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## 1. DEFINITIONS AND ABBREVIATIONS

1.1	<b>“CEO”</b>	Chief Executive Officer
1.2	<b>“DIO”</b>	Deputy Information Officer;
1.3	<b>“IO”</b>	Information Officer.
1.4	<b>“MINISTER”</b>	Minister of Transport
1.5	<b>“PAIA”</b>	Promotion of Access to Information Act No. 2 of 2000 as Amended;
1.6	<b>“PFMA”</b>	Public Finance Management Act No.1 of 1999 as Amended
1.7	<b>“POPIA”</b>	Protection of Personal Information Act No.4 of 2013;
1.8	<b>“Regulator”</b>	Information Regulator.
1.9	<b>“SANRAL”/ The Body/ The Agency</b>	The South African National Roads Agency Limited

## 2. INTRODUCTION: DESCRIPTION OF STRUCTURE AND FUNCTION

The South African National Roads Agency Limited (“SANRAL”), is an independent, statutory company registered in terms of the Companies Act, 1973. The South African Government, represented by the Minister of Transport, is the sole shareholder of SANRAL. Its mandate is to develop, maintain and manage South Africa’s 16 170 kilometers of national road network.

## 3. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to -

- 3.1 check the nature of the records which may already be available at SANRAL, without the need for submitting a formal PAIA request;
- 3.2 have an understanding of how to make a request for access to a record of the SANRAL;
- 3.3 access all the relevant contact details of the persons who will assist the public with the records they intend to access;
- 3.4 know all the remedies available from the SANRAL regarding request for access to the records, before approaching the Regulator or the Courts;
- 3.5 the description of the services available to members of the public from the SANRAL, and how to gain access to those services;

- 3.6 a description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 3.7 if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- 3.8 know if SANRAL has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- 3.9 know whether the SANRAL has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

#### 4. ESTABLISHMENT OF SANRAL

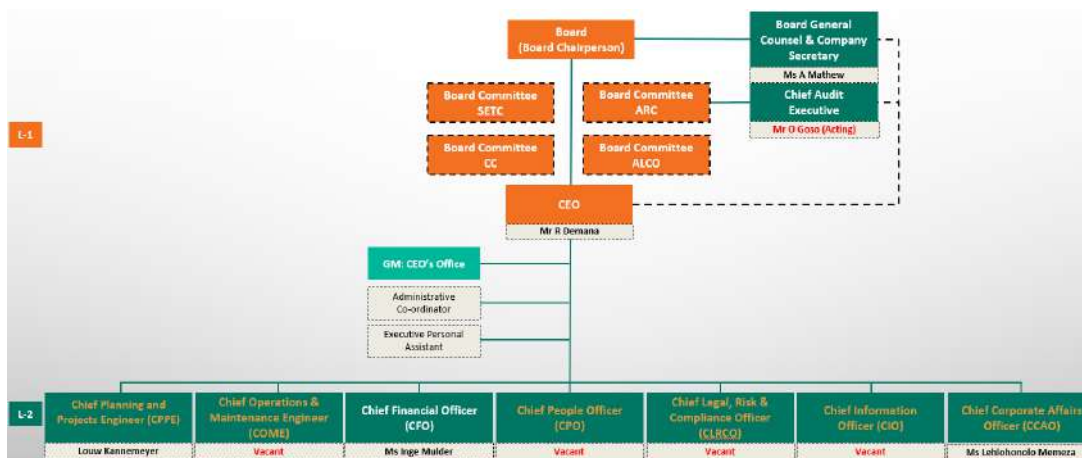
SANRAL was established in April 1998 by an Act of Parliament as an independent statutory company operating along commercial lines and at arm's length from Government.

##### *Objectives/Mandate*

The Agency, within the framework of government policy, is responsible for, and is hereby given power to perform, all strategic planning with regard to the South African national roads system, as well as the planning, design, construction, operation, management, control, maintenance and rehabilitation of national roads for the Republic, and is responsible for the financing of all those functions in accordance with its business and financial plan, so as to ensure that government's goals and policy objectives concerning national roads are achieved, subject to section 32 (3).

