

**PAIA MANUAL**

**ASSEGAI RECRUITMENT (PTY) LTD**

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## 1. Interpretation

- 1.1 The Promotion of Access to Information Act No. 2 of 2000, (“the **Act**”) came into operation on 23 November 2001. Section 51 of this Act requires that private bodies compile a manual giving information to the public regarding the procedure to be followed in requesting information for the purpose of exercising or protecting rights.
- 1.2 Assegai Recruitment (Pty) Ltd (the **Company**) owns and operates a recruitment agency.
- 1.3 We have compiled this manual, not only to comply with the provisions of the Act, but also to foster a culture of transparency and accountability in our environment and to ensure that members of the public have effective access to information in our possession which will assist them in the exercise and protection of their rights.
- 1.4 The categories of information which we possess, which you are able to access, is dealt with herein. You will also be shown the correct procedure to follow should you require access to any of this information.
- 1.5 A copy of this manual is also available on our website.

## 2. Section A – Our details

Full Name:	Assegai Recruitment (Pty) Ltd
Registered Number:	2020/244223/07
Registered Address:	MRM Office Park, 10 Village Road, Kloof, 3610
Postal Address:	Suite 627, Private Bag X4, Kloof, 3640
Telephone Number:	083 271 0909
Fax Number:	N/A
Head/CEO:	Alison Louise Lloyd
Designated Information Officer:	Alison Louise Lloyd
Email Address of Information Officer:	<a href="mailto:louise@assegairecruitment.co.za">louise@assegairecruitment.co.za</a>
Website:	<a href="http://www.assegairecruitment.co.za">www.assegairecruitment.co.za</a>

### 3. **Section B – The official Guide**

3.1 In accordance with section 10 of the Act, the Information Regulator has published a Guide containing information reasonably required by a person wishing to exercise or protect any right in terms of the Act. This Guide appears on the Information Regulator's website (<https://www.inforegulator.org.za>) and contains the following information:

- (a) List of Acronyms and Abbreviations.
- (b) Useful Terms Explained in an Easily Comprehensible Manner.
- (c) Contact Details of the Regulator.
- (d) Purpose of the PAIA Guide.
- (e) About PAIA.
- (f) The Objects of PAIA.
- (g) Establishment of the Information Regulator.
- (h) The Role of the Information Regulator.
- (i) Making a Request for a Record.
- (j) Contact Details of Information Officers.
- (k) Process for Making a Request for Information.
- (l) Who can make a PAIA Request?
- (m) To Whom a PAIA Requests can be Made To?
- (n) Completing the Form.
- (o) The Fees Involved.
- (p) Will the Information Officer Help the Requester make a PAIA Request?
- (q) Assistance Available from the Information Regulator in terms of PAIA and POPIA.

- (r) Responses to a Request for Information.
- (s) Third Party Notification Process.
- (t) Mandatory Disclosure of Records of Public Interest.
- (u) Third Party Notification Process.
- (v) Legal Remedies Against a Decision or Failure to Take a Decision by the Information Officer or Deputy Information Officer
- (w) Complaint to the Information Regulator.
- (x) Application to Court.
- (y) Diagram of PAIA Request Process.
- (z) Regulations made in terms of Section 92 of PAIA.
- (aa) Key Legislations, Regulations, Notices and Acknowledgement.

3.2 Enquiries regarding the Guide can be addressed to the Information Regulator, the contact details of which are as follows:

- (a) **Physical Address:** Information Regulator

JD House, 27 Stiemens Street

Braamfontein

Johannesburg

2001

- (b) **Postal Address:** P.O. Box 31533

Braamfontein

Johannesburg

2017

**Telephone:** (010) 023 5200

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

**E-mail:** [enquiries@inforegulator.org.za](mailto:enquiries@inforegulator.org.za)

4. **Section C – Information available in terms of the Act**

4.1 Categories of information

We may (but do not necessarily) hold the following categories of information in respect of the Company and its operations:

