

COMPLIANCE COLLECTIVE (PTY) Ltd PAIA MANUAL

**Prepared in terms of section 51 of the
Promotion of Access to Information Act
2 of 2000 (as amended)**

**DATE OF COMPILATION: 22/06/2026
DATE OF REVISION: 07/10/2026**

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1. LIST OF ACRONYMS AND ABBREVIATIONS

- | | | |
|-----|--------------------|--|
| 1.1 | “CC” | Compliance Collective (Pty) Ltd |
| 1.2 | “IO” | Information Officer; |
| 1.3 | “Minister” | Minister of Justice and Correctional Services; |
| 1.4 | “PAIA” | Promotion of Access to Information Act No. 2 of 2000 as Amended; |
| 1.5 | “POPIA” | Protection of Personal Information Act No.4 of 2013; |
| 1.6 | “Regulator” | Information Regulator; and |
| 1.7 | “Republic” | Republic of South Africa |

2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to-

- 2.1 check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- 2.2 have a sufficient understanding of how to make a request for access to a record of the body, by providing a description of the subjects on which the body holds records and the categories of records held on each subject;
- 2.3 know the description of the records of the body which are available in accordance with any other legislation;
- 2.4 access all the relevant contact details of the Information Officer who will assist the public with the records they intend to access;

- 2.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.6 know 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;
- 2.7 know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.8 know the recipients or categories of recipients to whom the personal information may be supplied;
- 2.9 know if the body 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
- 2.10 know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION CC

3.1. Company details

Organisation name: Compliance Collective (Pty) Ltd
Registration number: 2018/376282/07

3.2. Information Officer (head of the private body)

Name: Madeleen van Schalkwyk
Tel: 072 513 2683
Email: madeleen@compliancecollective.co.za

3.3 Access to information general contacts

Email: madeleen@compliancecollective.co.za

3.4 National or Head Office

Postal Address: 93 Upper Orange Street
Oranjezicht
Cape Town
8001

Physical Address: 93 Upper Orange Street
Oranjezicht
Cape Town
8001

Telephone: 072 513 2683

Email: info@compliancecollective.co.za

Website: www.compliancecollective.co.za

4. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

4.1. The Regulator has, in terms of section 10(1) of PAIA, as amended, 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.

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

4.3. The aforesaid Guide contains the description of-

4.3.1. the objects of PAIA and POPIA;

4.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-

4.3.2.1. the Information Officer of every public body, and

- 4.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of 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 50⁴;
- 4.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;
- 4.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
- 4.3.6. all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-
 - 4.3.6.1. an internal appeal;
 - 4.3.6.2. a complaint to the Regulator; and
 - 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

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.*

decision by the 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 offices of the public and private bodies, including the office of the Regulator, during normal working hours.

4.5. The Guide can also be obtained-

- 4.5.1. upon request to the Information Officer;

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.”

4.5.2. from the website of the Regulator (<https://inforegulator.org.za/paia/>).

4.6 The contact details for the Information Regulator are as follows:

Postal address; PO Box 31533
Braamfontein, Johannesburg,
2017

Physical Address: Woodmead North Office Park,
54 Maxwell Drive,
Woodmead, Johannesburg,
2191

Telephone: 010 023 5200
0800 017160 (toll free)

Email (general): enquiries@inforegulator.org.za

Email (complaints): PAIAComplaints@inforegulator.org.za

Website: <https://inforegulator.org.za/>

5. CATEGORIES OF RECORDS OF CC WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

Category of records	Types of the Record	Available on our Website	Available from another source	Available upon request
Company registration information	Memorandum of Incorporation (MOI) Directors' names Documents of Incorporation		Bizportal (https://bizportal.gov.za/)	

Policies, manuals, and disclosures	- PAIA Manual	X	Available at our office	Request by email
	- PAIA guides			
	- Privacy Statement			
	- Cyber Crime Warning and Disclosure	X X		

6. DESCRIPTION OF THE RECORDS OF CC WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

Applicable Legislation	Category of Records
Basic Conditions of Employment Act 75 of 1997	- Employee details - Emergency contact details - Educational information - Background checks - Leave records - Disciplinary records - Training records
Companies Act 71 of 2008	- Memorandums of incorporation - Annual financial statements - CIPC company registration documents - UBO registers - Agendas and minutes of directors' meetings - Securities registers
Compensation for Occupational Injuries and Diseases Act 130 of 1993	- Earnings and other particulars of employees as prescribed
Financial Intelligence Centre Act 38 of 2001	- Risk Management and Compliance Programme - Client Due Diligence Records - Training material, attendance registers and related assessments

