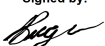




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Business unit/division	Komatsu Africa Holdings
Country	South Africa
Function owner	Information Officer

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Approval

Deputy Information Officer	Signed by:  356AE17ED3C14E9...	26 07 2025
Information Officer	Signed by:  EFBD8D221B2D47C...	26 07 2025
Managing Director	Signed by:  5FDE78F095DC4AB...	26 07 2025

Introduction

1. This Manual has been prepared in accordance with section 51 of the Promotion of Access to Information Act No.2 of 2000 ("**PAIA**").
2. The aim of the Manual is to assist potential Requesters to request access to information (documents, records and/or Personal Information) from Komatsu Africa Holdings (Proprietary) Limited and Komatsu South Africa (Proprietary) Limited (jointly referred to as "**Komatsu**") as contemplated under PAIA.
3. The Manual may be amended from time to time and as soon as any amendments have been affected, the latest version of the Manual will be published and distributed in accordance with PAIA.
4. A Requester is invited to contact the Information Officer should he or she require any assistance in respect of the use or content of this Manual.
5. The definitions provided in this Manual are solely for the purpose of this Manual and are not to be taken as applicable to PAIA.

Definitions

1. The following words or expressions will bear the following meanings in this Manual –
2. "**Customer**" means a natural or juristic person who or which receives services and/or products from Komatsu;
3. "**Data Subject**" means the natural or juristic person to whom Personal Information relates;

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4. **"Employee"** means any person who works for, or provides services to, or on behalf of Komatsu, and receives or is entitled to receive remuneration;
5. **"Information Officer"** means Komatsu's designated information officer described in paragraph 0 of this Manual;
6. **"Information Regulator"** shall bear the meaning ascribed thereto in POPIA;
7. **"Manual"** means this manual, together with all annexures thereto as amended and made available on the website of Komatsu and at the offices of Komatsu from time to time;
8. **"PAIA"** means the Promotion of Access to Information Act No. 2 of 2000, together with any regulations published thereunder;
9. **"POPIA"** means the Protection of Personal Information Act No. 4 of 2013, together with any regulations published thereunder;
10. **"Personal Information"** has the meaning ascribed thereto under POPIA;
11. **"Processing"** means any operation or activity or any set of operations, whether or not by automatic means, concerning Personal Information, including –
 - 11.1. the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
 - 11.2. dissemination by means of transmission, distribution or making available in any other form by electronic communications or other means; or
 - 11.3. merging, linking, blocking, degradation, erasure or destruction. For the purposes of this definition, **"Process"** has a corresponding meaning;
12. **"Requester"** means any person or entity (including any Data Subject) requesting access to a record that is under the control of Komatsu; and
13. **"Third-Party"** means any independent contractor, agent, consultant, sub-contractor or other representative of Komatsu.

Scope

1. This Manual has been prepared in respect of and applies to Komatsu.

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How to use PAIA to access information*(Information provided in terms of section 51(1) of PAIA)*

1. PAIA grants a Requester access to records of a private body if the record is required for the exercise or protection of any rights. If a public body lodges a request in terms of PAIA, the public body must be acting in the public interest.
2. Requests in terms of PAIA shall be made in accordance with the prescribed procedures, and at the prescribed fees.
3. A guide on how to use PAIA is required to be compiled by the Information Regulator and when same is available, will be accessible (in various official languages) on the Information Regulator's website and on our website or you may request a copy of the guide from us by contacting our Information Officer. You may also direct any queries to:

The Information Regulator of South Africa

Physical Address: JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001

Postal Address: P.O. Box 31533, Braamfontein, Johannesburg, 2017

E-mail: infoereg@justice.gov.za / complaints.IR@justice.gov.zaWebsite: <https://www.justice.gov.za/infoereg/index.html>

Tel: 012 406 4818

Fax: 086 500 3351

Overview of the structure and functions of Komatsu

1. Komatsu Africa Holdings (Pty) Ltd is incorporated and registered in the Republic of South Africa under registration number 1995/005549/07.
2. Komatsu South Africa (Pty) Ltd is incorporated and registered in the Republic of South Africa under registration number 2013/168336/07.
3. Komatsu is part of the Commercial & Industrial Equipment Rental & Leasing Industry, more specifically construction, mining and utility equipment.
4. Komatsu has over 1,400 employees across all of its locations and generates over ZAR7bn in turnover. Komatsu has several branches and depots all over Southern Africa.