(a) STATUTORY COMPANY INFORMATION

- (i) A copy of the Memorandum of Incorporation and any amendments or alterations to it.
- (ii) A copy or copies of rules made in terms of sections 15(3) to (5) of the Companies Act No. 71 of 2008 (“Companies Act”).
- (iii) A record of our directors.
- (iv) Copies of reports presented at annual general meetings.
- (v) Copies of Annual Financial Statements, including:
  - (A) the auditor’s report, if the Annual Financial Statements are audited; and
  - (B) the directors’ report.
- (vi) Copies of accounting records required by the Companies Act.
- (vii)
- (viii) Notices of all shareholders meetings / members’ meetings.
- (ix)

- (x) Minutes of all shareholders meetings / members' meetings.
- (xi) All resolutions adopted by shareholders / members and any documents made available by us to the shareholders / members in relation to their resolutions.
- (xii) Copies of written communications sent generally by us to shareholders / members.
- (xiii) Minutes of all meetings of directors, or directors' committees, or the audit committee (if any).
- (xiv) Resolutions of directors, or directors' committees, or the audit committee (if any).
- (xv) Securities register / members' register.
- (xvi) A record of our company secretaries and auditors (if any), including:
  - (A) the name of each such person; and
  - (B) the date of each of their appointments.

(b) ACCOUNTING RECORDS

- (i) Books of account including journals and ledgers.
- (ii) Delivery notes, orders, invoices, statements, receipts, vouchers and bills of exchange.

(c) STATUTORY EMPLOYEE RECORDS

- (i) Employees' names and occupations.
- (ii) Time worked by each employee.
- (iii) Remuneration paid to each employee.
- (iv) Date of birth of each employee under the age of 18 years (if any).
- (v) Wages register.

- (vi) Attendance register.
  - (vii) Employment equity plan.
  - (viii) Salary and wages register.
  - (ix) Records of foreign employees.
  - (x) Collective agreements (if any) and any records required in terms thereof.
  - (xi) Arbitration awards (if any) and any records required in terms thereof.
  - (xii) Determinations made in terms of the Wage Act (if any) and any records required in terms thereof.
  - (xiii) Records of strikes, lockouts or protest action (if any).
  - (xiv) Industrial training records.
  - (xv) Staff records (after date of employment ceases).
  - (xvi) Expense accounts.
  - (xvii) Tax returns of employees.
  - (xviii) Skills development plan.
- (d) OTHER EMPLOYEE RECORDS
- (i) Employee contracts.
  - (ii) Incentive schemes.
  - (iii) Staff loan schemes.
  - (iv) Study assistance schemes.
  - (v) Maternity leave policy.
  - (vi) Relocation policy.



- (vii) Housing scheme.
- (viii) Disability scheme.
- (ix) Funeral insurance scheme.
- (x) Group personal accident.
- (xi) Group life.
- (xii) Micro loan scheme.
- (xiii) Employee stock purchase plan.
- (xiv) Code of conduct.

(e) PENSION AND RETIREMENT FUNDING RECORDS

- (i) Pension Fund Rules.
- (ii) Pension Fund account records.
- (iii) Minutes of meetings of trustees and members.
- (iv) Actuarial valuation reports.
- (v) Contribution reports.
- (vi) Annual accounts.

(f) CLIENTS

- (i) Company name
- (ii) Company physical and company billing address
- (iii) Contact details
- (iv) VAT number
- (v) Contracts

(vi) Correspondence

(g) CANDIDATES

(i) Candidate Application Forms

(ii) Curriculum Vitae

(iii) Correspondence

(iv) Contracts

(v) ID number

(vi) Employment record

(vii) Educational records

(viii) Salary information (including payslips)

(ix) Contact details for references

(x) Written references obtained telephonically from current or previous employers of the Candidate by Assegai Recruitment

(xi) Information provided by the Candidate during the interview with Assegai Recruitment

(xii) Criminal check obtained with consent from the Candidate

(xiii) ID verification check obtained with consent from the Candidate

(xiv) Qualification verification checks obtained with consent from the Candidate (this can include Matric verification, Degree or Diploma verification, and any other course or qualification that the Candidate has listed in their Curriculum Vitae)

