



PAIA Manual

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1. Definitions and Interpretation:

1.1. Words defined in this PAIA Manual shall bear the meaning assigned in PAIA unless otherwise indicated.

1.2. The following words, phrase, abbreviations and/or acronyms are defined as:

1.2.1. **“Access Fee”** means the fee referred to at clause 7.4.8.10.5;

1.2.2. **“CEO”** means chief executive officer;

1.2.3. **“Constitution”** means the Constitution of the Republic of South Africa, 1996;

1.2.4. **“Data Subject”** bears the meaning prescribed in terms of section 1 of POPIA;

1.2.5. **“Deposit”** means the fee referred to at clause 7.4.8.10.5;

1.2.6. **“Deputy Information Officer”** bears the meaning as prescribed in POPIA;

1.2.7. **“ECTA”** means the Electronic Communications and Transactions Act No. 25 of 2002, as amended from time to time;

1.2.8. **“Form”** means a prescribed form published in terms of the PAIA or the POPIA and annexed to this PAIA Manual, and forming part of this PAIA Manual;

1.2.9. **“Guide”** means the guide referred to section 10 of PAIA and otherwise referred to herein at clause 4;

1.2.10. **“Head of Private Body”** bears the meaning prescribed in terms of section 1 of PAIA;

1.2.11. **“Information Officer”** means an information officer as defined in terms of section 1 of POPIA and being the authorised person of the Private Body listed in Schedule 1 herein;

1.2.12. **“Information Regulator”** shall bear the meaning as described in POPIA;

1.2.13. **“Minister”** means the Minister of Justice and Correctional Services;

1.2.14. **“PAIA”** means the Promotion of Access to Information No. 2 of 2000, as amended from time to time;

1.2.15. **“PAIA Manual”** means this PAIA manual inclusive of all Schedules, annexures and/or Forms;

1.2.16. **“PAIA Regulations”** means the Regulations Relating to the Promotion of Access to Information Act, 2021, as amended from time to time;

1.2.17. **“Personal Information”** shall have the meaning ascribed under section 1 of POPIA;

- 1.2.18. **“POPIA”** means the Protection of Personal Information Act No. 4 of 2013, as amended from time to time;
- 1.2.19. **“POPIA Regulations”** means the Regulations Relating to the Protection of Personal Information Act, 2018, as amended from time to time;
- 1.2.20. **“Prescribed Fees”** means the prescribed fees as published in the PAIA Regulations and herein captured in Schedule 5;
- 1.2.21. **“Private Body”** means the body defined in Schedule 1 and also referred to herein as **“us”**, **“we”** and/or **“our”**;
- 1.2.22. **“Processing”** / **“Processes”** bears the meaning prescribed in terms of section 1 of POPIA;
- 1.2.23. **“Reproduction Fee”** means the fee referred to at clause 7.4.8.10.4;
- 1.2.24. **“Republic”** means the Republic of South Africa;
- 1.2.25. **“Request Fee”** means the fee referred to at clause 7.4.8.10.3; and
- 1.2.26. **“Schedule”** means a schedule annexed to this PAIA Manual and forming part of this PAIA Manual.

2. Introduction & Purpose of PAIA Manual

In terms of section 32 of the Constitution everyone has a right of access to any information held by the state and any information held by another person that is required for the exercise or protection of any rights.

- 2.1. PAIA was enacted to give effect to the constitutional right of access to information. PAIA came into operation on 9 March 2001.
- 2.2. In terms of the Constitution and the PAIA, all people in the Republic, including non-nationals, can request information from public and private bodies.
- 2.3. PAIA provides for certain access rights of a requester to a record of a private body if:
 - 2.3.1. that record is required for the exercise or protection of any of his or her legal rights;
 - 2.3.2. the requestor complies with all procedural requirements; and
 - 2.3.3. access is not refused in terms of any ground referred to in the PAIA or other applicable law.
- 2.4. Access all the relevant contact details of the Information Officer and Deputy Information Officer.

- 2.5. The purpose of this PAIA Manual is to inform any requester of the procedure to follow in order to apply to access information held by the Private Body.
- 2.6. The PAIA Manual also seeks to align with the requirements required in terms of POPIA when it comes to the lawful processing of Personal Information by the Private Body.
- 2.7. The PAIA Manual is therefore useful for the public to-
- 2.7.1. Advise the postal and street address, phone and fax number and, if available, electronic mail address of the Head of the Private Body and such other information as may be prescribed from time to time;
 - 2.7.2. a description of the Guide and how to obtain access to it;
 - 2.7.3. the categories of records of the Private Body which are available without a person having to request access in terms of the PAIA;
 - 2.7.4. a description of the records of the Private Body which are available in accordance with any other legislation; and
 - 2.7.5. sufficient detail and understanding of how to make a request for access to a record of the Private Body by providing a description of the subjects on which the Private Body holds records of and the categories of records held on each such subject;
 - 2.7.6. access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access.
 - 2.7.7. Know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it.
 - 2.7.8. In so far as POPIA is concerned:
 - 2.7.8.1. whether the Private Body Processes Personal Information;
 - 2.7.8.2. the purpose of the Processing;
 - 2.7.8.3. a description of the categories of data subjects and of the information or categories of information relating thereto;
 - 2.7.8.4. the recipients or categories of recipients to whom the Personal Information may be supplied;

- 2.7.8.5. any planned trans-border flows of Personal Information; and the recipients of or categories of recipients to whom Personal Information may be supplied
- 2.7.8.6. a general description to know whether the Private Body has appropriate security measures to ensure the confidentiality, integrity and availability of Personal Information which is to be Processed.

3. PAIA Key Contact details for access to information of the Private Body

The contact details of the Private Body, Head of the Private Body, Information Officer and any Deputy Information Officers are as stipulated in Schedule 1.

4. Guide on how to use the PAIA and how to obtain access to the Guide

- 4.1. The Information Regulator has amended, updated and made available the revised Guide on how to use PAIA in an easily comprehensible form and manner, as may reasonably be 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 of the Republic and in braille.
- 4.3. The 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 PAIA¹ and section 56 of POPIA²;
 - 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 11³; and
 - 4.3.3.2. access to a record of a private body contemplated in section 50;⁴

¹ 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.

² 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.

³ 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.

⁴ 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.

- 4.3.4. 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 Information 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, in the case of a public body;
 - 4.3.6.2. a complaint to the Information Regulator; and
 - 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 a decision by the Information Regulator or a decision of the head of a private body;
 - 4.3.7. the provisions of sections 14⁵ and 51⁶ requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
 - 4.3.8. the provisions of sections 15⁷ and 52⁸ 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 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and
 - 4.3.10. the regulations made in terms of section 92¹¹.
- 4.4. Members of the public can inspect or make copies of the Guide from the office of the Private Body, including the office of the Information Regulator, during normal working hours.
- 4.5. The Guide can also be obtained-

⁵ Section 14(1) of PAIA- The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.

⁶ Section 51(1) of PAIA- The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.

⁷ 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.

⁸ 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

⁹ 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.

