type: none"><li>• Company incorporation documents</li><li>• Share register</li><li>• Memorandum of Incorporation</li><li>• Minutes of meetings of the board of directors</li><li>• Records relating to the appointment of directors, auditors, and other officers</li></ul>
<b>Income tax</b>	<ul style="list-style-type: none"><li>• Pay-as-you-earn (PAYE) records</li><li>• Documents issued to employees for income tax purposes</li><li>• Records of payments made to South African Revenue Services on behalf of employees</li><li>• All or any statutory compliance</li><li>• Value Added Tax</li><li>• Skills development levies</li><li>• Unemployment Insurance Fund</li></ul>



Subject	Description of record
<b>Labour relations records</b>	<ul style="list-style-type: none"><li>• Personnel documents and records</li><li>• Employment contracts</li><li>• Medical aid records</li><li>• Pension Fund records</li><li>• Disciplinary records</li><li>• Salary records</li><li>• Disciplinary code and/or procedures</li><li>• Leave records</li><li>• Training records</li><li>• Training manuals</li><li>• Address lists</li><li>• Internal telephone lists</li></ul>
<b>Finance</b>	<ul style="list-style-type: none"><li>• Receipts and payments</li><li>• Bank statements</li><li>• A list of the company's debtors and creditors</li><li>• Budgets</li><li>• Management accounts</li><li>• Asset registers</li><li>• Invoices</li><li>• Salaries</li><li>• Minutes of meetings</li><li>• Correspondence</li></ul>
<b>Risk and compliance</b>	<ul style="list-style-type: none"><li>• Contracts</li><li>• Policies and procedures</li><li>• Risk assessment</li><li>• Compliance records</li></ul>
<b>Others</b>	<ul style="list-style-type: none"><li>• IT usage statistics and equipment details</li><li>• Supplier lists</li><li>• Secretarial records</li><li>• Media releases and public relation events records</li></ul>



## 6 PROCESSING OF PERSONAL INFORMATION

### 6.1 POPIA

6.1.1 Chapter 3 of POPIA prescribes the minimum requirements for the lawful processing of personal information. These requirements are peremptory and may only be departed from where a specific exclusion provided for in POPIA applies.

6.1.2 LL SHADRACH ATTORNEYS processes personal information in compliance with POPIA. In accordance with its privacy policy, the firm undertakes to ensure that all applicable processing conditions under POPIA are satisfied at the time such information is processed. This includes the processing of personal information relating to both natural and juristic persons.

### 6.2 Purpose for processing personal information by LL SHADRACH ATTORNEYS

6.2.1 LL SHADRACH ATTORNEYS processes personal information in the ordinary course of its business in rendering legal and related services.

6.2.2 LL SHADRACH ATTORNEYS processes personal information for various purposes, including -

6.2.2.1 providing services requested;

6.2.2.2 managing the commercial relationship with clients;

6.2.2.3 managing dispute resolution;

6.2.2.4 creating and managing supplier relationships;

6.2.2.5 managing contracts, orders, deliveries, invoices and accounting;

6.2.2.6 sending quotation estimates and invoices;

6.2.2.7 general human resource and finance functions including those obligations imposed by legislation;



- 6.2.2.8 recruitment;
- 6.2.2.9 procurement processes;
- 6.2.2.10 for safety and security reasons in respect of CCTV footage from cameras installed at the premises of LL SHADRACH ATTORNEYS;
- 6.2.2.11 analysis, evaluation, review and collation of information in order to determine legal issues and potential disputes, provide legal advice and prepare or comment on opinions, memoranda, agreements, correspondence, reports, publications, documents relating to legal proceedings and other documents or records; and
- 6.2.2.12 to allow for proper functioning of the website which includes, amongst others, proper display of content, interface personalisation and ensuring that the website is safe and secure to protect against misuse.

### 6.3 **Categories of data subjects and types of personal information processed**

- 6.3.1 LL SHADRACH ATTORNEYS processes personal information pertaining to its employees, clients, service providers, and visitors to its premises, which may include prospective clients, interviewees or prospective job applicants, and attendees at seminars and other events hosted by the firm, including book launches and training sessions.
- 6.3.2 The categories of personal information processed by LL SHADRACH ATTORNEYS are set out in its privacy policy and pertain to both natural and juristic persons.

### 6.4 **Disclosure of personal information to third parties**

- 6.4.1 LL SHADRACH ATTORNEYS may, for legitimate business purposes and in compliance with applicable law, disclose personal information to third parties, including its associates and service providers, subject to the relevant professional and regulatory obligations of confidentiality.



6.4.2 Where LL SHADRACH ATTORNEYS discloses personal information to third parties, such parties are required to use the information solely for the purposes for which it was disclosed. In this regard, the firm concludes appropriate agreements with relevant third parties to ensure that an adequate level of security and confidentiality is maintained in respect of any personal information transferred to them.