(xv) Credit Check obtained with consent from the Candidate

(h) FIXED PROPERTY

- (i) Title deeds.
  - (ii) Leases.
  - (iii) Building plans.
  - (iv) Mortgage Bonds or other encumbrances to fixed property.
- (i) MOVABLE PROPERTY
- (i) Asset register.
  - (ii) Finance and lease agreements.
  - (iii) Notarial bonds.
  - (iv) Deeds of pledge.
- (j) INTELLECTUAL PROPERTY
- (i) Patents, patent applications and inventions.
  - (ii) Trade marks, trade mark applications, trade names and protected names.
  - (iii) Designs and design applications.
  - (iv) Copyright-protected material.
  - (v) Agreements relating to intellectual property such as licence agreements, secrecy agreements, research and development agreements, consulting agreements, use agreements, joint venture agreements and joint development agreements.
  - (vi) Documents pertaining to litigation and other disputes involving intellectual property.
- (k) AGREEMENTS AND CONTRACTS
- (i) Material agreements concerning the provision of services or materials.

- (ii) Joint venture agreements, partnership agreements, participation, franchise, co-marketing, co-promotion or other alliance agreements.
- (iii) Agreements with shareholders, officers or directors.
- (iv) Acquisition or disposal documentation.
- (v) Agreements with contractors and suppliers.
- (vi) Agreements with customers.
- (vii) Warranty agreements.
- (viii) Sale agreements.
- (ix) Distributor, dealer or agency agreements.
- (x) Restraint agreements.
- (xi) Agreements with governmental agencies.
- (xii) Purchase or lease agreements.

(l) TAXATION

- (i) Copies of all Income Tax Returns and other tax returns and documents.

(m) LEGAL

- (i) Complaints, pleadings, briefs and other documents pertaining to any actual, pending or threatened litigation, arbitration or investigation.
- (ii) Settlement agreements.
- (iii) Material licences, permits and authorisations.

(n) INSURANCE

- (i) Insurance policies.
- (ii) Claim records.
- (iii) Details of insurance coverages, limits and insurers.

(o) INFORMATION TECHNOLOGY

- (i) Hardware.
- (ii) Operating systems.
- (iii) Telephone exchange equipment.
- (iv) Telephone lines, leased lines and data lines.
- (v) LAN installations.
- (vi) Software packages.
- (vii) Disaster recovery.
- (viii) Internal systems support and programming / development.
- (ix) Capacity and utilization of current systems.
- (x) Development or investment plans.
- (xi) Agreements.
- (xii) Licenses.
- (xiii) Audits.

(p) SALES AND MARKETING

- (i) Products.
- (ii) Markets.

- (iii) Customers.
  - (iv) Brochures, newsletters and advertising materials.
  - (v) Sales.
  - (vi) Public relations policies and procedures.
  - (vii) Domestic and export orders.
- (q) BLACK ECONOMIC EMPOWERMENT
- (i) Ratings conducted by accredited rating agencies.
  - (ii) Recruitment and employment equity policies.
  - (iii) Supplier and preferential procurement information.
  - (iv) Skills development policy.

#### 4.2 Procedure for requesting access to the above information

- (a) If you wish to request access to any of the above categories of information, you are required to complete a request form as set out in **Annexure "A"** hereto. These forms are available from:
  - (i) our Information Officer (whose contact details are in section A of this manual);
  - (ii) the Information Regulator (whose contact details are in section B of this manual);  
and
  - (iii) the Department of Justice and Constitutional Development website ([www.doj.gov.za](http://www.doj.gov.za)).
- (b) There is a prescribed fee (payable in advance) for requesting and accessing information in terms of the Act. Details of these fees are contained in the request form and in **Annexure "B"** hereto.

- (c) You may also be called upon to pay the additional fees prescribed by regulation for searching for and compiling the information which you have requested, including copying charges.
- (d) It is important to note that access is not automatic – you must identify the right you are seeking to exercise or protect and explain why the record you request is required for the exercise or protection of that right. You will be notified in the manner indicated by you on the request form whether your request has been approved.

