

PAIA MANUAL

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

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1. LIST OF ACRONYMS AND ABBREVIATIONS:

- 1.1. **CEO:**
Chief Executive Officer
- 1.2. **CONSTITUTION:**
Constitution of the Republic of South Africa, Act No. 108 of 1996
- 1.3. **DIO:**
Deputy Information Officer;
- 1.4. **HPB:**
Heads of Private Bodies
- 1.5. **IO:**
Information Officer;
- 1.6. **Minister:**
Minister of Justice and Correctional Services;
- 1.7. **MILUC:**
MiLuc System monitors and oversees companies' occupational health and safety compliance and processes.
- 1.8. **NWSP:**
New World Safety Practitioners (Pty) Ltd
- 1.9. **PAIA:**
Promotion of Access to Information Act No. 2 of 2000 (as Amended)
- 1.10. **Personal Requestor:**
A personal requestor is described, in terms of the Act, as a requestor seeking access to a record containing information about the requestor. A personal requestor is not liable to pay a request fee, but is liable for payment of access fees in the event of a request being granted, but may not be required to pay a deposit before the granting of the record.
- 1.11. **POPIA:**
Protection of Personal Information Act No.4 of 2013
- 1.12. **Regulator:**

Information Regulator

- 1.13. **Republic:**
Republic of South Africa

2. INTRODUCTION:

- 2.1. The **Promotion of Access to Information Act**, No 2 of 2000 ('PAIA') gives effect to the Constitutional Right in terms of **Section 32 of the Bill of Rights** which is contained in the Constitution of the Republic of South Africa 108 of 1996 ('the Constitution') of access to any information held by the state or another person and that is required for the exercise of protection of rights.
- 2.2. In terms of **Section 51 of PAIA** all Private Bodies are required to compile an Information Manual ("PAIA Manual").
- 2.3. **New World Safety Practitioners (Pty) Ltd** is a professional service provider in the Health and Safety Industry. **NWSP** specialize in providing comprehensive health and safety solutions tailored to an organisation's needs. **NWSP** strive to ensure a safe workplace that not only protects your employees but also support compliance with all relevant legislation.
- 2.4. **NWSP** makes use of **MiLuc** to efficiently implement, manage and monitor the Occupational Health and Safety of an organisation.
- 2.5. **MiLuc** is a system designed and owned by **NWSP** and is **NWSP** committed to ensuring that it fully complies with all legislative requirements to ensure the protection of data.
- 2.6. **NWSP** is committed to maintaining the highest standards of data security and privacy. **NWSP's** practices are designed to safeguard your sensitive information while ensuring compliance with all applicable laws and regulations.
- 2.7. **The Promotion of Access to Information Act (PAIA)** is a vital piece of legislation in South Africa that promotes transparency and accountability in both public and private sectors. The PAIA Manual serves as a comprehensive guide for accessing information held by **NWSP**, ensuring that individuals and organizations can exercise their right to access information in a clear and straightforward manner.

- 2.8. This manual outlines **NWSP'S** commitment to upholding the principles of PAIA, detailing the types of information available, the procedures for making requests, and the rights of requesters. **NWSP'S** believe that access to information is essential for informed decision-making and fosters trust within **NWSP**.
- 2.9. **NWSP** is dedicated to promoting an open and transparent environment. **NWSP** encourages all to review this manual to understand their rights and the processes in place to facilitate access to information. Together, let's enhance accountability and empower informed participation.

3. PURPOSE OF PAIA MANUAL:

- 3.1. This PAIA Manual is intended to ensure that **NWSP** complies with legislative requirements and to foster a culture of transparency and accountability within **NWSP** by giving effect to the right to information that is required for the exercise or protection of any right and to actively promote a society in which the people of South Africa have effective access to information to enable them to exercise and protect their rights.
- 3.2. This PAIA Manual is useful for the public to:
- 3.2.1. Check the categories of records held by **NWSP** which are available without a person having to submit a formal PAIA request;
 - 3.2.2. Have a sufficient understanding of how to make a request for access to a record of **NWSP**, by providing a description of the subjects on which **NWSP** holds records and the categories of records held on each subject;
 - 3.2.3. Know the description of the records of **NWSP** which are available in accordance with any other legislation;
 - 3.2.4. Access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;
 - 3.2.5. Know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;