Client's Contact Details*(Information required under section 51(1)(a) of PAIA)*

Name of Body:	Komatsu Africa Holdings (Proprietary) Limited Komatsu South Africa (Proprietary Limited
Physical & Postal Addresses:	17 Brickfield Road, Sunnyrock, Germiston, 1401, South Africa

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E-mail	ksazamb_compliance@global.komatsu
Head of Body:	Name: Wicus Burger Position: Managing Director T: 011 923 1000
Information Officer:	Name: Ismail Laher Position: Senior Manager: Internal Audit T: 011 923 1000
Deputy Information Officer:	Name: Garry Stanier Position: Financial Director T: 011 923 1000

Komatsu's processing of personal information in terms of POPIA

(Information required under section 51(1)(c) of PAIA)

1. Purpose of KOMATSU's Processing of Personal Information

- 1.1. Komatsu will process Personal Information only in ways that are for, or compatible with, the business purposes for which the data was collected or that are subsequently authorised by the relevant Data Subject.
- 1.2. Komatsu will retain Personal Information only for as long as is necessary to accomplish Komatsu's legitimate business purposes or for as long as may be permitted or required by applicable law.
- 1.3. We use the Personal Information we collect to (i) serve our customers, and market and promote our products or services; and (ii) generally to enable us to operate and manage our normal operations and these purposes include the following non-exhaustive purposes –
 - 1.3.1. for purposes of onboarding suppliers or service providers as approved suppliers/service providers of Komatsu. For this purpose, Komatsu will also Process a service provider's/supplier's Personal Information for purposes of performing the necessary due diligence checks;

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- 1.3.2. as part of the "Know Your Customer" / "KYC" process as per the requirements of the Financial Intelligence Centre Act, No. 38 of 2001;
- 1.3.3. in order to conduct due diligence processes on, inter-alia, potential service providers, counterparties and/or participants in Komatsu's corporate social responsibility initiatives;
- 1.3.4. in order to comply with obligations imposed on the KAU under the Based Black Economic Empowerment Act, No. 53 of 2003 ("BEE Act") read together with the Department of Trade and Industry's Codes of Good Practice on Broad-Based Black Economic Empowerment published in terms of Government Gazette No. 36928 on 11 October 2013 under section 9(1) of the BEE Act, as amended or reissued from time to time;
- 1.3.5. in order to comply with Komatsu's investment and/or procurement strategies and/or initiatives;
- 1.3.6. in order to ensure that the relevant financial and ESG (Environmental, Social and Governance) obligations are complied with (which obligations flow from the relevant legal agreements);
- 1.3.7. generally, for procurement and supply purposes;
- 1.3.8. for purposes of monitoring the use of Komatsu's electronic systems and online platforms by Data Subjects. Komatsu will, from time to time, engage third party service providers (who will Process the Data Subject's Personal Information on behalf of Komatsu) to facilitate this;
- 1.3.9. for purposes of preventing, discovering and investigating violations of this Policy, the applicable law and other Komatsu policies;
- 1.3.10. in connection with the execution of payment processing functions, including payment of Komatsu's suppliers'/service providers' invoices;
- 1.3.11. for employment-related purposes such as recruiting staff, administering payroll, background checks, etc.;
- 1.3.12. in connection with internal audit purposes (i.e. ensuring that the appropriate internal controls are in place in order to mitigate the relevant risks, as well as to carry out any investigations where this is required);
- 1.3.13. in connection with external audit purposes. For this purpose, Komatsu engages external service providers and, in so doing, shares Personal Information of the Data Subjects with third parties;
- 1.3.14. in order to address inquiries or complaints in respect of Komatsu's products, services or functions;

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1.3.15. for the purposes of engaging in corporate social responsibility initiatives;

1.3.16. for such other purposes to which the Data Subject may consent from time to time; and

1.3.17. for such other purposes as authorised in terms of applicable law.

1.3.18. to comply with any applicable law.

2. Komatsu will not use the Personal Information which we collect for any purposes other than those purposes specified in paragraph 1.2 above.

3. Categories of Data Subjects and of the Personal Information relating thereto

3.1. Komatsu collects Personal Information directly from the Data Subject and/or from Third Parties, and where Komatsu obtains Personal Information from Third Parties, Komatsu will ensure that it obtains the consent of the Data Subject to do so or will only Process the Personal Information without the Data Subject's consent where Komatsu is permitted to do so in terms of the applicable laws.