5. **Section D – Information available in terms of other legislation**

5.1 Where applicable to our operations, information is also available in terms of certain provisions of the following statutes:

- (a) Administration of Estates Act No. 66 of 1965
- (b) Armaments Corporation of South Africa, Limited Act No. 51 of 2003
- (c) Banks Act No. 94 of 1990
- (d) Basic Conditions of Employment Act No. 75 of 1997
- (e) Child Justice Act No. 75 of 2008
- (f) Children's Act No. 38 of 2005
- (g) Collective Investment Schemes Control Act No. 45 of 2002
- (h) Companies Act No. 71 of 2008
- (i) Compensation for Occupational Injuries and Diseases Act No. 130 of 1993
- (j) Competition Act No. 89 of 1998
- (k) Construction Industry Development Board Act No. 38 of 2000
- (l) Consumer Protection Act No. 68 of 2008
- (m) Co-operatives Act No. 14 of 2005

- (n) Co-operatives Bank Act No. 40 of 2007
- (o) Correctional Services Act No. 111 of 1998
- (p) Customs and Excise Act No 91 of 1964
- (q) Debt Collectors Act No. 114 of 1998
- (r) Defence Act No. 42 of 2002
- (s) Designs Act No. 195 of 1993
- (t) Drugs and Drug Trafficking Act No. 140 of 1992
- (u) Electronic Communications and Transactions Act No. 25 of 2002
- (v) Employment Equity Act No. 55 of 1998
- (w) Estate Duty Act No. 45 of 1955
- (x) Financial Intelligence Centre Act No. 38 of 2001
- (y) Firearms Control Act No. 60 of 2000
- (z) Health Professions Act No. 56 of 1974
- (aa) Home Loan and Mortgage Disclosure Act No. 63 of 2000
- (bb) Housing Act No. 107 of 1997
- (cc) Housing Development Agency Act No. 23 of 2008
- (dd) Income Tax Act No. 58 of 1962
- (ee) International Trade Administration Act No. 71 of 2002
- (ff) Labour Relations Act No. 66 of 1995
- (gg) Land and Agricultural Development Bank Act No. 15 of 2002
- (hh) Legal Deposit Act No. 54 of 1997



- (ii) Liquor Act No. 59 of 2003
- (jj) Local Government: Municipal Finance Management Act No. 56 of 2003
- (kk) Long-term Insurance Act No. 52 of 1998
- (ll) Mine Health and Safety Act No. 29 of 1996
- (mm) Mineral and Petroleum Resources Development Act No. 28 of 2002
- (nn) National Conventional Arms Control Act No. 41 of 2002
- (oo) National Credit Act No. 34 of 2005
- (pp) National Environmental Management Act No. 107 of 1998
- (qq) National Environmental Management Integrated Coastal Management Act No. 24 of 2008
- (rr) National Environmental Management Waste Act No. 59 of 2008
- (ss) National Key Points Act No. 102 of 1980
- (tt) National Nuclear Regulator Act No. 47 of 1999
- (uu) National Qualifications Framework Act No. 67 of 2008
- (vv) National Railway Safety Regulator Act No. 16 of 2002
- (ww) National Regulator for Compulsory Specifications Act No. 5 of 2008
- (xx) National Road Traffic Act No. 93 of 1996
- (yy) National Water Act No. 36 of 1998
- (zz) Nuclear Energy Act No. 131 of 1993
- (aaa) Nuclear Energy Act No. 46 of 1999
- (bbb) Occupational Health and Safety Act No. 85 of 1993
- (ccc) Prevention of Organised Crime Act No. 121 of 1998

- (ddd) Prohibition or Restriction of Certain Conventional Weapons Act No. 18 of 2008
- (eee) Public Audit Act No. 25 of 2004
- (fff) Public Finance Management Act No. 1 of 1999
- (ggg) Regulation of Interception of Communications and Provision of Communication-related Information Act No. 70 of 2002
- (hhh) Road Transportation Act No. 74 of 1977
- (iii) Securities Services Act No. 36 of 2004
- (jjj) Securities Transfer Tax Administration Act No. 26 of 2007
- (kkk) Security Officers Act No. 92 of 1987
- (lll) Short-term Insurance Act No. 53 of 1998
- (mmm) Skills Development Levies Act No. 9 of 1999
- (nnn) South African Police Service Act No. 68 of 1995
- (ooo) South African Schools Act No. 84 of 1996
- (ppp) Space Affairs Act No. 84 of 1993
- (qqq) Spatial Data Infrastructure Act No. 54 of 2003
- (rrr) Transfer Duty Act No. 40 of 1949
- (sss) Unemployment Insurance Act No. 63 of 2001
- (ttt) Unit Trusts Control Act No. 54 of 1981
- (uuu) Value-Added Tax Act No. 89 of 1991
- (vvv) Witness Protection Act No. 112 of 1998