#### 5. STRUCTURE OF SANRAL AND FUNCTIONS

##### 5.1 Structure



Board Committees:

- Social, Ethics & Transformation Committee (SETC)
- Assets & Liabilities Committee (ALCO)
- Audit & Risk Committee (ARC)
- Contracts Committee (CC)

## 5.2 Functions

The primary functions of SANRAL, in terms of its enabling Act (South African National Road Agency Limited) and National Roads Act 7 of 1998, is to maintain and develop South Africa's expanding national road network and to manage its strategic assets and ancillary matters relating thereto.

## 6. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF SANRAL

### 6.1 Information Officer (CEO):

Name: Reginald Demana  
E-mail: demanar@nra.co.za

### 6.2 Deputy Information Officers:

Name: Randall Cable  
E-mail: cabler@nra.co.za

Name: Progress Hlahla  
E-mail: hlahlap@nra.co.za

Name: Simon Petersen  
E-mail: petersons@nra.co.za

Name: Dumisani Nkabinde  
E-mail: nkabinded@nra.co.za

### 6.3 Access to Information general contacts

E-mail: sanralpaia@sanral.co.za

### 6.4 National/ Head Office

Postal Address: PO Box 415, Pretoria, 0001

Physical Address: 48 Tamboe Avenue, Val De Grace, Pretoria

Telephone: (012) 844 8000

E-mail: [sanralpaia@sanral.co.za](mailto:sanralpaia@sanral.co.za)

Website: [www.nra.co.za](http://www.nra.co.za)

## **7. DESCRIPTION OF ALL REMEDIES AVAILABLE IN RESPECT OF AN ACT OR A FAILURE TO ACT BY SANRAL**

7.1 If SANRAL fails to comply with the provisions of PAIA, the requestor or any aggrieved person may, in accordance with section 78(3) of PAIA and the Promotion of Administrative Justice Act 3 of 2000 (PAJA), approach the Court with jurisdiction for appropriate relief.

7.2 If the requester or third party is aggrieved by the decision of the Information Officer, he or she may, by way of an application and within 180 days, apply to a court for appropriate relief in terms of section 82 of the Act.

### **7.3 Internal Remedies:**

7.3.1.1 An internal appeal can be lodged, in terms of section 74 of PAIA, with the relevant authority.

7.3.1.2 Accordingly, a requester may lodge an internal appeal against a decision of the Information Officer or Deputy Information Officer on the following grounds

7.3.1.2.1 refusal to grant access to the records;

7.3.1.2.2 the tender or payment of the request fee in terms of section 22(1) of PAIA; or

7.3.1.2.3 the access fee to be paid is too excessive; or

7.3.1.2.4 the tender or payment of a deposit in terms of section 22(2) of PAIA; or

7.3.1.2.5 the decision of the Information Officer to grant a request for access; or

7.3.1.2.6 an extension of period in terms of section 26(1) of PAIA; or

7.3.1.2.7 refusal to grant access to records in a particular form requested, in terms section 29 (3) of PAIA.

7.3.1.2.8 failure to disclose records: or

7.3.1.2.9 refusal to grant request to waive the fees

7.3.2 A third party may lodge an internal appeal against a decision of the Information Officer or Deputy Information Officer to grant a request for access to a record

**7.3.3** In order to appeal against any decision(s) made by the Information Officer or Deputy Information Officer, referred to in paragraph 7.3.1.3 and 7.3.2 above, a requester must lodge an internal appeal by completing Form 4. Form 4, attached hereto as Annexure 1, must be submitted to the same Information Officer or Deputy Information Officer that made the original decision, who is then required to forward it to the Compliance Officer or designated individual, or a member designated by the Compliance Officer within ten (10) working days after receipt of an internal appeal.