3.2. Data Subjects in respect of which Personal Information is Processed include Customers, employees and candidates, customers (direct and indirect) and service providers.

3.3. Examples of Third Parties from whom Personal Information is collected include; regulatory bodies; other companies providing services to Komatsu and where Komatsu makes use of publicly available sources of information.

4. Recipients or categories of recipients to whom Personal Information may be supplied

4.1. Komatsu may share your Personal Information with companies within the Komatsu group of companies, third parties engaged by us, or our business partners, to assist us to provide information, goods or services to you. Such third parties or business partners may include –

4.1.1. distributors of our products;

4.1.2. logistics providers

4.1.3. human resource background checks;

4.1.4. hosting, data storage or archiving service providers, payment processing and debt collection services;

4.1.5. professional advisors;

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4.1.6. marketing, research and advertising agencies; and

4.1.7. mailing houses.

4.2. Further, Komatsu may be required to disclose Personal Information in response to a court order, subpoena, civil discovery request, other legal process, or as otherwise required by law as per statutory authorities and/or the lawful order of any Court or Tribunal. We may disclose Personal Information when we believe disclosure is necessary to comply with the law or to protect the rights, property, or safety of Komatsu, our Customers, or others.

4.3. Komatsu will comply with POPIA before transferring Personal Information to a Third-Party who is a contractor of Komatsu. Before transferring Personal Information to a Third-Party contractor, such as an authorised service provider, Komatsu will obtain assurances from the Third-Party that it will process Personal Information in a manner consistent with POPIA. Where Komatsu learns that a Third-Party contractor is using or disclosing Personal Information in a manner contrary to POPIA, Komatsu will take reasonable steps to prevent such use or disclosure.

4.4. We reserve the right to disclose and transfer a Data Subject's information, including their Personal Information in connection with a corporate merger, consolidation, the sale of substantially all of our membership interests and/or assets or other corporate change, including to any prospective purchasers.

5. Planned Transborder Flows of Personal Information

5.1. In carrying out any cross-border transfers, Komatsu shall adhere to the provisions of POPIA.

6. Information Security Measures

6.1. The security and confidentiality of Personal Information is important to Komatsu. We have implemented reasonable technical, administrative, and physical security measures to protect Personal Information from unauthorised access or disclosure and improper use.

6.2. We are committed to ensuring that our security measures which protect your Personal Information are continuously reviewed and updated where necessary.

6.3. In Processing any Personal Information, Komatsu shall comply with the following minimum technical and organisational security requirements –



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- 6.3.1. **Physical Access** – Access to Personal Information is restricted in our offices (in senior Employees' offices), under lock and key, and only to those Employees who need the Personal Information to perform a specific job / task.
- 6.3.2. **Password Protected Documents** – All Komatsu created documents are password protected.
- 6.3.3. **Unique User Identification** – Employees each have a unique user ID assigned to them, subject to strict confidentiality undertakings in terms of Komatsu's password, access control and confidentiality policies.
- 6.3.4. **Passwords** – Komatsu shall ensure that there are passwords required for any access to Personal Information in line with its password policy.
- 6.3.5. **Physical access and privileges** – Komatsu ensures that access to Personal Information is limited to Employees on a "need to know" basis, and Komatsu Employees are required to strictly utilise their unique user ID and applicable passwords to access same.
- 6.3.6. **Systems Review** – Komatsu conducts regular reviews of its technical and organisational security measure system in order to ensure that all of the above security measures are functioning effectively and applied consistently.

Information held by Komatsu in terms of PAIA

(Information required under section 51(1)(e) of PAIA)

- 1. This section of the Manual sets out the categories and descriptions of records held by Komatsu. The inclusion of any category of records should not be taken to mean that records falling within that category will be made available under PAIA. In particular, certain grounds of refusal as set out in PAIA may be applicable to a request for such records.
- 2. **Company records**
 - 2.1. Company name documents
 - 2.2. Company registration documents
 - 2.3. Founding statement or Memorandum of Incorporation
 - 2.4. Minutes of meetings
 - 2.5. Licenses

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2.6. Certification and registration

3. **Accounting records**

3.1. Details of accounting officer or auditors

3.2. Formal books of account and financial statements

3.3. Source documents

3.4. Customs, excise and logistics

3.5. Banking records

3.6. Management reports

3.7. Company tax returns

4. **Customer records** including Financial Intelligence Centre Act 38 of 2001 onboarding (KYC) documents, credit check results, machine information for monitoring