5.2 Where applicable to our operations, we also retain records and documents in terms of the following statutes:

- (a) Agricultural Produce Agents Act No. 12 of 1992
- (b) Basic Conditions of Employment Act No. 75 of 1997
- (c) Close Corporations Act No. 69 of 1984
- (d) Companies Act No. 71 of 2008
- (e) Compensation for Occupational Injuries and Diseases Act No. 130 of 1993
- (f) Co-operatives Act No. 14 of 2005
- (g) Co-operatives Bank Act No. 40 of 2007
- (h) Customs and Excise Act No. 91 of 1964
- (i) Diamond Export Levy (Administration) Act No. 14 of 2007
- (j) Employment Equity Act No. 55 of 1998
- (k) Estate Agency Affairs Act No. 112 of 1976
- (l) Explosives Act No. 26 of 1956
- (m) Firearms Control Act No. 60 of 2000
- (n) Financial Intelligence Centre Act No. 38 of 2001
- (o) Health Professions Act No. 56 of 1974
- (p) Immigration Act No. 13 of 2002
- (q) Income Tax Act No. 58 of 1962
- (r) Insolvency Act No. 24 of 1936
- (s) Labour Relations Act No. 66 of 1995Liquor Act No. 59 of 2003

- (t) Machinery and Occupational Safety Act No. 6 of 1983
- (u) Mine Health and Safety Act No. 29 of 1996
- (v) Mineral and Petroleum Resources Development Act No. 28 of 2002
- (w) Mutual Banks Act No. 124 of 1993
- (x) National Credit Act No. 34 of 2005
- (y) National Payment System Act No. 78 of 1998
- (z) National Water Act No. 36 of 1998
- (aa) Nursing Act No. 50 of 1978
- (bb) Occupational Health and Safety Act No. 85 of 1993
- (cc) Older Persons Act No. 13 of 2006
- (dd) Prescription Act No. 68 of 1969
- (ee) Regulation of Interception of Communications and Provision of Communication-related Information Act No. 70 of 2002
- (ff) Second-Hand Goods Act No. 6 of 2009
- (gg) Sectional Titles Act No. 95 of 1986
- (hh) Securities Services Act No. 36 of 2004
- (ii) Securities Transfer Tax Administration Act No. 26 of 2007
- (jj) Skills Development Act No. 97 of 1998
- (kk) Traditional Health Practitioners Act No. 22 of 2007
- (ll) Transfer Duty Act No. 40 of 1949
- (mm) Value-added Tax Act No. 89 of 1991

## 6. **Section E – Information automatically available**

- 6.1 The following categories of records are automatically available for inspection, purchase or photocopying. In other words, you do not need to request this information in terms of the Promotion of Access to Information Act.
- 6.2 Request forms for these categories of information are also available from our information officer, whose contact details appear in section A of this manual.
- (a) Newsletters.
  - (b) Booklets.
  - (c) Pamphlets / Brochures.
  - (d) Reports.
  - (e) Posters.
  - (f) Other literature intended for public viewing.

## 7. **Section F - POPI**

- 7.1 This manual is to be read together with the Company's Privacy Policy in terms of the Protection of Personal Information Act 4 of 2003 (the **POPI manual**). The POPI manual is published together with this PAIA manual and is furthermore available upon request from the information officer.
- 7.2 The POPI manual contains, amongst other things, information pertinent to:
- (i) The purpose for which we process personal information;
  - (ii) The categories of data subjects in respect of which we process personal information, and the categories of information relating thereto;
  - (iii) The categories of recipients to whom we supply personal information;
  - (iv) Any planned transborder flows of personal information; and

- (v) A description of the information security measures which we implement to ensure the confidentiality, integrity and availability of the personal information which we process.