¹⁰ 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.

¹¹ 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.

- 4.5.1. upon written request directed to the Information Officer using contact details displayed per Schedule 1;
 - 4.5.2. from the website of the Information Regulator (<https://www.justice.gov.za/inforeg/>); or
 - 4.5.3. upon request to the Information Regulator using the prescribed PAIA Form 1 hereunder included.
- 4.6. A copy of the Guide is also available in the following two official languages, for public inspection during normal office hours-
- 4.6.1. English and Afrikaans.

5. Availability of the PAIA Manual

- 5.1. This Manual is available to any person of the public:
- 5.1.1. on the Private Body's website as specified in Schedule 1;
 - 5.1.2. at the Private Body's registered address stipulated in Schedule 1 for inspection during normal working hours;
 - 5.1.3. upon written request from the Information Officer using the contact details provided in Schedule 1, subject to the payment of the prescribed fee.

6. Policy with regard to confidentiality and access to information

The Private Body will protect the confidentiality of information provided to it by third parties, subject to the Private Body's obligations to disclose information in terms of any applicable law or a court order requiring disclosure of the information. If access is requested to a record that contains information about a third party, the Private Body 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 that 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.

7. Classes of Records

7.1. Categories of records of Private Body which are available without a Person having to request access (i.e. available automatically available to the public) (section 51(1)(b)(ii) of the PAIA)

The categories of records of the Private Body which are automatically available to the public without the requester being required to request access via the PAIA Form 2 and/or pay the prescribed fee, are as specified in Schedule 2 hereunder, and may be accessed as indicated further in Schedule 2 either via the website of the Private Body or on request to the Information Officer, using the details prescribed in Schedule 1.

7.2. Description of the records of the private body which are available in accordance with any other legislation (section 51 (1)(b)(iii) of the PAIA)

Records are kept in accordance with such other legislation as applicable to the Private Body and which includes, but may not be limited to, the legislation as specified in Schedule 3 herein. Although the Private Body has used its best endeavours to supply a list of applicable legislation, it is possible that the list may be incomplete. Whenever it comes to the Private Body's attention that existing or new legislation allows a requester access on a basis other than that set out in PAIA, we reserve the right to update the list accordingly.

7.3. A description of the subjects on which the Private Body holds records and the categories of records held on each subject (section 51(1)(b)(iv) of the PAIA)

A description of the subjects on which the Private Body holds records and the categories of records held on each subject and for which a request may be submitted for assessment to potentially access such information is as specified in terms of Schedule 4.

7.4. Details on how to make a request for access to a record held by the Private Body (section 51(1)(b)(iv) of the PAIA):

7.4.1. The purpose of this section is to provide requesters with sufficient guidelines and procedures to facilitate a request for access to a record held by the Private Body.

7.4.2. An application for access to information may be refused in the event that the application does not comply with the procedural requirements of PAIA or other applicable legislation.

7.4.3. In addition, the successful completion and submission of any access request form does not automatically allow the requester access to the requested record.

7.4.4. An application for access to a record is subject to certain limitations if the requested record falls within a certain category as specified within Part 3 Chapter 4 of PAIA (refer further to clause 8).

7.4.5. If it is reasonably suspected that the requester has obtained access to the Private Body's records through the submission of materially false or misleading information, legal proceedings may be instituted against the requester.

7.5. Guidance on completion of prescribed access form (section 51(1)(b)(iv) of the PAIA):

7.4.6. In order for the Private Body to process a request to access a record, a requester must complete the attached prescribed access PAIA Form 2.

7.4.7. PAIA Form 2 must be completed in full, failure to do so may result in the process being delayed until such additional information is provided. The Private Body will not be held liable for delays due to receipt of incomplete forms.

7.4.8. Due cognisance should be taken of the following instructions when completing PAIA Form 2 as the Information Officer or Deputy Information Officer shall not process any request for access to a record until satisfied that all requirements have been met:

7.4.8.1. PAIA Form 2 must be completed in the English language;

7.4.8.2. Proof of identity is required to authenticate the requester's identity. If the requester acts as an agent on behalf of the requester, the requester must provide proof of the identity of the person on whose behalf the request is made, the authority or mandate given to the requester by such person and proof of the identity of the requester as provided above;

7.4.8.3. Type or print in BLOCK LETTERS an answer to every question;

7.4.8.4. If a question does not apply, state "N/A" in response to that question;

7.4.8.5. If there is nothing to disclose in reply to a particular question, state "nil" in response to that question;

7.4.8.6. If there is insufficient space on the printed form in which to answer a question, additional information may be provided on an additional attached folio; and

7.4.8.7. when the use of an additional folio is required, precede each answer thereon with the title applicable to that question;

7.4.8.8. The Information Officer must assist requester with any request with regards to a request for access to information and if a request to a record is made orally as a result of illiteracy or a disability of a requester, the Information Officer must complete PAIA Form 2 on behalf of the requester and provide a copy thereof to the requester.

7.4.8.9. Submission of the prescribed access Forms:

7.4.8.9.1. PAIA Form 2 must be submitted either via conventional mail, e-mail or by hand to the Private Body and marked for the attention of the Information Officer, using the contact details as specified in Schedule 1.

7.4.8.9.2. Notwithstanding clause 7.4.8.9.1 above should the Private Body enable the capturing of PAIA Form 2 electronically via its website(s) or other electronic platform, then PAIA Form 2 can be submitted using this method made available by the Private Body.

7.4.8.10. Payment of prescribed fees:

7.4.8.10.1. Payment details can be obtained from the Information Officer or Deputy Information Officer and payment can be made via an electronic funds transfer (EFT) with proof of payment to be provided to the Information Officer, via e-mail (refer to Schedule 1 for details) . Records may be withheld until the required fees have been paid.

7.4.8.10.2. Four types of fees are provided for in terms the PAIA:

7.4.8.10.3. **Request Fee:** An initial prescribed non-refundable R140.00 (one hundred and forty Rand) (VAT exc.) is payable on submission of a request made in terms of the PAIA. This fee is not applicable to personal requesters, referring to any person seeking access to records that contain his/her/its own Personal Information which is regulated in terms of section 26 of the POPIA;

7.4.8.10.4. **Reproduction Fee:** This fee is payable with respect to all records that are automatically available as provided for in terms of clause 7.1. The fee payable shall be charged in accordance with the Prescribed Fees.

7.4.8.10.5. **Access Fee:** If the request for access is successful an Access Fee may be required to reimburse the Private Body for the reasonable costs involved in the search, reproduction and/or preparation of the record and will be calculated based on the Prescribed Fees.

7.4.8.10.6. **Deposit:** a Deposit of $\frac{1}{3}$ (one-third) of the amount of the applicable Access Fee, is payable if the Private Body receives a request for access to information held by the Private Body and the preparation for the record will take more than 6 (six) hours. In the event that access is refused to the requested record, the full Deposit will be refunded to the requester.