5. **Supplier records** including onboarding documents

6. **Human Resources records**

6.1. Employee policies

6.2. Pension funds

6.3. Medical Aid

6.4. Recruitment (including background checks)

6.5. Health and safety documentation

6.6. Workplace Skills Plans (WSP)

6.7. Annual Training report

7. **Operations records**

7.1. Specifications

7.2. Procedures

7.3. Plans

7.4. Stock records

7.5. Asset register

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7.6. Corporate social investment / charity / BEE work done

Information kept by Komatsu in accordance with other legislation*(Information required under section 51(1)(b)(iii) of PAIA)*

1. Records are kept in accordance with legislation applicable to Komatsu, which includes but is not limited to, the following:
 - 1.1. Basic Conditions of Employment Act 75 of 1997
 - 1.2. Companies Act 71 of 2008
 - 1.3. Compensation for Occupational Injuries and Diseases Act 130 of 1993
 - 1.4. Competition Act 89 of 1998
 - 1.5. Constitution of the Republic of South Africa, 1996
 - 1.6. Consumer Protection Act 68 of 2008
 - 1.7. Electronic Communications and Transactions Act 25 of 2002
 - 1.8. Employment Equity Act 55 of 1998
 - 1.9. Income Tax Act 58 of 1962 (Section 75)
 - 1.10. Insolvency Act 24 of 1936
 - 1.11. Labour Relations Act 66 of 1995
 - 1.12. Occupational Health and Safety Act 85 of 1993
 - 1.13. Promotion of Access to Information Act 2 of 2000
 - 1.14. Pension Funds Act 24 of 1956
 - 1.15. Protection of Personal Information Act 4 of 2013
 - 1.16. Regulation of Interception of Communications and Provision of Communication-Related Information Act 70 of 2002
 - 1.17. Skills Development Act 97 of 1998
 - 1.18. Tax Administration Act 28 of 2011
 - 1.19. Tax on Retirement Funds Act 38 of 1996
 - 1.20. Trademarks Act 194 of 1993

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1.21. Value Added Tax Act 89 of 1991

2. Records kept in terms of the above legislation may, in certain instances (and insofar as the information contained therein is of a public nature) be available for inspection without a person having to request access thereto in terms of PAIA.

Request Procedures

1. Records, whether specifically listed in this Manual or not, will only be made available subject to the provisions of PAIA.

2. Form of request

- 2.1. The Requester must use the prescribed form to make the request for access to a record, which form is attached hereto as Annexure "A". This must be made to the Information Officer at the address or electronic mail address of the body concerned (*see s 53(1) of PAIA*).
- 2.2. The Requester must provide sufficient detail on the request form to enable the Information Officer to identify the record and the Requester. The Requester should also indicate which form of access is required and specify a postal address, fax number in the Republic or email address. The Requester should also indicate if, in addition to a written reply, any other manner is to be used to inform the Requester and state the necessary particulars to be so informed (*see s 53(2)(a) and (b) and (c) and (e) of PAIA*).
- 2.3. The Requester must identify the right that is sought to be exercised or protected and provide an explanation of why the requested record is required for the exercise or protection of that right (*see s 53(2)(d) of PAIA*).
- 2.4. If a request is made on behalf of another person, the Requester must submit proof of the capacity in which the Requester is making the request to the satisfaction of the head of the private body (*See s 53(2)(f) of PAIA*).

3. Fees

3.1. Request fees:

- 3.1.1. The Information Officer must by notice require the Requester to pay the prescribed request fee (if any) before further processing the request (*see s 54(1) of PAIA*).
- 3.1.2. The fee that the Requester must pay to a private body is R50 (Fifty Rands). The Requester may lodge an application to the court against the tender or payment of the request fee (*See section 54(3)(b) of PAIA*).