	- Registration confirmation with FIC - Reports submitted to the FIC - Employee honesty and integrity checks
Income Tax Act 58 of 1962	- Invoices - IT3 - IRP5 - PAYE information - Bank statements
Occupational Health and Safety Act 85 of 1993	- OHS policy - Appointment letters - Incident register
Promotion of Access to Information Act 2 of 2000	- PAIA manual - Prescribed forms - Register of PAIA requests received
Protection of Personal Information Act 4 of 2013	- Privacy statement - Personal Information Impact Assessment - Registration certificate of the Information Officer - Training manuals and registers
Skills Development Levies Act 9 of 1999	- SDL registration and returns
Tax Administration Act 28 of 2011	- Tax practitioner registration - Client tax returns and supporting documents - Correspondence with the South African Revenue Service on behalf of clients
Trust Property Control Act 57 of 1988	- Trust deeds and letters of authority held for client trusts - Beneficial ownership registers prepared for client trusts
Unemployment Insurance Act 63 of 2001 and Unemployment Insurance Contributions Act 4 of 2002	- UIF registration, declarations and contributions
Value Added Tax Act 89 of 1991	- Invoices - Bank statements

7. DESCRIPTION OF THE SUBJECTS ON WHICH CC HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY CC

Subjects on which the body holds records	Categories of records
CC's own company secretarial records	- Minutes of Board Meetings - Written resolutions - Records relating to the appointment of directors, auditor, company secretary, public officer and other officers - Share register and other statutory registers - UBO information - Other statutory records
Financial records	- Bank statements - Electronic banking records - Budgets - Management accounts - Asset register - Debtor and creditor's list - Invoices - Financial statements - Auditor reports - UIF records - VAT records - PAYE records - SDL records - Tax returns - Any other tax registrations - Compensation Fund registration
Personnel records	- HR policies and procedures - Advertised positions - Information of prospective employees - Employment applications and appointment letters - Employees' contracts - Personal information of employees - Training registers and material

Subjects on which the body holds records	Categories of records
	- Payroll records - Disciplinary records - Leave records - Emergency contact details - Health and safety records
Contracts	- Service and supplier agreements
Information Technology	- Computer Software Agreements - Support and Maintenance Agreements - ICT policies and procedures - Event, maintenance, performance and development logs
Operational records	- Risk management registers - Marketing material and social media posts
Client information and records held for clients	- Customer details - Contact details of contact persons of customers - Communication with customers - Proposals - KYC information - Engagement letters and client instructions - Tax returns, assessments and correspondence with the South African Revenue Service prepared on behalf of clients - Company secretarial records and CIPC filings prepared on behalf of clients - Trust deeds, letters of authority and beneficial ownership registers of client trusts - Other personal information

8. PROCESS TO REQUEST INFORMATION

- 8.1 Any person, irrespective whether they are a South African citizen or not, can make a request for information under PAIA. Natural persons and juristic persons can submit requests.
- 8.2 A requester is entitled to access a record of CC only if the record is required for the exercise or protection of a right, the requester complies with the procedural requirements of PAIA, and access is not refused on a ground set out in Chapter 4 of Part 3 of PAIA. The requester must identify the right concerned and explain why the record is required.
- 8.3 PAIA requires that if you want to make a request for information, you have to submit the request on the prescribed **Form 2**. A copy of Form 2 is attached to this manual as **Annexure B**. The PAIA Guides issued by the Information Regulator contains details on how the form should be completed.
- 8.4 Unless a person is exempted from paying a fee, the fees as set out in **Annexure C** to this manual is payable for making a request and to cover the cost of providing access to the records. A requester who is seeking access to a record containing personal information about themselves does not pay the request fee.
- 8.5 The Information Officer will inform the requestor of the outcome of their PAIA request as soon as possible but within 30 days after receiving the completed Form 2.
- 8.6 The Information Officer may extend this period once, by not more than a further 30 days, and will notify the requester of the extension and the reasons for it. An extension is only permitted for one or more of the following reasons:
- 8.6.1 A large number of records was requested, or the request requires that a large number of records must be searched, and this search will interfere with our normal activities;
 - 8.6.2 The request requires a search through records in an office not situated in Cape Town and could not be completed within the 30 days; and/or
 - 8.6.3 A level of consultation is required in order to act on the request, which cannot reasonably be completed within 30 days.