7.4.8.11. Notification and applicable time periods:

7.4.8.11.1. If the search for a record of the Private Body in respect of which a request for access by a requester has been made and the preparation of the record for disclosure would, in the opinion of the Information Officer of the Private Body concerned, require more than the hours prescribed for this purpose for requesters, the Information Officer must by notice require the requester to pay as a Deposit as referred to in clause 7.4.8.10.6 above.

7.4.8.11.2. The Private Body will inform the requester within 30 (thirty) days after the receipt of the request of its decision whether or not to grant the request (if required) to that effect.

7.4.8.11.3. The Private Body may extend the period of 30 (thirty) days if the request is for a larger number of records or requires a search through a large number of records and compliance with the original period would unreasonably interfere with the Private Body's activities, or the records are not located at the Private Body's registered place of business or

consultations amongst divisions and/or subsidiaries of the Private Body are required to attend to the processing of the request, or another private or public body are required. The Private Body will notify the requester in writing should an extension be sought.

7.4.8.11.4. If the request for access to a record is successful the requester will be notified of the following:

7.4.8.11.4.1. The amount of the Access Fee payable upon gaining access to the record;

7.4.8.11.4.2. an indication of the form in which the access will be granted; and

7.4.8.11.4.3. notice that the requester may lodge an application with a court against the payment of the Access Fee and the procedure, including the period, for lodging the application.

7.4.8.11.5. If the request for access to a record is not successful the requester will be notified of the following:

7.4.8.11.5.1. adequate reasons for the refusal (refer to third party information and grounds for refusal at clause 8); and

7.4.8.11.5.2. That the requester may lodge an application with a court against the refusal of the request and the procedure, including the period, for lodging the application.

7.4.8.12. Records that cannot be found or do not exist:

If the Private Body has searched for a record that is believed that the record either does not exist or cannot be found, the requester will be notified by way of an affidavit or affirmation. This will include steps that were taken to try locate the record.

8. Grounds for refusal of access to records and appeal

8.1. Grounds for refusal (Chapter 4):

8.1.1. The 30 (thirty) day period within which the Information Officer is required to reply to a request, as stipulated in the PAIA, shall commence only once a requester has complied with all the requirements of the PAIA in requesting access to a record, to the satisfaction of the Information Officer. Requests may be refused on the following grounds, as set out in the PAIA:

- 8.1.1.1. Mandatory protection of privacy of a third party who is a natural person, including a deceased person, which would involve the unreasonable disclosure of Personal Information of that natural person;
- 8.1.1.2. Mandatory protection of commercial information of a third party or Private Body, if the record contains:
- 8.1.1.3. Trade secrets of the third party or of the Private Body;
- 8.1.1.4. Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of the third party or Private Body;
- 8.1.1.5. Information disclosed in confidence by a third party to Private Body if the disclosure could put that third party to a disadvantage or commercial competition;
- 8.1.1.6. Mandatory protection of certain confidential information of a third party if disclosure of the record would result in a breach of a duty of confidence owed to that party in terms of an agreement;
- 8.1.1.7. Mandatory protection of the safety of individuals, and the protection of property;
- 8.1.1.8. Mandatory protection of records privileged from production in legal proceedings, unless the legal privilege has been waived; and
- 8.1.1.9. Mandatory protection of research information of a third party and of the Private Body.

8.2. Remedies available in the event of a refusal of a request for information (Appeal):

- 8.2.1. The Private Body does not have internal appeal procedures and as such, the decision made by the Information Officer is final.
- 8.2.2. Should the requester be dissatisfied with the decision to refuse access, that person may within 30 (thirty) days after notification of the refusal, apply to the applicable court for the appropriate relief.
- 8.2.3. Notwithstanding the aforesaid, a requester may lodge a complaint with the Information Regulator in the prescribed form (POPIA Form 5 provided below).

9. Processing of personal information in terms of the POPIA

The Private Body regards the privacy and protection of Personal Information seriously and will only process Personal Information in terms of the provisions of POPIA or any other applicable law.

9.1. Purpose of Processing Personal Information (section 51(1)(c)(i) of the PAIA):

We may use your Personal Information;

- 9.1.1. to deliver our products and/or services;
- 9.1.2. to interact with you in any way or manner;
- 9.1.3. to enter any contract or other business relationship with you (whether in writing or otherwise);
- 9.1.4. to personalise features and content (such as services, products and advertisements) and make suggestions for you (such as pages, products and/or services and information you may be interested in or topics you may want to follow) on or about our products and/or services or on our website(s) or any other medium through which we communicate with you from time to time;
- 9.1.5. to create personalised content that are unique and relevant to you, we use your connections, preferences, interests and activities based on the data we collect and learn from you and others (including any data with special protections you choose to provide); how you use and interact with us and/or our website(s); and the people, places, or things you're connected to and interested in, on and off our website(s);
- 9.1.6. to develop, test and improve our products and/or services and/or our website(s), including by conducting surveys and research, and testing and troubleshooting new products and services and features;
- 9.1.7. to select and personalise advertisements, offers and other sponsored content that we show you;
- 9.1.8. to provide measurement, analytics, and other business services;
- 9.1.9. we use the information we have (including your activity of our products and/or services, such as the websites you visit and advertisements you see) to help advertisers and other partners measure the effectiveness and distribution of their advertisements and services, and understand the types of people who use their services and how people interact with their websites, apps, and services;
- 9.1.10. to promote safety, integrity and security, we may share your information to credit bureaus to conduct credit checks on you, to verify your credit rating. To conduct background checks on you for any previous convictions and/or criminal or corrupt activities, to check for account activity, combat harmful conduct, detect and prevent money laundering or similar corrupt activities, and to share any such information with the required authorities. To prevent spam and other bad experiences, maintain the integrity of our products and/or services, and promote safety and security of our products and/or services. For example, we use data we have to investigate suspicious activity or violations of our terms or policies;

- 9.1.11. to communicate with you. We use the information we have to send you marketing communications, communicate with you about our products and/or services, and let you know about our policies and terms. We also use your information to respond to you when you contact us;
- 9.1.12. research and innovate for social good. We use the information we have (including from research partners we collaborate with) to conduct and support research and innovation on topics of general technological advancement of our products and/or services and/or our website(s);
- 9.1.13. for helping us in any future dealings with you;
- 9.1.14. to manage our contractual employee and/or recruitment relationships; and
- 9.1.15. for any other purpose as legally authorised to do and as is allowed by law.