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3.2. Access fees and fees for reproduction:

3.2.1. If access to a record/s is granted by Komatsu, the Requester may be required to pay an access fee for the search for and preparation of the records and for re-production of the record/s. (See section 54(6) of PAIA)

3.2.2. The access fees which apply are set out below. Komatsu can refuse access until such access fees have been paid. (See section 54(5) of PAIA)

	Reproduction	Fee (Rand)
1.	Photocopy of an A4-size page or part thereof provided in hard copy or via scanned copy sent via email	R1.10 per page
2.	Printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R0.75 per page
3.	A copy of, in a computer readable form on compact disc - Flash drive provided by requestor - Compact disc provided by requestor - Compact disc provided to the requestor	R40.00 R40.00 R40.00
4.	Transcription of visual images on an A4-size page or part thereof	R40.00 per page
5.	Copy of visual images	R60.00
6.	Transcription of an audio record on an A4-size page or part thereof	R24.00
7	Copy of an audio record - Flash drive provided by requestor - Compact disc provided by requestor - Compact disc provided to the requestor	R40.00 R40.00 R60.00

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4. Decision on request

- 4.1. After the Information Officer has made a decision on the request, the Requester will be notified using the required form. (See *section 56(1)(b) of PAIA*)
- 4.2. If the request is granted then a further access fee must be paid for reproduction and for search and preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure (see *s 54(6) of PAIA*).

Timelines for consideration of a request

(See *section 56 and 57 of PAIA*)

1. Requests for access by a Requestor will be processed within 30 days, unless the request contains considerations that are of such a nature that an extension of the 30-day time limit is necessary. Such considerations include –
 - 1.1. where the request is for a large number of records or requires a search through a large number of records (including where records that have been archived electronically need to be restored);
 - 1.2. where the request requires a search for records in, or collection of such records from, an office of Komatsu located far away from its registered address;
 - 1.3. consultation among divisions of Komatsu or with another private body is necessary or desirable to decide upon the request that cannot reasonably be completed within the original 30-day period;
 - 1.4. more than one of the circumstances contemplated in paragraphs 1.1, 1.2 and 1.3, exist in respect of the request making compliance with the original period not reasonably possible; or
 - 1.5. the Requester consents in writing to such extension.
2. If an extension is necessary, you will be notified with reasons for the extension. If the Information Officer fails to communicate a decision on a request, such a request is then deemed to have been refused.

Grounds for refusal of access to records

(See *chapter 4 of Part 3 of PAIA*)

1. Requests for access by a Requestor **must** be refused by the Information Officer if –
 - 1.1. the disclosure would involve the unreasonable disclosure of personal information about a third party (natural person), including a deceased individual (See *section 63 of PAIA*);
 - 1.2. the record contains (a) trade secrets of a third party, (b) financial, commercial, scientific or technical information, other than trade secrets, of a third party, the disclosure of which would be likely to cause harm to the commercial or financial interests of that third party, or (c) information supplied in confidence by a third party the disclosure

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of which could reasonably be expected to put that third party at a disadvantage in contractual or other negotiations; or to prejudice that third party in commercial competition (*See section 64 of PAIA*);

- 1.3. the disclosure of the record would constitute an action for breach of a duty of confidence owed to a third party in terms of an agreement (*See section 65 of PAIA*);
- 1.4. the disclosure could reasonably be expected to endanger the life or physical safety of an individual (*see section 66(a) of PAIA*);
- 1.5. the record is privileged from production in legal proceedings unless the person entitled to the privilege has waived the privilege (*See section 67 of PAIA*); or
- 1.6. the record contains information about research being or to be carried out by or on behalf of a third party, the disclosure of which would be likely to expose: (a) the third party; (b) a person that is or will be carrying out the research on behalf of the third party; or (c) the subject matter of the research, to serious disadvantage (*See section 69 of PAIA*).

2. Requests for access by a Requestor may be refused by the Information Officer if –

- 2.1. the disclosure would be likely to prejudice or impair: (i) the security of: (aa) a building, structure or system, including, but not limited to, a computer or communication system; (bb) a means of transport; or (cc) any other property; or (ii) methods, systems, plans or procedures for the protection of: (aa) an individual in accordance with a witness protection scheme; (bb) the safety of the public, or any part of the public; or (cc) the security of property contemplated in subparagraph (i) (aa), (bb) or (cc) (*See section 66(b)*);
- 2.2. the record:
 - 2.2.1. contains trade secrets of Komatsu;
 - 2.2.2. contains financial, commercial, scientific or technical information, other than trade secrets, the disclosure of which would be likely to cause harm to the commercial or financial interests of Komatsu;
 - 2.2.3. contains information, the disclosure of which could reasonably be expected:
 - 2.2.3.1. to put Komatsu at a disadvantage in contractual or other negotiations; or
 - 2.2.3.2. to prejudice Komatsu in commercial competition; or
 - 2.2.4. is a computer program, as defined in section 1(1) of the Copyright Act No. 98 of 1978, owned by Komatsu, except insofar as it is required to give access to a record to which access is granted in terms of PAIA; (*See section 68(1) of PAIA*) or
- 2.3. the record contains information about research being or to be carried out by or on behalf of Komatsu, the disclosure of which would be likely to expose: (a) Komatsu; (b) a person that is or will be carrying out the research on behalf of Komatsu; or (c) the subject matter of the research, to serious disadvantage. (*See section 69(2) of PAIA*)