**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: .....

Tel. (B): ..... Faxsimile: .....

Contact numbers: .....

Cell number: .....

Full names of person on whose behalf request is made (if applicable): .....

.....

Identity number: .....  
 Postal address: .....  
 Street address: .....  
 E-mail address: .....  
 Tel. (B): ..... Facsimile: .....  
 Contact numbers: .....  
 Cellular number: .....

**PARTICULARS OF RECORD REQUESTED**

*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)*

Description of record or relevant part of the record: .....  
 .....  
 .....  
 .....  
 .....

Reference number, if available: .....

Any further particulars of record: .....  
 .....  
 .....

**TYPE OF RECORD**

*(Mark the applicable box with an "X")*

<input type="checkbox"/>	Record is in written or printed form
<input type="checkbox"/>	Record comprises virtual images ( <i>this includes photographs, slides, video recordings, computer-generated images, sketches etc</i> )
<input type="checkbox"/>	Record consists of recorded words or information which can be reproduced in sound.
<input type="checkbox"/>	Record is held on a computer or in an electronic, or machine-readable form.

**FORM OF ACCESS**

*(Mark the applicable box with an "X")*

<input type="checkbox"/>	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> )
<input type="checkbox"/>	Written or printed transcription of virtual images ( <i>this includes photographs, slides, video recordings, computer-generated images, sketches etc</i> )
<input type="checkbox"/>	Transcription of soundtrack ( <i>written or printed document</i> )
<input type="checkbox"/>	Copy of record or flash drive ( <i>including virtual images or soundtrack</i> )



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

**MANNER OF ACCESS**

(Mark the applicable box with an "X")

Personnel 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 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 ( <i>including transcriptions</i> )
	E-mail of information ( <i>including soundtracks if possible</i> )
	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 folio and attach it to this form. The requester must sign all the additional pages.*

Indicate which right is to be exercised or protected: .....

.....

.....

Explain why the record requested is required for the exercise or protection of the aforementioned right: .....

.....

.....

.....

**Fees**

- (a) *A request fee must be paid before the request will be considered.*
- (b) *You will be notified of the amount of the access fee to be paid.*
- (c) *The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.*
- (d) *If you qualify for exemption of the payment of any fee, please state the reason for exemption.*

Reason: .....

.....

*You will be notified in writing whether your request has been approved/denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.*

How would you prefer to be informed of the decision regarding your request for access to the record?

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

**Signature of Information Officer**

AN EXPLANATORY NOTE ON FEES TO BE CHARGED BY A PRIVATE BODY WHEN GRANTING A REQUEST FOR ACCESS TO INFORMATION IN TERMS OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000.

The fees chargeable by private bodies are contained in Annexure “B” of the Regulations. A copy of Annexure “B” is attached for your convenience. If none of the exemptions contained in Government Notice GN R.991 dated 14 October 2005 apply (a copy of which is also attached for your reference), the following charges are payable:

**1. Copies of a manual**

Should an individual require a copy of the private body’s manual, a fee of R2,00 is chargeable for every photocopy of an A4 page or part thereof.

**2. Reproduction fees<sup>1</sup>**

Reproduction fees apply to obtaining copies or transcriptions of information which is automatically available from the private body. The fees are listed in items 2 to 8 of Annexure “B” of the Regulations.

**3. Access fees<sup>2</sup>**

Access fees are chargeable for copies or transcriptions of information requested under this Act. The fees are listed in items 2 to 8 of Annexure “B” to the Regulations.

**4. Other fees**

4.1 A request fee<sup>3</sup> of R140,00 is payable by a requester who is seeking access to a record containing information which is not personal to the requester.

4.2 A search fee<sup>4</sup> may be charged at a rate of R145,00 per hour or part thereof for searching and preparing the record for disclosure provided such time was reasonably required for that purpose.