- 3.2.6. Know if **NWSP** 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;
 - 3.2.7. Know the description of the categories of data subjects and of the information or categories of information relating thereto;
 - 3.2.8. Know the recipients or categories of recipients to whom the personal information may be supplied;
 - 3.2.9. Know if **NWSP** 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
 - 3.2.10. Know whether **NWSP** has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.
- 3.3. **Section 9 of PAIA** recognises that the right to access information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:
- 3.3.1. Limitations aimed at the reasonable protection of privacy;
 - 3.3.2. Commercial confidentiality; and
 - 3.3.3. Effective, efficient and good governance,
- and in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

4. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF NWSP:

4.1. Chief Information Officer:

- 4.1.1. Name: Dirk Le Roux
- 4.1.2. Tel: 068 699 8702
- 4.1.3. E-mail: info@nw-sp.co.za

4.2. Deputy Information Officer:

- 4.2.1. Name: Yovanka Le Roux

- 4.2.2. Tel: 078 099 1253
4.2.3. E-mail: info@nw-sp.co.za

4.3. Access to information general contacts:

- 4.3.1. E-mail: info@nwsp.co.za

4.4. Head Office:

- 4.4.1. Postal Address: C/O Ian & Scott Street
Flimieda
Klerksdorp
2571
- 4.4.2. Physical Address: C/O Ian & Scott Street
Flimieda
Klerksdorp
2571
- 4.4.3. Cell phone: 068 699 8702
- 4.4.4. E-mail: info@nwsp.co.za
- 4.4.5. Website: www.nw-sp.co.za

5. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE:

- 5.1. 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.
- 5.2. The Guide is available in each of the official languages and in braille.
- 5.3. The aforesaid Guide contains the description of:
- 5.3.1. The objects of PAIA and POPIA;
- 5.3.2. The postal and street address, phone and fax number and, if available, electronic mail address of:
- 5.3.2.1. the Information Officer of every public body, and

- 5.3.2.2. Every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
- 5.3.3. The manner and form of a request for:
- 5.3.3.1. access to a record of a public body contemplated in section 11³; and
- 5.3.3.2. access to a record of a private body contemplated in section 50⁴;
- 5.3.4. The assistance available from the IO of a public body in terms of PAIA and POPIA;
- 5.3.5. The assistance available from the Regulator in terms of PAIA and POPIA;
- 5.3.6. 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:
- 5.3.6.1. an internal appeal;
- 5.3.6.2. a complaint to the Regulator; and
- 5.3.6.3. an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;

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.

- 5.3.7. 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;
- 5.3.8. the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 5.3.9. the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and
- 5.3.10. the regulations made in terms of section 92¹¹.
- 5.4. 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.
- 5.5. The Guide can also be obtained-
 - 5.5.1. upon request to the Information Officer;
 - 5.5.2. from the website of the Regulator <https://www.justice.gov.za/inforeg/>

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.”

5.6. A copy of the Guide is also available in the following two official languages, for public inspection during normal office hours:

5.6.1. English and Afrikaans.

6. CATEGORIES OF RECORDS HELD BY NWSP:

6.1. Categories of records held by **NWSP** which are available without having to request. Records are available on the website, and/or can be requested telephonically or by sending an email or letter:

Category of Records	Types of the Record	Available upon Request
Product and Company Information	Information relating to our product and services	Freely available
Public facing policies and notices	Privacy Policy, Cookie Policy, Terms and Conditions, Copyright notice, PAIA Manual	Freely available

6.2. Description of the records of **NWSP** which are available in accordance with any other legislation:

Category of Records	Applicable Legislation
Memorandum of Incorporation	Companies Act 71 of 2008
PAIA Manual	Promotion of Access to Information Act 2 of 2000

6.3. Description of the subjects on which the body holds records and categories of records held on each subject by **NWSP**:

Subjects on which NWSP holds records	Categories of Records
Strategic Documents, Plans, Proposals	<ul style="list-style-type: none">- Annual Reports- Strategic Plan- Annual Performance Plan- Name and Contact Details
Human Resources	<ul style="list-style-type: none">- HR policies and procedures- Advertised posts- Employees records

