



**THE PROMOTION OF ACCESS TO INFORMATION MANUAL**

**("Manual")**

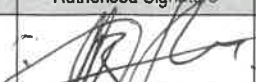
**FOR**

**SIYANDA RESOURCES (PTY) LIMITED**

**Registration number: 2015/0055747/07**

**("Siyanda")**

**MANUAL PREPARED IN ACCORDANCE WITH SECTION 51 OF  
THE PROMOTION OF ACCESS TO INFORMATION ACT, NO.2 OF 2000 ("PAIA") AND  
UPDATED IN LIGHT OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013  
("POPI"). THIS MANUAL LISTS THE TYPES AND CATEGORIES OF RECORDS HELD  
FOR SIYANDA RESOURCES (PTY) LIMITED  
and certain of its Subsidiary Companies**

| Compiled By  | Approved By                              | Authorised Signature  | Revision number | Document number        | Date       |
|--------------|--|---|-----------------|------------------------|------------|
| Adli Mallick | Siyanda Resources<br>Executive Committee |  | Version 1- 2021 | PAIA Manual<br>Man -01 | 01/09/2021 |

**COMPANY NAMES:**

**Siyanda Resources (Pty) Limited**

Siyanda Bakgatla Platinum Mine

Masa Chrome Company

Dense Media Separation Powders

Siyanda Investments

Siyanda Chrome Investments

Baphalane Siyanda Chrome Company

Siyanda Inkwali Resources (RF)

Siyanda Inkwali Resources 2

Siyanda Inkwali Smelting Services

Siyanda Inkwali Ferrous Metals

RST Special Metals

Siyanda Smelting & Refining

Power Alt

Atomatic Trading (Amandelbult CRP)

Sima Operations (MS1421)

Siyanda Precious Metals

Siyanda Energy and Smelting

Siyanda Toll Smelting

Siyanda Toll Smelting Holdings

Siyanda Metals Smelting Company

Siyanda Refractory Products

Tumasha Investments

Southway Refractory

Sima Chrome

Siyanda Rustenburg Platinum

Siyanda Refining Services

Siyanda Power and Smelting Holdings

Siyanda Platinum

Siyanda Bakgatla Holdings

Lexshell 688

Main Street 1524

(Collectively referred to as "the Siyanda group of companies")



## INTRODUCTION

**Siyanda Resources (Pty) Limited** is a diversified resources investment company with a strong operational focus that creates long term value for its stakeholders in PGMs, Chrome, Smelting and Tailings and associated base metals.

## PURPOSE OF THE MANUAL

The purpose of this Manual are to:

- provide a non-exhaustive list of information, records and other details held by Siyanda;
- set out the requirements on how to request information in terms of the Promotion of Access to Information Act No. 2 of 2000 ("PAIA" and/or "the Act") and the Protection of Personal Information Act, Act No 4 of 2013 ("POPI") as well as the grounds on which a request may be refused; and
- to guide you through, the procedural and other requirements with which a PAIA request must comply.

## PART 1 – Siyanda Contact details

|                                |   |   |
|--------------------------------|---|---|
| Designated Information Officer | : | Adli Mallick  |
| E-mail                         | : | info@siyandaresources.co.za   |
| Address                        | : | 3 <sup>rd</sup> Floor, Oxford Corner<br>32A Jellicoe Avenue<br>Rosebank<br>Johannesburg<br>2196 |
| Postal Address                 | : | P.O. Box 521545<br>Saxonwold<br>2132  |
| Telephone Number               | : | +27 11 832 2543   |



## PART 2 – Information Regulator’s Guide

An official Guide has been compiled which contains information to assist a person wishing to exercise a right of access to information in terms of PAIA and POPI. This Guide is made available by the Information Regulator (established in terms of POPI). Copies of the updated Guide are available from Information Regulator in the manner prescribed. Any enquiries regarding the guide should be directed to:

Postal Address: JD House  
27 Stiemens Street  
Braamfontein  
Johannesburg  
2017

Telephone Number: 012 406 4818

Fax Number: 086 500 3351

Complaints email: [POPIAcomplaints.IR@justice.gov.za](mailto:POPIAcomplaints.IR@justice.gov.za), and  
[PAIAComplaints.IR.@justice.gov.za](mailto:PAIAComplaints.IR.@justice.gov.za)

General enquiries email: [infoereg@justice.gov.za](mailto:infoereg@justice.gov.za)

Section 10 of the Act requires the South African Human Rights Commission (SAHRC) to publish a Guide containing information reasonably required by a person wishing to exercise or protect any right in terms of this Act. Inquiries should be directed to:

Address: South African Human Rights Commission  
Promotion of Access to Information Act Unit Research and  
Documentation Department  
Private Bag 2700  
Houghton  
2041

Telephone : +27 11 877 3600/ 3642

Fax : +27 11 403 0625

Website : [www.sahrc.org.za](http://www.sahrc.org.za)

Email : [paia@sahrc.org.za](mailto:paia@sahrc.org.za)