**7.3.4 Period within which to lodge an appeal:**

**7.3.4.1** An internal appeal form must be delivered or sent to the Information Officer or Deputy Information Officer's address or fax number or electronic mail address, contact details of which can be found in paragraph 6 above –

**7.3.4.1.1** within 60 days after the decision was taken;

**7.3.4.1.2** within 30 days after notice is given to the third party of the decision appealed against.

**7.3.5** The Appeal must be submitted to the Information Officer who must in terms of PAIA, forward it to the applicant, within ten (10) days, together with –

**7.3.5.1** his or her reasons for the decision concerned; and

**7.3.5.2** The name, postal address, phone and fax number and electronic mail address, whichever is available, of any third party that must be notified of the request, in terms of section 47(1) of PAIA.

**7.3.6** The Appeal must be delivered or sent to any of the contact information listed in paragraph 6 above.

**7.3.7** SANRAL may, upon good cause shown, allow the late lodging of the internal appeal. If the Information Officer or its designate is not satisfied with the reasons advanced for late lodging of the appeal, the request will be disallowed on written notice to the person that lodged the internal appeal.

**7.3.8** A requester lodging an internal appeal against the refusal of his or her request for access may pay the prescribed appeal fee (if any or unless he/she is exempted from paying fees). If the prescribed appeal fee is payable in respect of an internal appeal, the decision on the internal appeal may be deferred until the fee is paid.

**7.3.9** The Members, must process and decide on the internal appeal within thirty (30) days from the date in which the internal appeal was received by the Information Officer or Deputy Information Officer;

**7.3.10 External Remedies**

The decision made by the Members, pertaining to any of the decisions the requester or third party is aggrieved by, is final and the requester or third party may, by way of an application, within 180 days apply to a court for appropriate relief in terms of section 82.

**8. REQUEST FOR ACCESS TO RECORDS HELD BY THE PUBLIC BODY**

**8.1 Forms and Fees**

8.1.1 A request for information must be made in the prescribed form (Form 2, Annexure 2 to the PAIA manual) and must be addressed to the Information Officer or Deputy Information Officer and must be submitted together with the prescribed fee.

**8.2 Request Procedure**

8.2.1 The prescribed application form must be completed. If the requester needs information on where to obtain the application form, or any other matter, the requester should contact the Deputy Information Officer (see contact details in section 6).

8.2.2 The requester should provide sufficient detail on the application form to allow the Deputy Information Officer to identify the records requested, as well as the identity of the requester. The requester should indicate which form of access is required, and whether the record concerned is preferred in a particular language. The requester must provide a postal address or fax number. If, in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, the requester should state that manner and the necessary particulars.

- 8.2.3 If the request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request, to the satisfaction of the Information Officer.
- 8.2.4 The completed application form must be sent to the Deputy Information Officer (see contact details in section 6).
- 8.2.5 The requester must submit the prescribed fee together with the application, except in cases where the requester requires access to a personal record, containing information about himself or herself.
- 8.2.6 The application will be processed, and the requester will be informed of the fees (if any) that must be paid.
- 8.2.7 The requester should note that the Act prescribes certain circumstances in which the Information Officer is obliged to advise a third party of a request for information that concerns him or her.
- 8.2.8 The Information Officer will decide whether or not to grant the request. This decision will be taken as soon as reasonably possible, and within 30 days after the request has been received (in some cases, the Information Officer may extend this period by a further 30 days, and the requester will be notified of this). Note that access to certain records may be refused on the grounds set out in the Act.
- 8.2.9 After access is granted, actual access to the records requested will be given as soon as reasonably possible.
- 8.2.10 If the request is refused, the Information Officer will advise the requester in writing of the reasons for refusing access to the record.
- 8.2.11 The requester may lodge an internal appeal or appeal with a court of law if access to a record is not granted.