- 8.7 The outcome of your request will be reported to you on the prescribed **Form 3** which will also set out any fee payable. A copy of Form 3 is attached to this manual as **Annexure D**.
- 8.8 CC may refuse a request for access on the grounds set out in Chapter 4 of Part 3 of PAIA. These include the protection of the privacy of a third party who is a natural person, the commercial or confidential information of a third party, the safety of individuals and the protection of property, records that are privileged from production in legal proceedings, and the commercial information of CC itself. If only part of a record may be refused, CC will give access to the rest of the record. CC will not refuse access where disclosure would reveal evidence of a substantial contravention of the law or of an imminent and serious public safety or environmental risk, and the public interest in disclosure clearly outweighs the harm.
- 8.9 CC is an accountable institution under the Financial Intelligence Centre Act 38 of 2001. Section 29 of that Act restricts CC from disclosing that a suspicious or unusual transaction report has been or will be made to the Financial Intelligence Centre, or the contents of such a report, except in the limited circumstances that section allows. CC will refuse access to those records unless disclosure is permitted or required by law.
- 8.10 Where a request relates to a record that contains personal, commercial, confidential or research information of a third party, as contemplated in section 71 of PAIA, CC will take all reasonable steps to inform that third party of the request within 21 days of receiving it. The third party then has 21 days to make representations on why the request should be refused, or to consent to disclosure. CC will decide the request within 30 days of informing the third party and will notify the third party of its decision. If access is granted, the record will only be released once 30 days have passed, unless the third party challenges the decision within that period.
- 8.11 If a requested record cannot be found or does not exist, the Information Officer will notify the requester by way of an affidavit or affirmation that sets out the steps taken to find the record.
- 8.12 If your request is declined, you have the right to:
- 8.12.1 Submit a complaint on **Form 5** to the Information Regulator at PAIAComplaints@inforegulator.org.za within 180 days of the decision; and

8.12.2 Apply to a court for relief, but only after the complaints procedure with the Information Regulator has been exhausted. The application must be brought within 180 days of the Regulator's decision.

A copy of Form 5 is attached to this manual as **Annexure E**.

8.13 The same remedies apply to a decision on fees, on an extension of time or on the form in which access is given.

9. PROCESSING OF PERSONAL INFORMATION

9.1 Purpose of Processing Personal Information

CC processes personal information in order to: provide tax compliance, company secretarial and trust compliance services to its clients; comply with its obligations as an accountable institution under the Financial Intelligence Centre Act 38 of 2001, including client due diligence, sanctions screening, record keeping and reporting; comply with tax, company, trust and employment legislation; manage its relationships with clients and service providers, including invoicing and communication; recruit, employ and manage staff; send publications to subscribers; and operate and secure its website.

CC will collect personal information directly from the data subject where possible, and process it in the course of providing services, and in conducting general communication, including in the course of applying for a job with us.

In addition, information will be collected from data subjects when they visit our website or any of our social media platforms, and when the data subject subscribes to any of our publications.

Information about persons related to a client, such as directors, shareholders, beneficial owners, trustees, founders, beneficiaries and executors, is usually collected from the client and may be verified against public registers and third-party sources.

9.2 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
Clients (Individuals)	Name, surname, identity number or passport number, date of birth, age, marital status, citizenship, telephone numbers, email address, physical and postal addresses, income tax number, financial information, banking information including account numbers, KYC documentation, employment status. Health information where relevant to a tax return.
Client (Legal entities)	Entity name, registration number, tax-related information, contact details for representatives, banking information including account numbers, KYC documentation.
Persons related to clients (directors, shareholders, beneficial owners, trustees, founders, beneficiaries, executors and authorised representatives)	Name, surname, identity number or passport number, date of birth, citizenship, contact details, physical address, income tax number, shareholding or beneficial interest, KYC documentation.
Directors of CC	Names, identity numbers, KYC documentation, contact details.
Service Providers	Names, registration number, VAT numbers, contact details, addresses, payment details (including bank account details and invoices), contractual agreements.
Employees / potential employees	Name, surname, identity number, contact details, physical and postal address, date of birth, age, marital

Categories of Data Subjects	Personal Information that may be processed
	status, gender, race, disability, employment history, criminal background checks, CVs, education history, banking details, income tax reference number, remuneration and benefit information, health information, details related to employee performance, disciplinary procedure information.
Website visitors and subscribers to publications / if applicable	Name, email address, and device and browsing information collected through cookies.