	<ul style="list-style-type: none"> - ID numbers - Name and contact details
Finance	<ul style="list-style-type: none"> - Financial and Banking Details - Payments
Training	<ul style="list-style-type: none"> - Logistical Arrangements - Names and Contact Details - Portfolio of Evidence

7. PROCESSING OF PERSONAL INFORMATION:

7.1. Purpose of Processing Personal Information:

NWSP processes personal information for various purposes, including but not limited to the following:

7.1.1. Information, products, and services:

To provide or manage requests by data subjects for information, products and/or services and for the rendering of services to our customers.

7.1.2. Customer Record:

To maintain customer records.

7.1.3. Employment Records:

To maintain records of all employees and ensure compliance with further applicable legislation relating to employees employed by NSWSP.

7.1.4. Financial Purpose:

For general administration, financial and tax purposes and as required by legislation.

7.1.5. Contractual and Legal:

To ensure compliance with legislation and or contracts which required certain information to be processed and/or stored.

7.1.6. Suppliers and Third Parties:

To be able to transact with suppliers and for third parties to be able to deliver a service to NWSP as contracted.

7.1.7. For marketing purposes:

To forward any other products or service through to data subjects which might be of interest to them.

For Health and Safety Compliance of Clients and Internal Compliance:

7.1.8. Compliance with Regulations:

To ensure adherence to health and safety laws and regulations, including employee health records and incident reporting.

7.1.9. Risk Assessment:

To evaluate and mitigate risks in the workplace by analysing employee health data and safety records.

7.1.10. Training and Support:

To tailor health and safety training programs based on the specific needs of employees, which may involve tracking participation and progress.

7.1.11. Incident Management:

To record and investigate incidents or near-misses, helping to improve safety protocols and prevent future occurrences.

7.1.12. Health Monitoring:

To track employees' health metrics, especially in high-risk environments, to promote well-being and early detection of potential issues.

7.1.13. Communication:

To keep employees informed about health and safety policies, updates, and emergency procedures.

7.1.14. Emergency Response:

To have necessary information on hand for emergency situations, ensuring swift action can be taken to protect employees' health and safety.

7.1.15. Data Analysis:

To analyse trends in health and safety incidents, which can inform improvements in workplace practices.

7.1.16. Software:

To create profile on MiLuc System for user.

7.2. 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
Customers / Clients	name, address, registration numbers or identity numbers, employment status, bank details and health and safety records
Service Providers	names, registration number, vat numbers, address, and bank details
Employees	ID number, address, contact details, qualifications, gender, race, biometric information, health and safety records

7.2.1. **NWSP** takes the security of all customers' private information seriously. Carefully consider the contents of Section 63 to 67 of the PAIA Act when making any request for our customers' information.

7.3. 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
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

7.3.1. We do not share the personal information of our data subjects with any third parties, except if:

7.3.1.1. we are obliged to provide such information for legal or regulatory purposes;

- 7.3.1.2. we are required to do so for purposes of existing or future legal proceedings,
 - 7.3.1.3. we are selling one or more of our businesses to someone to whom we may transfer our rights under any customer agreement we have with you;
 - 7.3.1.4. we are involved in the prevention of fraud, loss, bribery or corruption;
 - 7.3.1.5. they perform services and process personal information on our behalf;
 - 7.3.1.6. this is required to provide or manage any information, products and/or services to data subjects; or
 - 7.3.1.7. needed to help us improve the quality of our products and services.
- 7.3.2. We will send our data subjects notifications or communications if we are obliged by law, or in terms of our contractual relationship with them.
- 7.3.3. We will only disclose personal information to government authorities if we are required to do so by law.
- 7.3.4. Our employees, and our suppliers, are required to adhere to data privacy and confidentiality principles and to attend data privacy training.