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Remedies available to a requestor on refusal of access

1. Komatsu does not have any internal appeal procedures that may be followed once a request to access information has been refused.
2. The decision of the Information Officer or deputy information officer is final.
3. If you are not satisfied with the outcome of your request, you are entitled to apply to a court of competent jurisdiction to take the matter further. (See section 78 of PAIA)

Other information held by Komatsu as prescribed

(Other information as may be prescribed under section 51(1)(a)(ii))

1. The Minister of Justice and Constitutional Development has to date not made any regulations regarding disclosure of other information.

Availability of the manual

(Availability of Manual under section 51(3))

1. This Manual is available for inspection by the general public upon request, during office hours and free of charge, at the offices of Komatsu. Copies of the Manual may be made, subject to the prescribed fees.
2. Copies may also be requested from the Information Regulator.
3. The Manual is also posted on Komatsu's website referred to above.

Prescribed forms and fee structure

(Prescribed forms and fee structure in respect of private bodies)

1. The forms and fee structure prescribed under PAIA are available from the Government Gazette, or at the website of the Department of Justice and Constitutional Development (www.doj.gov.za), under the 'regulations' section as well as the SAHRC website (www.sahrc.org.za).

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:	Tel.(B):		Cellular:	

Hereby request the following copy (ies) of the Guide:

Language (mark with "X")		No of copies	Language(mark with "X")		No of copies
☐	Sepedi		☐	Sesotho	
☐	Setswana		☐	siSwati	
☐	Tshivenda		☐	Xitsonga	
☐	Afrikaans		☐	English	
☐	isiNdebele		☐	isiXhosa	
☐	isiZulu				

Manner of collection (mark with "x"):

Personal collection	Postal address	Facsimile	Electronic communication (Please specify)
☐	☐	☐	☐

Signed at _____ this _____ day of _____ 20 _____

Signature of requester

FORM 2**REQUEST FOR ACCESS TO RECORD**

[Regulation 7]

NOTE:

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

TO: The Information Officer

(Address)

E-mail address:

--

Fax number:

--

Mark with an "X"

☐

Request is made in my own name

☐

Request is made on behalf of another person.

PERSONAL INFORMATION				
Full Names				
Identity Number				
Capacity in which request is made (when made on behalf of another person)				
Postal Address				
Street Address				
E-mail Address				
Contact Numbers	Tel. (B):		Facsimile: <table border="1"><tr><td></td></tr></table>	
Cellular:				
Full names of person on whose behalf request is made (if applicable):				
Identity Number				
Postal Address				



Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
PARTICULARS OF RECORD REQUESTED <i>Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i>			
Description of record or relevant part of the record:			
Reference number, if available			
Any further particulars of record			
TYPE OF RECORD <i>(Mark the applicable box with an "X")</i>			
Record is in written or printed form			
Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>			
Record consists of recorded words or information which can be reproduced in sound			
Record is held on a computer or in an electronic, or machine-readable form			



FORM OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Printed copy of record <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i>	
Written or printed transcription of virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	
Transcription of soundtrack <i>(written or printed document)</i>	
Copy of record on flash drive <i>(including virtual images and soundtracks)</i>	
Copy of record on compact disc drive <i>(including virtual images and soundtracks)</i>	
Copy of record saved on cloud storage server	

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

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



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

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

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

Postal address	Facsimile	Electronic communication (Please specify)

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

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

Signature of Information Officer

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

Note:

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

Reference number: _____

TO: _____

Your request dated _____, refers.