## **9. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE**



- 9.1 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 reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.
- 9.2 The Guide is available in each of the official languages.
- 9.3 The aforesaid Guide contains the description of-
- 9.3.1 the objects of PAIA and POPIA;
- 9.3.2 the postal and street address, phone and fax number and, if available, electronic mail address of-
- the Information Officer of every public body, and
  - 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>;
- 9.3.3 the manner and form of a request for-
- 9.3.3.1 access to a record of a public body contemplated in section 11<sup>3</sup>; and
- 9.3.3.2 access to a record of a private body contemplated in section 50<sup>4</sup>
- 9.3.3.3 access to a record of a private body contemplated in section 50<sup>5</sup>

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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.*

<sup>5</sup> Section 50(1) of PAIA- *A requester must be given access to any record of a private body if-*

- d) *that record is required for the exercise or protection of any rights;*

- 9.3.4 the assistance available from the Information Officer of a public body in terms of PAIA and POPIA;
- 9.3.5 the assistance available from the Regulator in terms of PAIA and POPIA;
- 9.3.6 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-
- an internal appeal;
  - a complaint to the Regulator; and
  - 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 Regulator or a decision of the head of a private body;
- 9.3.7 the provisions of sections 14<sup>6</sup> and 51<sup>7</sup> requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
- 9.3.8 the provisions of sections 15<sup>8</sup> and 52<sup>9</sup> providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 9.3.9 the notices issued in terms of sections 22<sup>10</sup> and 54<sup>11</sup> regarding fees to be paid in relation to requests for access; and

- 
- e) that person complies with the procedural requirements in PAIA relating to a request for access to that record; and  
f) access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.

<sup>6</sup> 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.

<sup>7</sup> 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.

<sup>8</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>9</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>10</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>11</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.

9.3.10 the regulations made in terms of section 92<sup>12</sup>.

9.4 Members of the public can inspect or make copies of the Guide from the offices of the public or private bodies, including the office of the Regulator, during normal working hours. The Guide can also be obtained-

9.4.1 upon request to the Information Officer.

9.4.2 from the website of the Regulator (<https://www.justice.gov.za/infoleg/>).

## 10. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD BY SANRAL

Subjects on which the body holds records	Categories of records held on each subject
Strategic Documents, Plans, Proposals	Annual Reports, Strategic Plan, Annual Performance Plan.
Human Resources	<ul style="list-style-type: none"> <li>- HR policies and procedures;</li> <li>- Advertised posts;</li> <li>- Employees records;</li> <li>- Learning and development e.g.: skills development and training plans</li> <li>- Employment equity plan and statistics</li> </ul>
Financial information:	<ul style="list-style-type: none"> <li>- Statutory books of account;</li> <li>- Fixed assets register.</li> </ul>
Company secretarial	<ul style="list-style-type: none"> <li>- Resolution of board meetings</li> <li>- Statutory books</li> <li>- Declaration of interests by Directors</li> </ul>

<sup>12</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.”

<b>Subjects on which the body holds records</b>	<b>Categories of records held on each subject</b>
Operational information	- Toll plaza electronic data
	<ul style="list-style-type: none"> <li>- Environmental impact assessments</li> <li>- Agreements with Provincial Governments</li> <li>- Standard tender documents</li> <li>- Endorsements of expropriation</li> <li>- Pavement management system records</li> <li>- Traffic counts</li> <li>- Policy on unsolicited bids</li> <li>- Toll tariffs</li> <li>- Statistics on job creation</li> </ul>
SCM & Procurements	<ul style="list-style-type: none"> <li>- Policies</li> <li>- Strategy</li> <li>- Tenders</li> </ul>

**11. CATEGORIES OF RECORDS OF SANRAL WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS**

<b>Category</b>	<b>Document Type</b>	<b>Available on Website</b>	<b>Available upon request</b>
Tender document	<ul style="list-style-type: none"> <li>- Advertised tender</li> <li>- Name of successful bidder</li> </ul>	X	
Legislation /Regulations	<ul style="list-style-type: none"> <li>- Outdoor Advertising Regulations</li> </ul>	X	
Strategic Documents (Plans and Report)	<ul style="list-style-type: none"> <li>- Organisational profile (Overview, Objectives, Functions, Architecture)</li> <li>- Annual Reports;</li> <li>- Strategic Plan;</li> <li>- Annual Performance Plan;</li> </ul>	X	

Category	Document Type	Available on Website	Available upon request
	<ul style="list-style-type: none"> <li>- Strategic and Performance Plans;</li> <li>- Horizon 2030</li> </ul>		