6.4.3 LL Shadrach Attorneys may be required to disclose personal information where it is under a legal obligation to do so or where such disclosure is reasonably necessary to protect its rights. This includes circumstances where disclosure is required in connection with litigation instituted by or against the firm.

#### 6.5 **Trans-border/Cross border flows of personal information**

LL SHADRACH ATTORNEYS may transfer personal information to recipients located outside the Republic of South Africa. In doing so, the firm will ensure compliance with POPIA in respect of all cross-border transfers. This includes ensuring that any foreign recipient is subject to a law, binding agreement, or other legal mechanism that provides an adequate level of protection comparable to that afforded under POPIA.

#### 6.6 **Data security**

6.6.1 LL Shadrach Attorneys implements reasonable, appropriate, and adequate technical and organisational safeguards to ensure that personal information is secure and protected against unauthorised or unlawful processing, accidental loss, destruction, damage, alteration, disclosure, or access. The firm further requires, on a contractual basis, that any third parties to whom personal information is disclosed or transferred adopt equivalent security measures.

6.6.2 LL Shadrach Attorneys routinely reviews its security controls and related procedures to ensure that personal information remains adequately protected. In the event that there are reasonable grounds to suspect that personal information has been accessed or acquired by an unauthorised person, the firm will notify the Information Regulator and the affected data subject, unless the Regulator or a relevant law enforcement authority



responsible for the detection, prevention, or investigation of offences directs that such notification would impede a criminal investigation.

## 7 HOW TO REQUEST ACCESS TO A RECORD

- 7.1 In order to request access to a record in terms of PAIA, the requester must complete the prescribed form annexed to this Manual as **Annexure A**. The completed request must be submitted to the Information Officer at the contact details provided in paragraph 3.1.
- 7.2 Requests made under POPIA to object to the processing of personal information, or to request the correction or deletion of personal information, must be submitted in writing using the prescribed Form 1 (for objections) or Form 2 (for correction or deletion), as applicable, both of which are annexed to this Manual as **Annexure B**.
- 7.3 The requester must provide sufficient particulars to enable the Information Officer to identify both the requested record(s) and the requester. The requester must also specify the form of access required, identify the right they seek to exercise or protect, and provide a detailed explanation of why access to the requested record is necessary for the exercise or protection of that right.
- 7.4 Where a request is made on behalf of another person, the requester must provide proof of the capacity in which the request is made, to the reasonable satisfaction of the Information Officer.
- 7.5 PAIA provides for specific grounds on which a request for access to information may be refused. Accordingly, the Information Officer will determine whether or not to approve a request for access to information in light of those grounds.

## 8 PAYMENT OF FEES

- 8.1 PAIA provides for two types of fees, namely –
- 8.1.1 a request fee, which will be a standard non-refundable administration fee, payable prior to the request being considered; and



- 8.1.2 an access fee, payable when access is granted which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.
- 8.2 Subsequent to a request being made, the Information Officer, shall by notice require the requester, excluding personal requester, to pay the prescribed request fee (if any) before further processing of the request.
- 8.3 If the search for and preparation for disclosure of the record has been made, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, LL SHADRACH ATTORNEYS will request the requester to pay as a deposit the prescribed portion of the access fee which would be payable if the request is granted.
- 8.4 LL SHADRACH ATTORNEYS may withhold a record until the requester has paid the fees as indicated in **Annexure C**.
- 8.5 A requester whose request has been granted must pay the applicable access fee for reproduction, search, preparation and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.
- 8.6 In terms of POPIA, a data subject has the right to request LL SHADRACH ATTORNEYS to confirm, free of charge, whether or it holds personal information about the data subject and request from LL SHADRACH ATTORNEYS the record or a description of the personal information held, including information about the identity of all third parties, or categories of third parties, who have, or have had, access to the information.
- 8.7 POPIA further provides that where the data subject is required to pay a fee for services provided to them, LL SHADRACH ATTORNEYS must provide the data subject with a written estimate of the payable amount before providing the service and may require that the requestor pay a deposit for all or part of the fee.

## 9 APPLICABLE TIME-PERIODS

- 9.1 LL SHADRACH ATTORNEYS will inform the requester within 30 days after receipt of the request of its decision whether or not to grant the request.



- 9.2 The 30-day period may be extended by a further period of not more than 30 days if the request is for a large number of records or requires a search through a large number of records and compliance with the original period would unreasonably interfere with the activities of LL SHADRACH ATTORNEYS or the records are not located at LL SHADRACH ATTORNEYS' offices.

## 10 OUTCOME OF THE REQUEST

Should the request be refused, the notice will state adequate reasons for the refusal, including the provisions of the PAIA relied upon; and that the requester may lodge an application with a Court against the refusal of the request.