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

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
<u>Client (Individual)</u> Name, surname, identity number or passport number, date of birth, age, marital status, citizenship, telephone numbers, email address, physical and postal addresses, income tax number, financial information, banking information including account numbers, KYC documentation, employment status.	Compli-Serve and its associated companies Financial Intelligence Centre South African Revenue Service Companies and Intellectual Property Commission Master of the High Court Provider of CC's client due diligence and screening platform Information Regulator of South Africa South African Police Service

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
<u>Client (Legal entity)</u> Entity name, registration number, tax-related information, contact details for representatives, banking information including account numbers, financial information, KYC documentation. <u>Persons related to clients</u> Name, surname, identity number or passport number, contact details, shareholding or beneficial interest, KYC documentation.	
<u>Employees</u> Name, surname, identity number, contact details, physical and postal address, date of birth, age, marital status, gender, race, disability, employment history, criminal background checks, CVs, education history, banking details, income tax reference number, remuneration and benefit information, health information, details related to employee performance, disciplinary procedure information, biometric data.	Financial Intelligence Centre (FICA screening and training records, on inspection) Clients (name, job title and business contact details only) South African Revenue Service (payroll and tax information) Unemployment Insurance Fund (registration and contribution information) Compensation Fund (earnings information) Compli-Serve and its associated companies (FICA screening and training records only)
Identity number and names, for criminal record screening	Lexis RefCheck South African Police Service
Qualifications, for qualification verifications	Lexis RefCheck South African Qualifications Authority

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Credit and payment history, for credit information	Lexis RefCheck Credit Bureaus

9.4 Planned transborder flows of personal information

CC may store or process personal information using cloud-based software and storage service providers whose servers are located outside the Republic. CC will only transfer personal information outside the Republic where the recipient is subject to a law, binding corporate rules or a binding agreement that provides an adequate level of protection, where the data subject consents to the transfer, or where the transfer is necessary for the performance of a contract with the data subject, as contemplated in section 72 of POPIA.

9.5 General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information

Personal Information should be kept secure against the risk of loss, unauthorised access, interference, modification, destruction or disclosure. The Responsible Party is required to secure the integrity of personal information by taking appropriate, reasonable technical and organisational measures to prevent loss, damage, unauthorised access and unlawful access or processing of Personal Information. For this purpose, CC uses access controls, multi-factor authentication, data encryption, anti-virus software, regular backups and written agreements with its operators to ensure the confidentiality and integrity of personal information.

10. AVAILABILITY OF THE MANUAL

10.1 A copy of the Manual is available-

10.1.1 On www.compliancecollective.co.za

10.1.2 office of CC for public inspection during normal business hours;

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

10.1.4 to the Information Regulator upon request.

10.2 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.

11. UPDATING OF THE MANUAL

CC will review this manual at least once a year and update it whenever its details, records or processing activities change.

Issued by

Madeleen Elizabeth van Schalkwyk
Director

ANNEXURE A**FORM 1****REQUEST FOR A COPY OF THE GUIDE**

(Regulation 2 and 3)

To: The Information Regulator
PO Box 31533, Braamfontein
2017
E-mail address: PAIACompliance@infoRegulator.org.za
Tel number: +27 (0)10 023 5200

Or: The Information Officer, Compliance Collective
93 Upper Orange Street
Oranjezicht
Cape Town
8001

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 (W)		Cell	

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	
Setswana		siSwati	
Tshivenda		Xitsonga	
Afrikaans		English	
isiNdebele		isiXhosa	
isiZulu			

Manner of collection (mark with "X")

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

Signed at _____ this _____ day of _____
20____

Signature of requester

**Delete whichever is not applicable*

ANNEXURE B

FORM 2
REQUEST FOR ACCESS TO RECORDS
(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, Compliance Collective
93 Upper Orange Street
Oranjezicht
Cape Town
8001

E-mail address: madeleen@compliancecollective.co.za

Fax no: n/a

Mark with an "X"

☐ Request is made in my own name ☐ Request is made in the name of another person

PERSONAL INFORMATION			
Full names			
Identity number			
Capacity in which request is made (when made on behalf of another person)			
Postal address			
Street address			
E-mail address			
Contact numbers	Tel. (B):		Facsimile:
	Cellular:		
Full names of person on whose behalf request is made (<i>if applicable</i>):			
Identity number			