## **12. SERVICES AVAILABLE TO MEMBERS OF THE PUBLIC FROM SANRAL**

### **12.1 SANRAL OPERATES IN TERMS OF ITS ENABLING LEGISLATION**

- 12.1.1 The South African National Roads Agency Limited and National Roads Act (Act No. 7,1998). It is governed by a Board of eight people, six of whom are appointed by the Minister of Transport; the Chief Executive Officer, who is appointed by the Board; and a representative of the Minister of Finance.
- 12.1.2 The purpose of the company, which is registered in terms of the Companies Act, is to maintain and develop South Africa's expanding national road network and to manage its strategic assets.

### **12.2 SANRAL HAS A DISTINCT MANDATE**

- 12.2.1 To finance, improve, manage and maintain the national road network (the "economic arteries" of South Africa). SANRAL introduced and consolidated the concept of Public Private Partnerships that culminated in the internationally acclaimed Maputo Development Corridor.
- 12.2.2 SANRAL is committed to carry out its mandate by protecting and preserving the environment through context-sensitive solutions. SANRAL will continue to support the development of South Africa's human capital through tertiary institutions and cooperative governance.

## **13. PUBLIC INVOLVEMENT IN THE FORMULATION OF POLICY OR THE EXERCISE OF POWERS OR PERFORMANCE OF DUTIES BY**

- 13.1 Workshops/ roadshows with industry players and stakeholders (communities, government, traditional leaders, private sector).

## 14. PROCESSING OF PERSONAL INFORMATION

### 14.1 Purpose of Processing

14.1.1 Processing of Personal Information is only within the scope and purpose for which PI is collected - conducting of SANRAL's business.

### 14.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto

Categories of Data Subjects	Personal Information that may be Processed
Natural Persons	Names and surname; contact details (contact number(s), fax number, email address); Residential, postal or business address; Unique Identifier/Identity Number and confidential correspondence
Juristic Persons	Names of contact persons; Name of legal entity; physical and postal address; contact details (contact number(s), fax number, email address); registration number; financial, commercial, scientific or technical information and trade secrets
Employees	Gender, pregnancy; marital status; Race age, language, educational information (qualifications); financial information; employment history; ID number; physical and postal address; contact details(contact number(s), fax number, email address); criminal behaviour; well-being and their relatives ( family members) race, medical, gender, sex, nationality, ethnic or social origin, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language, biometric information of the person

### 14.3 The recipients or categories of recipients to whom the personal information may be supplied

NB: Dissemination and Processing of Personal Information (including, but not limited, to

those listed in the table below) is only within the scope and purpose for which PI is collected - conducting of SANRAL's business.

Category of personal information	Recipients or Categories of Recipients
Identity number and names, for criminal checks	South African Police Services
Qualifications, for qualification verifications	South African Qualifications Authority
Credit and payment history, for credit information	Credit Bureaus

#### 14.4 Planned transborder flows of personal information

14.4.1 Any transborder flows of personal information shall be planned in accordance with the needs of said information. Processing and dissemination of Personal Information including but not limited to, may be transported by means of hosted technology solutions within the scope and purpose for which PI is collected - conducting of SANRAL's business.

#### 14.5 General Description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information

14.5.1 SANRAL safeguards the confidentiality, integrity, and availability of Personal Information by applying relevant information security standards and practices on a continuous basis.

### 15. AVAILABILITY OF THE MANUAL

15.1 This Manual is made available in English and/ or other required language.

15.2 A copy of this Manual or the updated version thereof, is also available as follows-

15.2.1 on (specify the website), if any, of the public body;

15.2.2 at the head office of the public body for public inspection during normal business hours;

15.2.3 to any person upon request and upon the payment of a reasonable prescribed fee; and

15.2.4 to the Information Regulator upon request.

15.3 A fee for a copy of the Manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made.

## **16. UPDATING OF THE MANUAL**

The (insert the name of private body) will, if necessary, update and publish this Manual annually.