7.4. **Planned transborder flows of personal information:**

- 7.4.1. **NWSP** will only transfer personal information across borders if the agreement or service with the customer requires same. All transborder flow of personal information will be done in terms of all applicable legislation and with the consent of the data subject.
- 7.4.2. **NWSP** will take measures to ensure that all third parties will have an operator agreement in place and are aware, comply and act accordingly to all legislation regulating the processing of personal information, and adhere to all organisation rules, or agreements that provide for the protection and reasonable and lawful processing of personal information under the POPI Act.
- 7.4.3. Further to paragraph 7.4.2 **NWSP** will ensure that operators processing personal information in the jurisdictions outside of South

Africa implement appropriate safeguards as specified in paragraph 7.5 below.

7.5. General description of Information Security Measures to ensure the confidentiality, integrity and availability of the information:

7.5.1. A combination of technical, administrative, and physical security measures has been implemented by **NWSP** to ensure the protection of personal information processed by **NWSP**.

7.5.2. Information Security Measures have been implemented and **NWSP** continuously implement and monitor the information security measures of the organisation and will ensure that operators (third parties) that process personal information on behalf of **NWSP** apply the same standard of care when protecting personal information.

7.6. Personal information received from third parties:

7.6.1. When we receive personal information from a third party on behalf of a data subject, accept that the data subject is aware and they have the necessary consent from the data subject for the processing of their personal information, and do not have any objection to our processing their information in accordance with this policy.

7.7. The Information officer will take into consideration paragraph 9 below to decide on whether or not access to any of the information stated above should be given to the requester.

8. AVAILABILITY OF THE MANUAL:

8.1. A copy of the PAIA Manual is available:

8.1.1. On www.nw-sp.co.za (website);

8.1.2. Head office of **NWSP** for public inspection during normal business hours;

8.1.3. To any person upon request and upon the payment of a reasonable prescribed fee; and

8.1.4. To the Information Regulator upon request.

8.2. 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.

8.3. The head of **NWSP** will on a regular basis update this manual.

9. REQUEST FOR INFORMATION:

9.1. Request and Access:

- 9.1.1. Requests for access to records must be made to **NWSP's** information officer at the address or email address as set out in paragraph 4 above.
- 9.1.2. The following form must be used to request information - ***Form 02: Request for Access to Record [Regulation 7]***
- 9.1.3. The requester must include sufficient details on the request form for the Information Officer to identify the record and the requester.
- 9.1.4. The requester should also specify which type of access is required, as well as whether he or she wishes to be informed in any other way and provide the necessary particulars to be so informed.
- 9.1.5. The requester must identify the right that he or she is seeking to exercise or protect and provide an explanation of why the requested record is required for the exercise or protection of that right.
- 9.1.6. If a request is made on behalf of a person, the requester must then submit proof, to the satisfaction of the Information Officer, of the capacity in which the requester is making the request.
- 9.1.7. The form set out above is the only form that will be accepted. Not using this form, or not providing sufficient information, may result in your request being refused or delayed.
- 9.1.8. Please note that all requests submitted to **NWSP** will be evaluated and considered in accordance with the PAIA Act and the POPIA Act.
- 9.1.9. In terms of Section 55 of PAIA, the information officer will take all reasonable steps to find a record that has been requested. If the record cannot be found or does not exist, the information officer will notify the requestor by way of affidavit or affirmation, that it is not possible to give access to the record. This is deemed to be a refusal of the request. If, however, the record is later found, the requestor will be given access if the request would otherwise have been granted.

- 9.1.10. In terms of Section 56 of PAIA the information officer will **within 30 days** of receipt of a **correctly completed request**, notify the requestor of the decision as to whether or not to grant the request.
- 9.1.11. If the request is **granted** the notification will state the applicable access fee required to be paid, together with the procedure to be followed should the requestor wish to apply to court against such fee, and the form in which access will be given.
- 9.1.12. If the request is **declined** the notification will include adequate reasons for the decision, together with the relevant provisions of the PAIA relied upon and provide the procedure to be followed should the requestor wish to apply to court against the decision.
- 9.1.13. The information officer may **extend the period of 30 days** by a further period not exceeding 30 days if:
- 9.1.13.1. the request is for a large number of records or requires a search through a large number of records;
 - 9.1.13.2. the request requires a search for records located in a different office of **NWSP** not situated in the same city;
 - 9.1.13.3. consultation between divisions of **NWSP**, or with another private body is required;
 - 9.1.13.4. the requestor consents to the extension.
- 9.1.14. The requestor will be notified within the initial 30-day period in writing of the extension, together with reasons therefor, and the procedure involved should the requestor wish to apply to court against the extension.
- 9.1.15. The information officer's failure to respond to the requestor within the 30-day period constitutes a deemed refusal of the request.
- 9.1.16. The publication of this manual and the description of the categories and subject matter of information held by **NWSP** does not give rise to any rights (in contract or otherwise) to access such information or records except in terms of the PAIA Act.