9.2. Description of the categories of Data Subjects and of the information or categories of information relating thereto (section 51(1)(c)(ii) of the PAIA):

Categories of Data Subjects	Personal Information that may be Processed (if applicable)
Customers / clients	<p>If you are an individual:</p> <ul style="list-style-type: none"> • 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 date; information relating to the education or the medical, financial, tax information, banking details, criminal or employment history of the person, any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier; name, surname, identification number, biometric information, opinions, views or preferences; <p>If you are a company, trust, closed corporation, or other legal entity:</p> <ul style="list-style-type: none"> • Name, registration number, symbol, e-mail address, physical address, telephone number, location information, tax information, banking details, online identifier or information, opinions, views or preferences; <p>If you make use of any of our products and/or services:</p> <ul style="list-style-type: none"> • We collect your consent, communications and other information you provide when you interact with us or if you make use of our products and/or services, whether in person or electronically, whether through a formal written agreement or whether by means of a purchase order, quotation, invoice or otherwise;

	<ul style="list-style-type: none"> We may track the number of orders, encounters, sales or interactions we have with you for our and your business interest. Such as the number of times you make use of our products and/or services; the reasons for which you make use of our products and/or services; the types of products and services you view or engage with; the features of the products and services you use; the actions you take; our employees you interact with; and the time, frequency and duration of your activities. For example, we log when you're using and have last used our products and/or services, and what reviews you make or views you may have in regard to our products and services. We may also collect information about how you use certain features of our products and/or services. We may also track the number and regularity of payments to and of our accounts.
<p>Service providers / vendors / sub-suppliers / sub-vendors / independent contractors / representatives and/or agents or suppliers / vendors / sub-suppliers</p>	<p>If you are an individual:</p> <ul style="list-style-type: none"> 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 date; information relating to the education or the medical, financial, tax information, banking details, criminal or employment history of the person, any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier; name, surname, identification number, biometric information, opinions, views or preferences; <p>If you are a company, trust, closed corporation, or other legal entity:</p> <ul style="list-style-type: none"> Name, registration number, symbol, e-mail address, physical address, telephone number, location information, tax information, banking details, online identifier or information, opinions, views or preferences; <p>If you make use of any of our products and/or services:</p> <ul style="list-style-type: none"> We collect your consent, communications and other information you provide when you interact with us or if you make use of our products and/or services, whether in person or electronically, whether through a formal written agreement or whether by means of a purchase order, quotation, invoice or otherwise; We may track the number of orders, encounters, sales or interactions we have with you for our and your business interest. Such as the number of times you make use of our products and/or services; the reasons for which you make use of our products and/or services; the types of products and services you view or engage with; the features of the products and services you use; the actions you take; our employees you interact with; and the time,

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	<p>frequency and duration of your activities. For example, we may log when you're using and have last used our products and/or services, and what reviews you make or views you may have in regard to our products and services. We may also collect information about how you use certain features of our products and/or services. We may also track the number and regularity of payments to and of our accounts.</p>
<p>Existing and former employees (including contractors, agents, temporary and casual employees)</p>	<p>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 date; information relating to the education, qualifications, gender or the medical, financial, tax information, banking details, criminal or employment history of the person, any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier; name, surname, identification number, biometric information, opinions, views or preferences;</p>
<p>Directors / shareholders</p>	<p>If you are an individual:</p> <ul style="list-style-type: none"> • 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 date; information relating to the education or the medical, financial, tax information, banking details, criminal or employment history of the person, any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier; name, surname, identification number, biometric information, opinions, views or preferences; <p>If you are a company, trust, closed corporation, or other legal entity:</p> <ul style="list-style-type: none"> • Name, registration number, symbol, e-mail address, physical address, telephone number, location information, tax information, banking details, online identifier or information, opinions, views or preferences; <p>If you make use of any of our products and/or services:</p> <ul style="list-style-type: none"> • We collect your consent, communications and other information you provide when you interact with us or if you make use of our products and/or services, whether in person or electronically, whether through a formal written agreement or whether by means of a purchase order, quotation, invoice or otherwise; • We may track the number of orders, encounters, sales or interactions we have with you for our and your business interest. Such as the number of times you make use of our products and/or services; the reasons for which

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	<p>you make use of our products and/or services; the types of products and services you view or engage with; the features of the products and services you use; the actions you take; our employees you interact with; and the time, frequency and duration of your activities. For example, we may log when you're using and have last used our products and/or services, and what reviews you make or views you may have in regard to our products and services. We may also collect information about how you use certain features of our products and/or services. We may also track the number and regularity of payments to and of our accounts.</p>
<p>Job applicants</p>	<p>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 date; information relating to the education, qualifications, gender or the medical, financial, tax information, banking details, criminal or employment history of the person, any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier; name, surname, identification number, biometric information, opinions, views or preferences.</p>
<p>Visitors to Private Body's premises'</p>	<p>Name, contact number, physical, postal and email address, contact number, identity number, COVID Protocol health information, biometric information.</p>
<p>Visitors / Users of the Private Body's website(s)</p>	<p>Passwords and Login Information: For use of our website(s), we may require you to register your Personal Information with us via e-mail or via website(s), or as may be otherwise communicated to you from time to time. If you register your Personal Information, you will be able to create your own user name and password. You must not provide your username or password to anyone. You are solely responsible for keeping your username or password secret. You are solely responsible for any loss you may suffer should any other person use your username or password;</p> <p>We may collect the consent, communications and other information you provide when you interact with us or when making use of our products and/or services, including when you sign up for an account, create or share content, and message or communicate with us via our website(s) as stated above. Our systems may automatically process content and communications you and others provide to analyse context and what's in them for the purposes described below. We may specifically process your name and identity number, e-mail and physical addresses, postal address, contact information, information relating to your race, gender, and age, and such other information regarding yourself and/or your views if you choose to share same via our website(s);</p> <p>Your usage. We may collect information about how you interact with us or when making use of our products and/or services and/or our website(s), such as the</p>

	<p>number of times you make use of our products and/or services or our website(s); the reasons for which you make use of our products and/or services or our website(s); the types of content you view or engage with; the features you use; the actions you take; the accounts you interact with; and the time, frequency and duration of your activities. For example, we may log when you're using and have last used our products and/or services and/or our website(s), and what posts, pages and other content you view on our website(s). We may also collect information about how you use certain features of our products and/or services and/or our website(s);</p> <p>Device Information. As described below, we may collect information from and about the computers, phones, connected TVs and other web-connected devices you use that integrate with our website(s), and we combine this information across different devices you use. For example, we may use information collected about your interaction and/or use of our products and/or services and/or our website(s) on your phone to better personalize the content (including ads) or features you see when you interact with us or use our products and/or services on another device, such as your laptop or tablet, or to measure whether you took an action in response to an advertisement we showed you on your device. Information we may obtain from these devices include:</p> <ul style="list-style-type: none"> • Device attributes: information such as the operating system, hardware and software versions, battery level, signal strength, available storage space, browser type, app and file names and types, and plugins. • Device operations: information about operations and behaviours performed on the device, such as whether a window is foregrounded or backgrounded, or mouse movements (which can help distinguish humans from bots). • Identifiers: unique identifiers, device IDs, and other identifiers, such as from services, apps, pages or accounts you use, or other identifiers unique to us or our products and/or services associated with the same device or account. • Device signals: Bluetooth signals, and information about nearby Wi-Fi access points, beacons, and cell towers. • Data from device settings: information you allow us to receive through device settings you turn on, such as access to your GPS location, camera or photos.
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	<ul style="list-style-type: none"> • Network and connections: information such as the name of your mobile operator or ISP, language, time zone, mobile phone number, IP address, and connection speed and, in some cases, information about other devices that are nearby or on your network, so we can do things like help you stream content to or through all your devices. • Cookie data: data from cookies stored on your device, including cookie IDs and settings. • Information from partners: advertisers, site developers, and publishers can send us information through, including our social plug-ins, such as our APIs. These partners provide information about your activities on our website(s), including information about your device, websites you visit, purchases you make, the advertisements you see, and how you use their services. Whether or not you have an account with us or are logged into our website(s). For example, a partner could use our API to tell us what pages you viewed, or a business could tell us about a purchase you made in its store. We also receive information about your online and offline actions and purchases from third-party data providers who have the rights to provide us with your information. • 3rd party links: partners receive your data when you visit or use their services or through third parties they work with. We require each of these partners to have lawful rights to collect, use and share your data before providing any data to us.
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9.3. The recipients or categories to whom the Personal Information may be supplied (section 51(1)(c)(iii) of the PAIA):