**Issued by**

***Reginald Demana***

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***(Insert the Name of the information Officer)***

***(Title of information Officer. Chief Executive Officer***





# INFORMATION REGULATOR (SOUTH AFRICA)

Ensuring protection of your personal information  
and effective access to information

Address: JD House, 27 Stiemens Street  
Braamfontein, Johannesburg, 2001  
P.O. Box 31533  
Braamfontein, Johannesburg, 2017  
Tel: 010 023 5200

Email: [PAIACompliance@infoRegulator.org.za](mailto:PAIACompliance@infoRegulator.org.za)

## REQUEST FOR A COPY OF THE GUIDE

### FORM 1

#### [Regulation 2]

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
<input type="checkbox"/> Sepedi		<input type="checkbox"/> Sesotho	
<input type="checkbox"/> Setswana		<input type="checkbox"/> siSwati	
<input type="checkbox"/> Tshivenda		<input type="checkbox"/> Xitsonga	
<input type="checkbox"/> Afrikaans		<input type="checkbox"/> English	
<input type="checkbox"/> isiNdebele		<input type="checkbox"/> isiXhosa	
<input type="checkbox"/> isiZulu			

Manner of collection (mark with "x"):

Personal collection	Postal address	Facsimile	Electronic communication (Please specify)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

\_\_\_\_\_  
Signature of requester

# FORM 2

## REQUEST FOR ACCESS TO RECORD

[Regulation 7]

**NOTE:**

1. *Proof of identity must be attached by the requester.*
2. *If requests made on behalf of another person, proof of such authorisation, must be attached to this form.*

**TO:** The Information Officer


(Address)

E-mail address: 

--

Fax number: 

--

Mark with an "X"

☐

Request is made in my own name

☐

Request is made on behalf of another person.

PERSONAL INFORMATION				
Full Names				
Identity Number				
Capacity in which request is made (when made on behalf of another person)				
Postal Address				
Street Address				
E-mail Address				
Contact Numbers	Tel. (B):		Facsimile: <table border="1"><tr><td></td></tr></table>	
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		
<p align="center"><b>PARTICULARS OF RECORD REQUESTED</b></p> <p><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></p>			
Description of record or relevant part of the record:			
Reference number, if available			
Any further particulars of record			
<p align="center"><b>TYPE OF RECORD</b></p> <p align="center"><i>(Mark the applicable box with an "X")</i></p>			
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> <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>	
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> <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>	

<b>PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED</b> <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)	<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 (Please specify)

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

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

-----  
**FOR OFFICIAL USE**

Reference number:	
Request received by: (State Rank, Name And Surname of Information Officer)	
Date received:	
Access fees:	
Deposit (if any):	

\_\_\_\_\_  
**Signature of Information Officer**

**FORM 3**  
**OUTCOME OF REQUEST AND OF FEES PAYABLE**  
[Regulation 8]

Note:

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

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

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

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

**1. You requested:**

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

**OR**

**2. You requested:**

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

**3. To be submitted:**

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

Kindly note that your request has been:

☐ Approved

☐ Denied, for the following reasons:

--

--

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

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

The amount must be paid into the following Bank account:

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

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

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

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

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

Reference Nr: \_\_\_\_\_

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

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

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

# INTERNAL APPEAL FORM

## FORM 4

[Regulation 9]

Reference Number: .....

PARTICULARS OF PUBLIC BODY				
Name of Public Body				
Name and Surname of Information Officer:				
PARTICULARS OF COMPLAINANT WHO LODGES THE INTERNAL APPEAL				
Full Names				
Identity Number				
Postal Address				
Contact Numbers	Tel. (B)		Facsimile	
	Cellular			
E-Mail Address				
Is the internal appeal lodged on behalf of another person?		Yes		No
If answer is "yes", capacity in which an internal appeal on behalf of another person is lodged: <i>(Proof of the capacity in which appeal is lodged, if applicable, must be attached.)</i>				
PARTICULARS OF PERSON ON WHOSE BEHALF THE INTERNAL APPEAL IS LODGED <i>(If lodged by a third party)</i>				
Full Names				
Identity Number				
Postal Address				
Contact Numbers	Tel. (B)		Facsimile	
	Cellular			
E-Mail Address				