4.3 This calculation will exclude the first hour, and the total amount charged may be a maximum of R435,00.

4.4 If the request is not limited to records containing information which is personal to the requester and if the head of the private body is of the opinion that the time taken to give effect to the

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<sup>1</sup> Section 52(3) and Regulation 8(2).

<sup>2</sup> Section 54(7) and Regulation 8(2).

<sup>3</sup> Section 54(1) and Regulation 7(3). See also paragraph 6 of Part 1 of this work.

<sup>4</sup> Annexure “B”, item 9 of the Regulations.

request will exceed six hours the requester can be called upon to pay a deposit of not more than one third of an estimate of the access fee which will become payable.<sup>5</sup>

- 4.5 If a copy of a record is posted to a requester, the requester is obliged to pay the actual postage payable.<sup>6</sup>

### Regulations Relating to the Promotion of Access to Information, 2021

Government Notice R757 in *Government Gazette* 45057 dated 27 August 2021.

Commencement date: 27 August 2021

#### ANNEXURE B

#### FEES

#### FEES IN RESPECT OF PRIVATE BODIES

Item	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 computer-readable form on: (iii) Flash drive (to be provided by requestor) (iv) Compact disc • If provided by requestor • If provided to requestor	R40,00 R40,00 R60,00
5.	For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on quotation from Service provider.
6.	Copy of visual images	
7.	Transcription of an audio record, per A4-size page	R24,00
8.	Copy of an audio record on: (v) Flash drive (to be provided by requestor) (vi) Compact disc • If provided by requestor • If provided to requestor	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 total cost of	R145,00 R435,00
10.	Deposit: If search exceeds six 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

<sup>5</sup> Section 54(2) of the Act and Annexure "B" item 10 of the Regulations.

<sup>9</sup> Annexure "B" item 11 of the Regulations.

**GN R.991 of 14 October 2005: Exemptions and determinations for purposes of section 22 (8)**

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

I, Brigitte Sylvia Mabandla, Minister for Justice and Constitutional Development, acting under section 22 (8) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) hereby—

- (a) exempt the following persons from paying the access fee contemplated in section 22 (6) of the Act:
  - (i) A single person whose annual income, after permissible deductions referred to in the Schedule to this notice are made, does not exceed R14 712,00 per annum; and
  - (ii) married persons or a person and his or her life partner whose annual income, after permissible deductions referred to in the Schedule to this notice are made, does not exceed R27 192,00 per annum, and
- (b) determine that—
  - (i) where the cost of collecting any fee contemplated in section 22 of the Act, exceeds the amount charged, such fee does not apply;
  - (ii) the access fee contemplated in section 22 (6) of the Act does not apply to the personal record of a requester; and
  - (iii) the request fee contemplated in section 22 (1) of the Act and the access fee contemplated in section 22 (6) of the Act do not apply to a record requested by a maintenance officer or maintenance investigator for purposes of a maintenance investigation or inquiry in terms of the provisions of the Maintenance Act, 1998 (Act No. 99 of 1998) or the regulations made under section 44 of that Act.

**SCHEDULE**

1. For purposes of paragraph (a) (i) and (ii) of the notice the following deductions are permissible:
  - (a) Employees' tax in terms of paragraph 2 of Part II of the Fourth Schedule of the Income Tax Act, 1962 (Act No. 58 of 1962);
  - (b) contributions in terms of section 5 of the Unemployment Insurance Contributions Act, 2002 (Act No. 4 of 2002);
  - (c) compulsory contributions to a Group Insurance Fund in terms of a court order or in terms of a contract between an employer and his or her employee;
  - (d) contributions to any medical scheme registered under the provisions of the Medical Schemes Act, 1998 (Act No. 131 of 1998), and allowed to be deducted in terms of section 18 (1) (a) of the Income Tax Act, 1962 (Act No. 58 of 1962);
  - (e) contributions to pension funds in terms of section 13A of the Pension Funds Act, 1956 (Act No. 24 of 1956);
  - (f) rent or mortgage instalments to the maximum of R12 000,00 per annum;
  - (g) maintenance paid in terms of a court order; and
  - (h) school fees, except school fees paid to a private school.

**B.S. MABANDLA, MP**  
**Minister for Justice and Constitutional Development**