Category of Personal Information	Recipients or categories of recipients to whom the Personal Information may be supplied
Categories of personal information legally permitted to be supplied to the recipients or categories of recipients may include: Race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, age, physical or mental health, well-being, disability, language and	Regulatory, statutory and government bodies applicable to the Private Body's business affairs, including but not limited to: <ul style="list-style-type: none"> • The South African Revenue Service. • South African Qualifications Authority. • The South African Police Services. • The Department of Employment and Labour. • The Department of Agriculture, Land Reform and Rural Development. • South African Council for Natural Scientific Professions.
	Distributors, independent contractors, tertiary institutions, service providers, vendors, agents and representatives of the Private Body ;
	Employees of the Private Body
	Shareholders and other stakeholders of the Private Body;

birth date; information relating to the education or the medical, financial, tax information, banking details, employment history of the person, e-mail address, physical address, telephone number, location information, online identifier; name, surname and identification number.	Third party verification agencies and credit bureaus;
	Medical aid scheme providers and pension funds
	Collection agencies;
	Banks and other financial institutions

9.4. Planned or prospective trans-border flow of Personal Information (section 51(1)(c)(iv) of the PAIA):

The Personal Information that we collect from you may be transferred to, and stored at, a destination outside the Republic. It may also be processed by staff operating outside the Republic who work for us or for one of our affiliate companies, principal companies, suppliers, contractors, content providers or service providers. Such staff or third parties may be engaged in, among other things, the fulfilment of our obligations towards you, the processing of your payment details and the provision of support products and/or services. We will take all steps reasonably necessary to ensure that the information is treated securely and in accordance with the law and our privacy policy, and that said destination's data protection legislation is similar to POPIA, and if such destination's data protection legislation is not similar to POPIA, then we shall only transfer your personal information with your consent, or if we are required by law to do so, or under an agreement with the relevant receipt in such destination whereby we ensure that adequate safeguards are put in place to ensure the protection of your Personal Information.

9.5. General description of information security measures implemented or to be implemented by the Private Body to ensure the confidentiality, integrity and availability of the Personal Information of information (section 51(1)(c)(v) of the PAIA):

9.5.1. The Private Body continuously establishes and maintains appropriate reasonable, technical and organisational measures to ensure that the integrity of Personal Information in its possession or under its control is secure and that such information is protected against unauthorised or unlawful processing, accidental loss, destruction or damage, alteration or access by having regard to the requirements set forth in law, in industry practise and generally accepted information security practices and procedures which apply to the Private Body. However, we do not guarantee that your personal information shall be 100% secure.

9.5.2. Where there are reasonable grounds to believe that your Personal Information has been accessed or acquired by any unauthorised person, we will notify you and if required, also the Information Regulator appointed in terms of POPIA.

- 9.5.3. We will delay notifying you of the unauthorised access or acquisition of your Personal Information if a public body responsible for detection, prevention or investigation of offences or the Information Regulator informs us that notifying you will impede a criminal investigation or if such notification on our end would constitute a breach of any applicable law.
- 9.5.4. When we notify you of the compromise to the security of your Personal Information, we will to the best of our capabilities provide you with sufficient information to allow you to take protective measures against the potential consequences of the compromise.
- 9.5.5. Forms prescribed for the exercise of a right provided for in the POPIA:
- 9.5.5.1. Any right which may be afforded to a Data Subject, Responsible Party or third party under the POPIA may be exercised, subject to applicable law, in accordance with POPIA's prescribed forms which have herein been provided below and annexed:
 - 9.5.5.2. An objection to the processing of Personal Information in terms of section 11 of POPIA can be lodged to the Information Officer by using prescribed POPIA Form 1;
 - 9.5.5.3. A 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 POPIA may be lodged to the Information Officer using prescribed POPIA Form 2;
 - 9.5.5.4. An application for the consent of a Data Subject for the Processing of Personal Information for the purpose of direct marketing in terms of section 69 (2) of the POPIA may be made by the Private Body, as the Responsible party, from time to time using prescribed POPIA Form 4;
 - 9.5.5.5. A complaint regarding interference with the protection of Personal Information / complaint regarding determination of an adjudicator in terms of section 74 of the POPIA may be exercised by using prescribed POPIA Form 5.

10. Updating of the PAIA Manual

The Head of the Private Body will on a regular basis update this PAIA Manual.

Issued by:

Mr. Clement Malan

PAIA Manual

Schedules

Schedule 1: Private Body Information	
Registered name of Private Body	PHILAGRO SOUTH AFRICA (PTY) LTD
Registration Number / Identity Number	1998/010658/07
Type of Private Body	Proprietary Limited Company
Private Body website(s)	https://philagro.co.za/
Registered Address:	1st Floor, The Corner Office, 410 Lynnwood Road, Lynnwood, Gauteng, 0081
Postal Address:	PO BOX 36213, Menlo Park, Pretoria, Gauteng, 0102
Contact number(s):	+27 12 348 8808
Email address:	info@philagro.co.za compliance@philagro.co.za
Fax:	012 348 3500
The Head	Schalk Reynolds (Director)
Information Officer	<ul style="list-style-type: none"> Name: Clement Malan Tel: 012 348 8808 Email address: clement.malan@philagro.co.za Fax number 012 348 3500
Deputy Information Officer(s)	<ul style="list-style-type: none"> Name: Schalk Reynolds Tel: 021 851 4163 Email address: schalk.reynolds@philagro.co.za Fax number: 021 851 4067
Access to information general contacts	<ul style="list-style-type: none"> Email: clement.malan@philagro.co.za

Schedule 2 – categories of records of the Private Body which are available without a person having to request access		
Category of Record	Available on the Website	Available on request
Information freely available on the Private Body's website(s)	x	

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A Data Subject requesting his/her/its own Personal Information under section 26 of POPIA		x
Documentation and information relating to the Private Body which is held by the Companies and Intellectual Property Commission (CIPC) and which is accessible to the public on request in accordance with section 25 of the Companies Act 71 of 2008, as amended		x
Product and promotional brochures of the Private Body	x	x

Schedule 3 – description of the records of the Private Body which are available in accordance with any other legislation	
Category of Records	Applicable legislation
Memorandum of Incorporation Securities Register Directors Register	Companies Act 71 of 2008
PAIA Manual	Promotion of Access to Information Act 2 of 2000
Data Subject's requesting their own Personal Information	Protection of Personal Information Act 4 of 2013
Documents that enable observance with the requirements of the Tax Act	Tax Administration Act 28 of 2011.
Employee remuneration records	Income Tax Act 58 of 1962
Debtor and creditor records	Value Added Tax Act 89 of 1991
The list is not an exhaustive list, the Private Body reserves the right to update the list accordingly.	