<b>DECISION AGAINST WHICH THE INTERNAL APPEAL IS LODGED</b> <i>(mark the appropriate box with an "X")</i>	
Refusal of request for access	
Decision regarding fees prescribed in terms of section 22 of the Act	
Decision regarding the extension of the period within which the request must be dealt with in terms of section 26(1) of the Act	
Decision in terms of section 29(3) of the Act to refuse access in the form requested by the requester	
Decision to grant request for access	
<b>GROUND FOR APPEAL</b> <i>(If the provided space is inadequate, please continue on a separate page and attach it to this form. all the additional pages must be signed)</i>	
State the grounds on which the internal appeal is based:	
State any other information that may be relevant in considering the appeal:	

You will be notified in writing of the decision on your internal appeal. Please indicate your preferred manner of notification:

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

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

\_\_\_\_\_  
**Signature of Appellant/Third party**

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**FOR OFFICIAL USE**  
**OFFICIAL RECORD OF INTERNAL APPEAL**

Appeal received by: <i>(state rank, name and surname of Information Officer)</i>				
Date received:				
Appeal accompanied by the reasons for the information officer's decision and, where applicable, the particulars of any third party to whom or which the record relates, submitted by the information officer:				Yes
				No
<b>OUTCOME OF APPEAL</b>				
Refusal of request for access. Confirmed?	Yes		New decision <i>(if not confirmed)</i>	
	No			
Fees (Sec 22). Confirmed?	Yes		New decision <i>(if not confirmed)</i>	
	No			
Extension (Sec 26(1)). Confirmed?	Yes		New decision <i>(if not confirmed)</i>	
	No			
Access (Sec 29(3)). Confirmed?	Yes		New decision <i>(if not confirmed)</i>	
	No			
Request for access granted. Confirmed?	Yes		New decision <i>(if not confirmed)</i>	
	No			

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

\_\_\_\_\_  
**Relevant Authority**



# INFORMATION REGULATOR (SOUTH AFRICA)

Ensuring protection of your personal information  
and effective access to information

Address: JD House, 27 Stiemens Street  
Braamfontein, Johannesburg, 2001  
P.O. Box 31533  
Braamfontein, Johannesburg, 2017  
Tel: 010 023 5200

Email: [PAIAComplaints@infoRegulator.org.za](mailto:PAIAComplaints@infoRegulator.org.za)

## COMPLAINT FORM

### FORM 5 [Regulation 10]

#### NOTE:

1. This form is designed to assist the Requester or Third Party (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 following email address: [PAIAComplaints@infoRegulator.org.za](mailto:PAIAComplaints@infoRegulator.org.za) or complete online complaint form available at <https://www.justice.gov.za/infoReg/>.
2. PAIA gives a member of the public a right to file a complaint with the Information Regulator about any of the nature of complaints detailed in part F 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 2** 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:**
  - a. Copy of the form to the Body requesting access to records;
  - b. The Body's response to your complaint or access request;
  - c. Any other correspondence between you and the Body regarding your request;
  - d. Copy of the appeal form, if your complaint relate to a public body;
  - e. The Body's response to your appeal;
  - f. Any other correspondence between you and the Body regarding your appeal;
  - g. Documentation authorizing you to act on behalf of another person (if applicable);
  - h. 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.

#### CAPACITY OF PERSON/PARTY LODGING A COMPLAINT (Mark with an "X")

☐

Complainant Personally

☐

Representative of Complainant

☐

Third Party

#### PREREQUISITES

Did you submit request (PAIA form) for access to record of a public/private body?	Yes		No	
Has 30 days lapsed from the date on which you submitted your PAIA form?	Yes		No	
Did you exhaust all the internal appeal procedure against a decision of the Information officer of a public body?	Yes		No	
Have you applied to Court for appropriate relief regarding this matter?	Yes		No	

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

Postal address	Facsimile	Other electronic communication (Please specify)