9.2. Request Pertaining to Record of a Third Party:

- 9.2.1. If the request is for a record pertaining to a third party, the information officer will take all reasonable steps to inform that third party of the request.
- 9.2.2. This must be done within 21 days of receipt of the request.
- 9.2.3. If the request is orally, the information officer must thereafter give the third party a written confirmation of the notification.
- 9.2.4. The third party may within 21 days thereafter either make representation to **NWSP** as to why the request should be refused, alternatively grant written consent to the disclosure of the record.
- 9.2.5. The third party must be advised of the decision taken by the information officer on whether to grant or decline the request, and must also be advised of his/her/its right to appeal against the decision by way of application to court within 30 days after the notice.
- 9.3. **Prescribed Request Forms:**
- 9.3.1. The prescribed forms can be obtained from <https://inforegulator.org.za/paia/> under the section Forms.
- 9.3.2. As described in paragraph 9.1.2 above the prescribed Form 2 must be used to request access to any records.
- 9.4. **Request and Access Fees:**
- 9.4.1. Payment of fees is regulated in terms of section 54 of PAIA.
- 9.4.2. As stipulated in Section 54(1) of PAIA, the head of **NWSP** will by notice require the requestor to the prescribed request fee (if any) before further processing the request.
- 9.4.3. The Regulations to the Act provide for two types of fees:
- 9.4.3.1. **Request Fees:** This is a non-refundable administration fee paid by all requestors, with the exclusion of personal requestors. (Refer to paragraph 1.10 above for the definition of personal requestor) The fee is paid before the request is considered.
- 9.4.3.2. **Access fee:** This is paid by all requestors only when access is granted. This fee is intended to re-imburse the

private body for the costs involved in searching for a record and preparing it for delivery to the requestor.

- 9.4.4. The form, **Form 3 – Outcome of Request and Fees Payable**, will be send to a requestor which will indicate the fees payable.
 - 9.4.5. See attached Form 3 and which form can be obtained from <https://inforegulator.org.za/paia/> under the section Forms.
 - 9.4.6. **NWSP** may withhold a record until the request fee and the deposit (if applicable) have been paid. See Regulation
 - 9.4.7. The information officer must give written notice to a requestor, other than a personal requestor of the request fee and amount to be paid before the request may be further processed. If in the information officer's opinion, the search for a record, or preparation of the record for disclosure will require more than the prescribed hours, the information officer may require the requestor to pay a deposit, not being more than one third of the access fee that would be payable if the request is granted. If the request is declined, the deposit must be repaid to the requestor. The notice given by the information officer must advise the requestor that she/he has a right to apply to court against the payment of the request fee or deposit and should also advise of the procedure of the application.
 - 9.4.8. Refer to **Annexure B** of the **Regulations Relating to the Promotion of Access to Information** for the applicable fees concerning private bodies. Please note that the fees reflected in the attached forms and Annexure B are subject to change in accordance with updates to the Regulations. The fees in effect at the time of the request for both requestor and access fees will be the applicable fees charged.
- 9.5. **Circumstances under which NWSP will refuse access to information:**
NWSP may refuse access to a record on one or more grounds of refusal as provided for in the PAIA Act, which fall into the following categories:
- 9.5.1. Mandatory **protection of privacy** of a third party who is a natural person;
 - 9.5.2. Mandatory **protection of commercial information** of a third party;
 - 9.5.3. Mandatory **protection of certain confidential information** and protection of certain other confidential information of a third party;