## 11 GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

- 11.1 In terms of Section 62 to 69 of PAIA access granted to a record may be refused on one or more of the following grounds –
- 11.1.1 protection of privacy to a third party who is a natural person (including a deceased person);
  - 11.1.2 protection of the commercial information of a third party;
  - 11.1.3 protection of certain confidential information of a third person;
  - 11.1.4 protection of the safety of individuals and the protection of property;
  - 11.1.5 protection of records privileged from production and legal proceedings;
  - 11.1.6 the commercial information and activities of LL SHADRACH ATTORNEYS;
  - 11.1.7 the protection of research information of a third party; and
  - 11.1.8 any other ground legally available on which to refuse access to the information requested.
- 11.2 Despite any provisions of PAIA, a request must be granted if the disclosure of the record would reveal evidence of substantial contravention of, or failure to comply



with, the law or imminent and serious public safety or environment risk, and the public interest in the disclosure of the record clearly outweighs the harm contemplated in terms of section 70 of PAIA.

## **12 REMEDIES FOR REFUSAL**

Should the requester be dissatisfied with the Information Officer's decision to refuse access, that person may within 30 days after notification of the refusal apply to a Court for the appropriate relief.

## **13 AVAILABILITY OF THE MANUAL**

This manual is available in electronic and hard copies in English. The hard copies are available at the head office of LL SHADRACH ATTORNEYS as contained in paragraph 3.2. The electronic version of this manual is available on LL SHADRACH ATTORNEYS' website.

## **14 UPDATING OF THIS MANUAL**

This manual will be reviewed and updated, if necessary, on a periodic basis.



**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 <i>(when made on behalf of another person)</i>	
Postal Address	
Street Address	
E-mail Address	

	Tel. (B):		Facsimile:	
--	-----------	--	------------	--



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

<b>TYPE OF RECORD</b> <i>(Mark the applicable box with an "X")</i>
---



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

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



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

*If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.*

Indicate which right is to be exercised or protected	
Explain why the record requested is required for the exercise or protection of the aforementioned right:	

**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 <i>(Please specify)</i>

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

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



---

**FOR OFFICIAL USE**

<i>Reference number:</i>	
<i>Request received by: (State Rank, Name and Surname of Information Officer)</i>	
<i>Date received:</i>	

<i>Access fees:</i>	
<i>Deposit (if any):</i>	

---

***Signature of Information Officer***



**ANNEXURE B**

**FORM 1**

**OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF  
SECTION 11(3) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013**

**(ACT NO. 4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION,  
2017**

[Regulation 2(1)]

*Note:*

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

Reference Number.....

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





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***Signature of Data subject (applicant)***



**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,  
2017  
[Regulation 3(2)]**

*Note:*

*Affidavits or other documentary evidence in support of the request must be attached.  
If the space provided for in this Form is inadequate, submit information as an Annexure to  
this Form and sign each page.*

Reference Number.....

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.

<b>A</b>	<b>DETAILS OF DATA SUBJECT</b>
Surname:	
Full names:	
Identity number:	



Residential, postal or business address:	
Contact number(s):	
FAX number:	
E-mail address:	
<b>B</b>	<b>DETAILS OF RESPONSIBLE PARTY</b>
Name and surname of responsible party <i>(if the responsible party is a natural person):</i>	
Residential, postal or business address:	
Contact number(s):	
FAX number:	
E-mail address:	
Name of public or private body <i>(if the responsible party is not a natural person):</i>	
Business address:	
Contact number(s):	
FAX number:	
E-mail address:	
<b>C</b>	<b>REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT / *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY. (Please provide detailed reasons for the request)</b>





\*Delete whichever is not applicable

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

\_\_\_\_\_  
***Signature of Data subject***



**ANNEXURE C**  
**FORM 3**  
**OUTCOME OF REQUEST AND OF FEES PAYABLE**

[Regulation 8]

*Note:*

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

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

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

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

**1. You requested:**

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

**2. You requested:**

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

Copy of information on compact disc drive <i>(including virtual images and soundtracks)</i>	
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Copy of record saved on cloud storage server	
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**3. To be submitted:**

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

Kindly note that your request has been:

Approved

Denied, for the following reasons:

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

Item	Cost per A4-size page or part thereof/item	Number of pages/items	Total
Photocopy			
Printed copy			
For a copy in a computer-readable form on:			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor			
• If provided to the requestor	R60.00		
For a transcription of visual images per A4-size page	Service to be outsourced. Will		

Copy of visual images	depend on the quotation of the service provider		
Transcription of an audio record, per A4-size	R24.00		



Copy of an audio record			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor			
• If provided to the requestor	R60.00		
Postage, e-mail or any other electronic transfer:	Actual costs		
<b>TOTAL:</b>			

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

Yes

No

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

The amount must be paid into the following Bank account:

Name of Bank: \_\_\_\_\_

Name of account holder: \_\_\_\_\_

Type of account: \_\_\_\_\_

Account number: \_\_\_\_\_

Branch Code: \_\_\_\_\_

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

Submit proof of payment to: \_\_\_\_\_

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

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