PART A PERSONAL INFORMATION OF COMPLAINANT			
Full Names			
Identity Number			
Postal Address			
Street Address			
E-Mail Address			
Contact numbers	Tel. (B)		Facsimile
	Cellular		

PART B REPRESENTATIVE INFORMATION (Complete only if you will be represented. A Power of Attorney must be attached if complainant is represented, failing which the complaint will be rejected)			
Full Names of Representative			
Nature of representation			
Identity Number / Registration Number			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		

PART C THIRD PARTY INFORMATION (Please attach letter of authorisation)			
Type of Body	Private		Public
Name of Public / Private Body			
Registration Number (if any)			
Name, Surname and Title of person authorised to lodge a complaint			
Postal Address			
Street Address			
E-mail Address			

Contact Numbers	Tel. (B):		Facsimile	
	Cellular			
<b>PART D</b>				
<b>BODY AGAINST WHICH THE COMPLAINT IS LODGED</b>				
Type of body	Private		Public	
Name of public / private body				
Registration number (if any)				
Name, surname and title of person you dealt with at the public or private body to try to resolve your complaint or request for access to information				
Postal Address				
Street Address				
E-mail Address				
Contact Numbers	Tel. (B):		Facsimile	
	Cellular			
Reference Number given (if any)				
<b>PART E</b>				
<b>COMPLAINT</b>				
<i>Tell us about the steps you have taken to try to resolve your complaint (Complaints should first be submitted directly to the public or private body for response and possible resolution)</i>				
Date on which request for access to records submitted.				
Please specify the nature of the right(s) to be exercised or protected, if a complaint is against a private body.				
Have you attempted to resolve the matter with the organisation?	Yes		No	
If yes, when did you receive it? (Please attach the letter to this application.)				
Did you appeal against a decision of the information officer of the public body?	Yes		No	
If yes, when did you lodge an appeal?				
Have you applied to Court for appropriate relief regarding this matter?	Yes		No	
If yes, please indicate when was the matter adjudicated by the Court? Please attach Court Order, if there is any.				
<b>PART F</b>				
<b>DETAILED TYPE OF ACCESS TO RECORDS</b>				
<i>(Please select one or more of the following to describe your complaint to the Information Regulator)</i>				
Unsuccessful appeal (Section 77A(2)(a) or section 77A(3)(a) of PAIA)	I have appealed against the decision of the public body and the appeal is unsuccessful.			
Unsuccessful application for condonation (Sections 77A(2)(b) and 75(2) of PAIA)	I filed my appeal against the decision of the public body late and applied for condonation. The condonation application was dismissed.			

Refusal of a request for access (Section 77A(2)(c)(i) or 77A(2)(d)(i) or 77A(3)(b) of PAIA)	<i>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 refusal, were given, including the provisions of this Act which were relied upon for the refusal.</i>	
Partial access to record (Section 28(2) or 59(2) of PAIA)	<i>Access to only a part of the requested records was granted and I believe that more of the records should have been disclosed.</i>	
Fee waiver (Section 22(8) or 54(8) of PAIA)	<i>I am exempt from paying any fee and my request to waive the fees was refused.</i>	
Records that cannot be found or do not exist (Section 23 or 55 of PAIA)	<i>The Body indicated that some or all of the requested records do not exist and I believe that more records do exist.</i>	
Failure to disclose records	<i>The Body decided to grant me access to the requested records, but I have not received them.</i>	
No jurisdiction (exercise or protection of any rights) (Section 50(1)(a) of PAIA)	<i>The Body indicated that the requested records are excluded from PAIA and I disagree.</i>	
Frivolous or vexatious request (Section 45 of PAIA)	<i>The Body indicated that my request is manifestly frivolous or vexatious and I disagree.</i>	
Other (Please explain)		
<p align="center"><b>PART G</b> <b>EXPECTED OUTCOME</b></p> <p>How do you think the Information Regulator can assist you? Describe the result or outcome that you seek.</p>		
<p align="center"><b>PART H</b> <b>AGREEMENTS</b></p>		

**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 \_\_\_\_\_

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**Complainant/Representative/Authorised person of Third party**