- 9.5.4. Mandatory **protection of safety of individuals** and protection of **property**;
- 9.5.5. Mandatory **protection of records privileged from production in legal proceedings**;
- 9.5.6. Mandatory protection of **NWSP's** trade secrets;
- 9.5.7. Mandatory **protection of certain confidential information** and protection of certain other confidential information of **NWSP**;
- 9.5.8. **Computer programs and/or software owned by NWSP** and defined as such in terms of the Copyright Act, No 98 of 1978
- 9.5.9. Mandatory **protection of research information** of a third party and protection of research information of a public body;
- 9.5.10. Manifestly frivolous or vexatious requests or substantial and unreasonable diversion of resources

10. REMEDIES:

10.1. Internal Remedies:

- 10.1.1. **NWSP** does not have an internal appeal procedure available following a refusal to grant access to a requested record.
- 10.1.2. The decision of the Information Officer is final within the internal structures of **NWSP**.
- 10.1.3. Should a request for access to information be refused, and the requester is dissatisfied with the outcome, the requester must exercise external remedies as set out in paragraph 10.2 below.

10.2. External Remedies:

- 10.2.1. A requester who is dissatisfied with the decision of the Information Officer to refuse access to a record may, within 30 (thirty) days of being notified of the decision, lodge a complaint with the Information Regulator or apply to a competent court for appropriate relief.
- 10.2.2. Similarly, a third party dissatisfied with a decision to grant access to a record (notwithstanding their objections) may also lodge a complaint with the Information Regulator or approach a competent court within 30 (thirty) days of being notified of such a decision.
- 10.2.3. For purposes of PAIA, the following external remedies are available:

10.2.3.1. **Information Regulator:**

Complaints may be submitted to the Information Regulator in accordance with the procedures and contact details published on the Regulator's official website (<https://infoeregulator.org.za>). The Regulator may investigate the complaint and provide direction or relief in terms of its powers.

10.2.3.2. **Court Application:**

The requester or third party may institute court proceedings by applying to a court, that has jurisdiction, seeking appropriate relief under PAIA.

11. UPDATING OF THE MANUAL

11.1. The CEO of NWSP will on a regular basis update this manual.

Issued by



Information Officer

CEO of NWSP

ANNEXURE A
FORM 1
REQUEST FOR A COPY OF THE GUIDE
[Regulations 3]

TO: The Information Officer

I,

Full names:				
In my capacity as (mark with "x")	Information Officer:		Other:	
Name of public/private body (if applicable)				
Postal Address:				
Street Address:				
E-mail Address:				
Facsimile:				
Contact numbers:	Tell:		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 (Please Specify)

Signed at _____ on this _____ day of _____ 20____

Signature of requester

FORM 2
REQUEST FOR ACCESS TO RECORD
[Regulations 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:		Facsimile:
	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:		Facsimile:
	Cellular:		
PARTICULARS OF RECORD REQUESTED			
<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			
TYPE OF RECORD (Mark the applicable box with an "X")			
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			
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		
<p align="center">MANNER OF ACCESS (Mark the applicable box with an "X")</p>		
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)		
<p align="center">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.</p>		
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:		
<p align="center">FEES</p>		
<p>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</p>		
Reason		

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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 _____ on 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
[Regulations 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.*

TO: _____ **Reference Number:** _____

Your request dated _____, refers.

1. Your 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	
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3. To be submitted:

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

Kindly note that your request has been:

☐

Approved

☐

Denied, for the following reasons:

4. Fees payable with regards to your request:

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

For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on the quotation of the service provider		
Copy of visual images			
Transcription of an audio record, per A4-size	R24.00		
Copy of an audio record (i) Flas drive - To be provided by requestor	R40.00		
(ii) Compact disc - If provided by requestor	R40.00		
- If provided to the requestor	R60.00		
Postage, e-mail or any other electronic transfer	Actual costs		
TOTAL:			

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

☐

Yes

☐

No

Hours of search	Amount of deposit (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 _____ on this _____ day of _____ 20____

Information Officer

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: (i) Flash drive (to be provided by requestor) (ii) Compact disc - If provided by requestor - If provided to the 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: (iii) Flash drive (to be provided by requestor) (iv) Compact disc: - If provided by requestor - If provided to the 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, reasonable 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