Schedule 4: description of the subjects on which the Private Body holds records and the categories of records held on each subject	
Subjects on which the body holds records	Categories of records
Corporate Affairs and Investor Relations / Communications	<ul style="list-style-type: none"> • Media releases • Newsletters and publications • Corporate social investment • Public corporate records
Corporate Secretariat and Governance	<ul style="list-style-type: none"> • Applicable Statutory Documents • Annual Reports • Board of Directors and Board Committee Terms of Reference • Codes of Conduct • Executive Committee Meeting Minutes • Legal Compliance Records • Memoranda of Incorporation

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	<ul style="list-style-type: none"> • Minutes of Board of Directors and Board Committee Meetings • Minutes of Shareholders' Meetings • Group Policies and Procedures • Share Certificates • Shareholder Agreements • Share Registers (Philagro South Africa (Pty) Ltd's official share register is however maintained by its transfer secretary) • Strategic plans • Statutory Returns to Relevant Authorities
Finance and Taxation	<ul style="list-style-type: none"> • Policies and Procedures • Accounting Records • Annual Financial Statements • Audit Reports • Capital Expenditure Records • Investment Records • Invoices and Statements • Management Reports • Purchasing Records • Sale and Supply Records • Tax Records and Returns • Treasury Dealing • Transactional Records
Humans and Resources	<ul style="list-style-type: none"> • Education and Training Records • Employee Benefit Records • Employment Contracts • Employment Equity Records • Employee Information • Employee Share Option Scheme • Policies and Procedures • Leave Records • Medical Records • Pension and Retirement Funding Records • Study assistance scheme/s • Tax Returns of employees • UIF Returns
Information Technology	<ul style="list-style-type: none"> • Agreements • Disaster Recovery • Hardware and Software Packages • Policies and Procedures • Internal Systems Support and Programming • Licenses • Operating Systems

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Intellectual Property	<ul style="list-style-type: none">• Trademark applications• Agreements relating to intellectual property• Copyrights• Patents• Designs
Legal	<ul style="list-style-type: none">• Complaints, pleadings, briefs and other documents pertaining to any contractual or pending litigation, arbitration or investigation• Material licenses, permits and authorizations
Sales, Marketing and Communication	<ul style="list-style-type: none">• Brochures, Newsletters and Advertising Material• Client Information• Marketing Brochures• Marketing Strategies• Product Brochures• Policies and Procedures

Schedule 5 - Prescribed Fees (section 54 and section 92(1)(b) of the PAIA)		
<u>Fees in Respect of Private Bodies</u>		
Item	Description	Amount
A Request Fee		
1.	The request fee payable by every requester	R140.00
B Reproduction Fee:		
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)	R40.00
	(iv) Compact disc	
	• If provided by requestor	R40.00
	• If provided to the requestor	R60.00
5.	For a transcription of visual images per A4-size page	Service to be outsourced.
6.	Copy of visual images	Will depend on quotation from Service provider.
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)	R40.00
	(vi) Compact disc	
	• If provided by requestor	R40.00
	• If provided to the requestor	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.	R145.00
	To not exceed a total cost of	R435.00
C Deposit:		
10.	Deposit: If search exceeds 6 hours	One third of amount per request calculated in terms of items 2 to 8.
D Access Fee		
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:	

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	(iii) Flash drive (to be provided by requestor)	R40.00
	(iv) Compact disc	
	• If provided by requestor	R40.00
	• If provided to the requestor	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)	R40.00
	(vi) Compact disc	
	• If provided by requestor	R40.00
E	Postage fee:	
11.	Postage, e-mail or any other electronic transfer	Actual expense, if any.

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Forms

Forms prescribed in terms of the PAIA and relevant to this PAIA Manual

Form 1

Request for a copy of the guide
[Regulations 2¹² and 3¹³]

*The Information Regulator

P.O Box 31533

Braamfontein,

2017

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

Tel number: +27 (0) 10 023 5200

TO:

OR

*The Information Officer

.....

.....

.....

I,

Full names:				
In my capacity as (mark with "x"):	Information officer		Other	
Name of *public/private body (if applicable)				
Postal Address:				
Street Address:				
E-mail Address:				
Facsimile:				
Contact numbers:	Tel.(B):		Cellular:	

hereby request the following copy(ies) of the guide:

Language (mark with "X")	No of copies	Language (mark with "X")	No of copies
Sepedi		Sesotho	

¹² **2. Obligations of Information Regulator.**—(1) The Information Regulator must make the guide available in each of the official languages—
(a) by publication in the *Government Gazette*;

(b) at the Office of the Information Regulator, for inspection, during normal office hours;

(c) on the website of the Information Regulator; and

(d) to the Director-General of the Department of Government Communication and Information Systems.

(2) The Information Regulator must make available, upon the written request of any person, including an information officer, on a form which corresponds substantially with Form 1 of Annexure A to the Regulations, the number of copies of the guide in the official languages, as requested.

(3) The Information Regulator may not charge any fee for—

(a) a copy of the guide made available in terms of sub regulation (2); or

(b) inspection of a copy of the guide at the office of the Information Regulator.

¹³ **3. Obligations of information officer.**—(1) An information officer must have a copy of the guide, in at least two of the official languages, at his or her registered head office, for public inspection during normal office hours.

(2) An information officer must make available, upon the written request of any person, on a form which corresponds substantially with Form 1 of Annexure A to the Regulations, the number of copies of the guide in the official languages, as requested.

(3) An information officer may not charge a fee for—

(a) a copy of the guide made available in terms of subregulation (2); or

(b) inspection of a copy of the guide at the office of the information officer.

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	Setswana		siSwati	
	Tshivenda		Xitsonga	
	Afrikaans		English	
	isiNdebele		isiXhosa	
	isiZulu			

Manner of collection (*mark with "x"*):

Personal collection	Postal address	Facsimile	Electronic communication (Please specify)

Signed at this day of 20

.....

Signature of requester

* Delete whichever is not applicable

Form 2
Request for access to record
[Regulation 7]¹⁴

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:			
Contact numbers:	Tel. (B):		Facsimile:
	Cellular:		
Full names of person on whose behalf request is made (<i>if applicable</i>):			
Identity number:			
Postal Address:			
Street Address:			

¹⁴ 7. **Request for access to information.**—(1) A request for access to a record contemplated in section 18 (1) or 53 (1) of the Act, must be made on a form that corresponds substantially with Form 2 of Annexure A to the Regulations, to the information officer.
 (2) The information officer must—
 (a) assist a requester with any request with regards to a request for access to information; and
 (b) if a request for access to a record is made orally as a result of illiteracy or a disability of a requester, complete Form 2 of Annexure A to the Regulations on behalf of the requester and provide a copy thereof to the requester, as contemplated in section 18 (3) of the Act.
 (3) The request fee payable by every requester referred to in section 22 (1) or 54 (1) of the Act is prescribed in item 1 of Annexure B to the Regulations.