1. You requested:

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

OR

2. You requested:

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

3. To be submitted:

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

Kindly note that your request has been:

☐ Approved

☐ Denied, for the following reasons:

--

4. Fees payable with regards to your request:

Item	Cost per A4-size page or part thereof/item	Number of pages/items	Total
Photocopy			
Printed copy			
For a copy in a computer-readable form on:			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor	R60.00		
• If provided to the requestor			
For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on the quotation of the service provider		
Copy of visual images			
Transcription of an audio record, per A4-size	R24.00		
Copy of an audio record			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor	R60.00		
• If provided to the requestor			
Postage, e-mail or any other electronic transfer:	Actual costs		
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 _____ this _____ day of _____ 20 _____

Information officer



**INFORMATION
REGULATOR
(SOUTH AFRICA)**

*Ensuring protection of your personal information
and effective access to information*

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

Email: PAIAComplaints@infoRegulator.org.za

COMPLAINT FORM

FORM 5

[Regulation 10]

NOTE:

- 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://www.justice.gov.za/infoegl/>.
- 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.
- 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.
- 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.
- The Information Regulator will only accept your complaint once you confirm having complied with the prerequisites below.
- Please attach copies of the following documents, if you have them:**
 - Copy of the form to the Body requesting access to records;
 - The Body's response to your complaint or access request;
 - Any other correspondence between you and the Body regarding your request;
 - Copy of the appeal form, if your complaint relate to a public body;
 - The Body's response to your appeal;
 - Any other correspondence between you and the Body regarding your appeal;
 - Documentation authorizing you to act on behalf of another person (if applicable);
 - Court Order or Court documents relevant to your complaint, if any.
- If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.

CAPACITY OF PERSON/PARTY LODGING A COMPLAINT

(Mark with an "X")

☐

Complainant Personally

☐

Representative of Complainant

☐

Third Party

PREREQUISITES

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

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

Postal address	Facsimile	Other electronic communication (Please specify)

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

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

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

Contact Numbers	Tel. (B):		Facsimile	
	Cellular			
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 have appealed against the decision of the public body and the appeal is unsuccessful.			☐
Unsuccessful application for condonation (Sections 77A(2)(b) and 75(2) of PAIA)	I filed my appeal against the decision of the public body late and applied for condonation. The condonation application was dismissed.			☐

Refusal of a request for access (Section 77A(2)(c)(i) or 77A(2)(d)(i) or 77A(3)(b) of PAIA)	<i>I requested access to information held by a body and that request was refused or partially refused.</i>	☐
The body requires me to pay a fee and I feel it is excessive (Sections 22 or 54 of PAIA)	<i>Tender or payment of the prescribed fee.</i>	☐
	<i>The tender or payment of a deposit.</i>	☐
Repayment of the deposit (Section 22(4) of PAIA)	<i>The information officer refused to repay a deposit paid in respect of a request for access which is refused.</i>	☐
Disagree with time extension (Sections 26 or 57 of PAIA)	<i>The body decided to extend the time limit for responding to my request, and I disagree with the requested time limit extension or a time extension taken to respond to my access request.</i>	☐
Form of access denied (Section 29(3) or 60(a) of PAIA)	<i>I requested access in a particular and reasonable form and such form of access was refused.</i>	☐
Deemed refusal (Section 27 or 58 of PAIA)	<i>It is more than 30 days since I made my request and I have not received a decision.</i>	☐
	<i>Extension period has expired and no response was received.</i>	☐
Inappropriate disclosure of a record (Mandatory grounds for refusal of access to record)	<i>Records (that are subject to the grounds for refusal of access) have inappropriately/unreasonable been disclosed.</i>	☐
No adequate reasons for the refusal of access (Section 56(3)(a) of PAIA)	<i>My request for access is refused, and no valid or adequate reasons for the refusal, were given, including the provisions of this Act which were relied upon for the refusal.</i>	☐
Partial access to record (Section 28(2) or 59(2) of PAIA)	<i>Access to only a part of the requested records was granted and I believe that more of the records should have been disclosed.</i>	☐
Fee waiver (Section 22(8) or 54(8) of PAIA)	<i>I am exempt from paying any fee and my request to waive the fees was refused.</i>	☐
Records that cannot be found or do not exist (Section 23 or 55 of PAIA)	<i>The Body indicated that some or all of the requested records do not exist and I believe that more records do exist.</i>	☐
Failure to disclose records	<i>The Body decided to grant me access to the requested records, but I have not received them.</i>	☐
No jurisdiction (exercise or protection of any rights) (Section 50(1)(a) of PAIA)	<i>The Body indicated that the requested records are excluded from PAIA and I disagree.</i>	☐
Frivolous or vexatious request (Section 45 of PAIA)	<i>The Body indicated that my request is manifestly frivolous or vexatious and I disagree.</i>	☐
Other (Please explain)		
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