Postal address				
Street address				
E-mail address				
Contact numbers	Tel. (B)		Facsimile	
	Cellular			
PARTICULARS OF RECORDS 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 and "X")</i>	
Printed copy of record (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)	
Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)	
Transcription of soundtrack (written or printed document)	
Copy of record on flash drive (including virtual images and soundtracks)	
Copy of record on compact disc drive (including virtual images and soundtracks)	
Copy of record saved on cloud storage server	

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

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

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

Indicate which right is to be exercised or protected	
Explain why the record requested is required for the exercise or protection of the aforementioned right:	
FEES	
<i>a) A request fee must be paid before the request will be considered.</i>	
<i>b) You will be notified of the amount of the access fee to be paid.</i>	
<i>c) The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.</i>	
<i>d) 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 requested / person on whose behalf request is made

FOR OFFICE 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

ANNEXURE C

FEES IN RESPECT OF PRIVATE BODIES

	Description	Amount
1.	The request fee payable by every requester	R140.00
2.	Photocopy / printed black & white copy of A4-size page	R2.00 per page or part thereof
3.	Printed copy of A4-size page	R2.00 per page or part thereof
4.	For a copy in a computer-readable form on: (i) Flash drive (to be provided by requester) (ii) Compact disc • If provided by requester • If provided to the requester	R40.00 R40.00 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: (i) Flash drive (to be provided by the requester) (ii) Compact disc • If provided by requester • If provided to the requester	R40.00 R40.00 R60.00
9.	To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation. To not exceed a total cost of	R145.00 R435.00
10.	Deposit: If search exceeds 6 hours	One third of amount per request calculated in terms of items 2 to 8.
11.	Postage, e-mail or any other electronic transfer	Actual expense, if any.

ANNEXURE D

FORM 3 OUTCOME OF REQUEST AND OF FEES PAYBLE

(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.	
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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 (<i>this includes photographs, slides, video recordings, computer-generated images, sketches, etc</i>)	
Transcription of soundtrack (<i>written or printed document</i>)	

Copy of information on flash drive (<i>including virtual images and soundtracks</i>)	
Copy of information on compact disc drive (<i>including virtual images and soundtracks</i>)	
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 if pages/ items	Total
The request fee payable by every requester	R140.00		
Photocopy / printed black & white copy of A4-size page	R2.00 per page or part thereof		

Printed copy of A4-size page	R2.00 per page or part thereof		
For a copy in a computer-readable form on:	R40.00		
(iii) Flash drive (to be provided by requestor)	R40.00		
(iv) Compact disc	R60.00		
• If provided by requestor			
• If provided to the requestor			
For a transcription of visual images per A4-size page	Service to be outsourced.		
Copy of visual images	Will depend on quotation from service provider		
Transcription of an audio record, per A4-size page	R24.00		
Copy of an audio record on:			
(iii) Flash drive (to be provided by the requestor)	R40.00		
(iv) Compact disc	R40.00		
• If provided by requestor	R60.00		
• If provided to the requestor			
To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation. To not exceed a total cost of	R145.00 R435.00		
Deposit: If search exceeds 6 hours	One third of amount per request calculated in terms of items 2 to 8.		
Postage, e-mail or any other electronic transfer	Actual expense, if any.		

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)	
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The amount must be paid into the following Bank account:

Name of Bank: _____

Name of account holder: _____

Type of account: _____

Account number: _____

Branch Code: _____

Reference Nr: _____

Submit proof of payment to: madeleen@compliancecollective.co.za

Signed at _____ this _____ day of _____ 20____

Information Officer

ANNEXURE E

FORM 5 COMPLAINT FORM (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 or complete online complaint form available at <https://inforegulator.org.za/complaints/> .
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 PERON / 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

<i>Received by: (Full names)</i>			
<i>Position</i>			
<i>Signature</i>			
<i>Complaint accepted</i>	Yes		No
<i>Reference number</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 or 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 a complaint				
Postal address				
Street address				

E-mail address				
Contact numbers	Tel. (B)		Facsimile	
	Cellular			
PART D				
BODY AGAINST WHICH THE COMPLAINT IS LODGED				
Type of body	Private		Public	
Name of public / private body				
Registration number (if any)				
Name, surname and title of person you dealt with at the public or private body to try to resolve your complaint or request for access to information				
Postal address				
Street address				
E-mail address				
Contact numbers	Tel. (B)		Facsimile	
	Cellular			
Reference number given (if any)				
PART E				
COMPLAINT				
<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.				
PART F DETAILED TYPE OF ACCESS TO RECORDS <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>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 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)		
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