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E-mail Address:			
Contact numbers:	Tel. (B):		Facsimile
	Cellular:		
PARTICULARS OF RECORD REQUESTED			
<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:			
TYPE OF RECORD			
<i>(Mark the applicable box with an "X")</i>			
Record is in written or printed form			
Record comprises virtual images (<i>this includes photographs, slides, video recordings, computer-generated images, sketches, etc</i>)			
Record consists of recorded words or information which can be reproduced in sound			
Record is held on a computer or in an electronic, or machine-readable form			
FORM OF ACCESS			
<i>(Mark the applicable box with an "X")</i>			
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>)			

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Copy of record on flash drive (<i>including virtual images and soundtracks</i>)	
Copy of record on compact disc drive (<i>including virtual images and soundtracks</i>)	
Copy of record saved on cloud storage server	

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

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED <i>If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.</i>	
Indicate which right is to be exercised or protected:	
Explain why the record requested is required for the exercise or protection of the aforementioned right:	

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

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<i>If you qualify for exemption of the payment of any fee, please state the reason for exemption</i>	
Reason:	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

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

Signed at this day of 20

.....

Signature of requester / person on whose behalf request is made

.....

FOR OFFICIAL USE

Reference number:	
Request received by: <i>(state rank, name and surname of information officer)</i>	
Date received:	
Access fees:	
Deposit (if any):	

.....

Signature of information officer

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Form 3
Outcome of request and of fees payable
[Regulation 8]¹⁵

Note:

1. If your request is granted the—

- (a) amount of the deposit, (if any), is payable before your request is processed; and
- (b) requested record/portion of the record will only be released once proof of full payment is received.

2. Please use the reference number hereunder in all future correspondence.

Reference number:

TO:

.....
.....
.....
.....

Your request dated, refers.

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

OR

2. You requested:

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

¹⁵ **8. Outcome of request and fees payable.**—(1) The information officer must, if a request for access to a record referred to in regulation 7 of the Regulations is granted or refused, inform the requester of—

- (a) his or her decision; and
- (b) the fees payable as provided for in Annexure B to the Regulations, on a form that corresponds substantially with Form 3 of Annexure A to the Regulations: Provided that a request for a copy of the guide may not be refused.

(2) A person who requests—

- (a) a copy of a record contemplated in regulation 4 or 5 of the Regulations; or
- (b) access to a record as contemplated in regulation 7 of the Regulations, may be charged the fee for reproduction and postage as prescribed in Annexure B to the Regulations, if the request is granted.

(3) If—

- (a) the search for a record in respect of which a request for access has been made; and
- (b) the preparation of the record for disclosure, including any arrangements contemplated in section 29 (2) (a) and (b) (i) and (ii) (aa) of the Act, would, in the opinion of the information officer, require more than six hours for these purposes, the information officer must, on a form which corresponds substantially with Form 3 of Annexure A to the Regulations, inform the requester to pay as a deposit, a portion of the access fee: Provided that the amount payable as a deposit, must not exceed one third of the amount payable, if the request is granted.

(4) The fee for the search for and preparation of the record contemplated in section 29 (2) (a) and (b) (i) or 54 (2) (a) and (b) (i) of the Act is as provided for in item 9 of Annexure B to the Regulations.

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Copy of information on flash drive <i>(including virtual images and soundtracks)</i>	
Copy of information on compact disc drive <i>(including virtual images and soundtracks)</i>	
Copy of record saved on cloud storage server	

3. To be submitted:

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

Kindly note that your request has been:

Approved

Denied, for the following reasons:

4. Fees payable with regards to your request:

Item	Cost per A4-size 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		
For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on the quotation of the service provider		
Copy of visual images			

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Transcription of an audio record, per A4-size	R24.00		
Copy of an audio record (i) Flash drive • To be provided by requestor	R40.00		
(ii) Compact disc • If provided by requestor	R40.00		
• If provided to the requestor	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 <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 Nr: _____
 Submit proof of payment to: _____

Signed at this day of 20

.....
Information officer

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Form 5 Lodging of complaint [Regulation 10]¹⁶

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/infoereg/>.*
2. *PAIA gives a member of the public a right to file a complaint with the Information Regulator about any of the nature of complaints detailed in part E of this complaint form.*
3. *It is the policy of the Information Regulator to defer investigating or to reject a complaint if the Complainant has not first given the public or private body (herein after referred to as “the Body”) an opportunity to respond to and attempt to resolve the issue. To help the Body address your concerns prior to approaching the Information Regulator, you are required to complete the prescribed PAIA form and submit it to the Body.*
4. *A copy of this form will be provided to the Body that is the subject of your complaint. The information you provide on this form, attached to this form or that you supply later, will only be used to attempt to resolve your dispute, unless otherwise stated herein.*
5. *The Information Regulator will only accept your complaint once you confirm having complied with the prerequisites below.*
6. *Please attach copies of the following documents, if you have them:*
 - *Copy of the form to the Body requesting access to records;*
 - *The Body’s response to your complaint or access request;*
 - *Any other correspondence between you and the Body regarding your request;*
 - *Copy of the appeal form, if your complaint relate to a public body;*
 - *The Body’s response to your appeal;*
 - *Any other correspondence between you and the Body regarding your appeal;*
 - *Documentation authorizing you to act on behalf of another person (if applicable);*
 - *Court order or court documents relevant to your complaint, if any.*
7. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*

TO:

The Information Regulator
P.O Box 31533
Braamfontein,
2017
E-mail address: infoereg@justice.gov.za
Tel number: +27 (0) 10 023 5200

¹⁶ **10. Lodging of complaints.**—A complaint contemplated in section 77A of the Act, must be lodged in writing on a form that corresponds substantially with Form 5 of Annexure A to the Regulations, to the Information Regulator.

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:			
<i>Date stamp</i>			

Postal address	Facsimile	Other electronic communication <i>(Please specify)</i>

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			
<i>(Complete only if you will be represented. A Power of Attorney must be attached if complainant is represented, failing which the complaint will be rejected)</i>			
Full names of representative:			
Nature of representation:			
Identity number/Registration number:			
Postal Address:			
Street Address:			
E-mail Address:			
Contact numbers:	Tel. (B):		Facsimile
	Cellular		
PART C			
THIRD PARTY INFORMATION			
<i>(Please attach letter of authorisation)</i>			
Type of body:	Private		Public
Name of *public/private body:			
Registration number (if any):			
Name, surname and title of person authorised to lodge complaint:			
Postal Address:			
Street Address:			
E-mail Address:			
Contact numbers:	Tel. (B):		Facsimile
	Cellular		

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If yes, please indicate when was the matter adjudicated by the Court? Please attach Court Order, if there is any.		
<p>PART F</p> <p>DETAILED TYPE OF ACCESS TO RECORDS</p> <p><i>(Please select one or more of the following to describe your complaint to the Information Regulator)</i></p>		
Unsuccessful appeal: (Section 77A (2) (a) or section 77A (3) (a) of PAIA)	<i>I have appealed against the decision of the public body and the appeal is unsuccessful.</i>	
Unsuccessful application for condonation: (Sections 77A (2) (b) and 75 (2) of PAIA)	<i>I filed my appeal against the decision of the public body late and applied for condonation. The condonation application was dismissed.</i>	
Refusal of a request for access: (Section 77A (2) (c) (i) or 77A (2) (d) (i) or 77A (3) (b) of PAIA)	<i>I requested access to information held by a body and that request was refused or partially refused.</i>	
The body requires me to pay a fee and I feel it is excessive: (Sections 22 or 54 of PAIA)	<i>Tender or payment of the prescribed fee.</i>	
	<i>The tender or payment of a deposit.</i>	
Repayment of the deposit: (Section 22 (4) of PAIA)	<i>The information officer refused to repay a deposit paid in respect of a request for access which is refused.</i>	
Disagree with time extension: (Sections 26 or 57 of PAIA)	<i>The body decided to extend the time limit for responding to my request, and I disagree with the requested time limit extension or a time extension taken to respond to my access request.</i>	
Form of access denied: (Section 29 (3) or 60 (a) of PAIA)	<i>I requested access in a particular and reasonable form and such form of access was refused.</i>	
Deemed refusal: (Section 27 or 58 of PAIA)	<i>It is more than 30 days since I made my request and I have not received a decision.</i>	
	<i>Extension period has expired and no response was received.</i>	
Inappropriate disclosure of a record: (Mandatory grounds for refusal of access to record)	<i>Records (that are subject to the grounds for refusal of access) have inappropriately/unreasonable been disclosed.</i>	
No adequate reasons for the refusal of access: (Section 56 (3) (a) of PAIA)	<i>My request for access is refused, and no valid or adequate reasons for the</i>	

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	<i>refusal, were given, including the provisions of this Act which were relied upon for the refusal.</i>	
Partial access to record: (Section 28 (2) or 59 (2) of PAIA)	<i>Access to only a part of the requested records was granted and I believe that more of the records should have been disclosed.</i>	
Fee waiver: (Section 22 (8) or 54 (8) of PAIA)	<i>I am exempt from paying any fee and my request to waive the fees was refused.</i>	
Records that cannot be found or do not exist: (Section 23 or 55 of PAIA)	<i>The Body indicated that some or all of the requested records do not exist and I believe that more records do exist.</i>	
Failure to disclose records:	<i>The Body decided to grant me access to the requested records, but I have not received them.</i>	
No jurisdiction (exercise or protection of any rights): (Section 50 (1) (a) of PAIA)	<i>The Body indicated that the requested records are excluded from PAIA and I disagree.</i>	
Frivolous or vexatious request: (Section 45 of PAIA)	<i>The Body indicated that my request is manifestly frivolous or vexatious and I disagree.</i>	
Other: <i>(Please explain):</i>		

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

Forms prescribed in terms of the POPIA and made available to Data Subjects and/or third parties through this PAIA Manual

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, 2018
 [Regulation 2]¹⁷

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)

¹⁷ **2. Objection to the processing of personal information.**—(1) A data subject who wishes to object to the processing of personal information in terms of section 11 (3) (a) of the Act, must submit the objection to the responsible party on Form 1.
 (2) The responsible party, or a designated person, must render such reasonable assistance as is necessary, free of charge, to enable the data subject to make an objection on Form 1.

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Signed at This day of 20

Signature of data subject/designated person

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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]¹⁸

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:	

¹⁸ **3. Request for correction or deletion of personal information or destruction or deletion of record of personal information.**—(1) A data subject who wishes to request a correction or deletion of personal information or the destruction or deletion of a record of personal information in terms of section 24 (1) of the Act, must submit a request to the responsible party on Form 2.
(2) The responsible party, or a designated person, must render such reasonable assistance, as is necessary free of charge, to enable a data subject to complete Form 2.

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Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number/ E-mail address:	
C	INFORMATION TO BE CORRECTED/DELETED/ DESTROYED/ 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	

	<i>Signature of data subject/designated person</i>

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Form 4

Application for the consent of a Data Subject for the Processing of Personal Information for the purpose of direct marketing in terms of section 69 (2) of the Protection of Personal Information Act, 2013 (Act No. 4 of 2013)
Regulations Relating to the Protection of Personal Information, 2018

[Regulation 6]¹⁹

TO: _____

(Name of data subject)

FROM: _____

Contact number(s):

Fax number:

E-mail address:

(Name, address and contact details of responsible party)

Dear *Mr/Ms/Dr/Adv/Prof

PART A

1. In terms of section 69 of the Protection of Personal Information Act, 2013 (Act No. 4 of 2013), the processing of personal information of a data subject (the person to whom personal information relates) for the purpose of direct marketing by means of any form of electronic communication, including automatic calling machines, facsimile machines, SMSs or e-mail is prohibited unless written consent to the processing is given by the data subject. You may only be approached once for your consent by this responsible party. After you have indicated your wishes in Part B, you are kindly requested to submit this Form either by post, facsimile or e-mail to the address, facsimile number or e-mail address as stated above.
2. "Processing" means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including—
 - a) the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
 - b) dissemination by means of transmission, distribution or making available in any other form; or
 - c) merging, linking, as well as restriction, degradation, erasure or destruction of information.
3. "Personal information" means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to—

¹⁹ **6. Request for data subject's consent to process personal information.**—A responsible party who wishes to process personal information of a data subject for the purpose of direct marketing by electronic communication must in terms of section 69 (2) of the Act submit a request for written consent to that data subject on Form 4.

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".

Complaint regarding:

<input type="checkbox"/>	Alleged interference with the protection of personal information
<input type="checkbox"/>	Determination of an adjudicator.
<input type="checkbox"/>	

PART I	ALLEGED INTERFERENCE WITH THE PROTECTION OF THE PERSONAL INFORMATION IN TERMS OF SECTION 74 (1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (Act No. 4 of 2013)
A	PARTICULARS OF COMPLAINANT
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	PARTICULARS OF RESPONSIBLE PARTY INTERFERING WITH PERSONAL INFORMATION
Name(s) and surname/ Registered name of responsible party:	

²⁰ **7. Submission of complaint.**—(1) any person who wishes to submit a complaint contemplated in section 74 (1) of the Act must submit such a complaint to the Regulator on Part I of Form 5.
(2) A responsible party or a data subject who wishes to submit a complaint contemplated in section 74 (2) of the Act must submit such a complaint to the Regulator on Part II of Form 5.

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Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number/ E-mail address:	
C	REASONS FOR COMPLAINT <i>(Please provide detailed reasons for the grievance)</i>
Signed at	this day of 20
	<i>Signature of data subject/designated person</i>