### **PART 3 – Voluntary disclosure and automatic availability of certain records (Section 52(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 Act. Request for these categories of information must be directed via email to [info@siyandaresources.co.za](mailto:info@siyandaresources.co.za)

Some of the information is available on the website at <https://www.siyandaresources.co.za>

- Reports
- Circulars to shareholders
- Code of ethics
- Other literature intended for public viewing
- Public customer information
- Product brochures
- Trading sites and product exhibition
- Copies of statutory notices i.t.o. copyrights

### **PART 4 – Information available in terms of other legislation (Section 51(1)(d))**

Where applicable to our operations, information is also available in terms of the following statutes and their provisions, as amended from time to time:

- Air Quality Act No. 39 of 2004
- Basic Conditions of Employment Act No. 75 of 1997
- Central Energy Fund Act No. 38 of 1977
- Companies Act No. 61 of 1973
- Companies Act No.71 of 2008
- Compensation for Occupational Injuries and Diseases Act No. 130 of 1993
- Competition Act No. 89 of 1998
- Constitution of South Africa Act No. 108 of 1996
- Copyright Act No. 98 of 1987
- Deeds Registries Act No. 47 of 1937
- Electronic Communications and Transaction Act No. 25 of 2002
- Employment Equity Act No. 55 of 1998
- Environmental Laws Rationalisation Act No. 51 of 1997
- Explosives Act No. 26 of 1956
- Financial Markets Act No, 19 of 2012
- Firearms Control Act No. 60 of 2000
- Hazardous Substances Act No. 15 of 1973
- Income Tax Act No. 58 of 1962
- Insurance Laws Amendment Act No. 27 of 2008
- Labour Relations Act No. 66 of 1995

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- Marketable Securities Act No. 32 of 1948
- Medical Schemes Act No. 131 of 1998
- Mine Health and Safety Act No. 29 of 1996
- Mineral and Petroleum Resources Development Act No. 28 of 2002
- Mineral and Petroleum Resources Royalty Act No. 28 of 2008
- Mineral and Petroleum Resources Royalty (Administration) Act No. 29 of 2008
- National Environmental Management Act No. 107 of 1998
- National Water Act No. 36 of 1998
- Occupational Health and Safety Act No. 85 of 1993
- Patents Act No. 57 of 1987
- Pension Funds Act No. 24 of 1956
- Precious Metals Act No. 37 of 2005
- Preferential Procurement Policy Framework Act No. 5 of 2000
- Promotion of Access to Information Act No. 2 of 2000
- Promotion of Equality and Prevention of Unfair Discrimination Act No 4 of 2000
- Protected Disclosures Act No. 26 of 2000
- Prevention and Combating of Corrupt Activities Act No.12 of 2004
- Protection of Personal Information Act No. 4 of 2013
- Safety at Sports and Recreational Events Act No. 2 of 2010
- Sea Transport Documents Act No. 65 of 2000
- Short-Term Insurance Act No. 53 of 1998
- Skills Development Act No. 97 of 1998
- Skills Development Levy Act No. 9 of 1999
- South African Reserve Bank Act No. 90 of 1989
- Stamp Duties Act No. 77 of 1968
- Stock Exchange Control Act No. 1 of 1985
- Trademarks Act No. 194 of 1993
- Transfer Duty Act No. 40 of 1949
- Unemployment Insurance Act No. 63 of 2001
- Value Added Tax Act No. 89 of 1991
- Waste Management Act No. 59 of 2008
- Water Services Act No.108 of 1997

The above is not an exhaustive list of statutes that may require Siyanda to keep records.

**PART 5 – Information available (Section 51(1)(e))**

We hold the following categories of information:

**Community Development**

- Project Information

### **Public / Investor Relations**

- Analyst and Media liaison information
- Presentations
- Company publications and brochures

### **Company Act Records**

- Documents of Incorporation
- Memorandum of Incorporation
- Minutes of meetings
- Written Resolutions
- Statutory returns
- Register of members
- Company Board Charter
- Records relating to the appointment of directors/ auditors/ company secretary and other officers
- Share Register
- Financial statements
- Other Statutory Records

### **Legal**

- Legal agreements and controls
- Loans from and to third parties
- Competition notices
- Mining licenses/mining rights
- Prospecting permits/Prospecting rights
- Environmental management plans for prospecting
- Environmental management programmes for mining
- Prospecting work programmes for prospecting rights
- Mine work programmes for mining rights
- Social and labour plans for mining rights
- Compliance reports as submitted in terms of the Mineral and Petroleum Resources Development Act
- Mining Leases
- Mineral Leases
- Applications for Mining rights, prospecting rights and applications in terms of various sections of the Mineral and Petroleum Resources Development Act
- Deeds of Transfer
- Cessions/certificates of old order mineral rights

### **Human Resources**

- Employment contracts
- Employment equity plans
- Employment Policies and procedures
- Personal records provided by personnel.
- Training and development
- Health and safety records
- Disciplinary codes
- Internal evaluations and disciplinary records
- Social responsibility
- Medical aid records
- Provident and pension fund information

### **Health**

- Drug register and prescription records
- Admissions/discharges
- Statistics
- Patient records
- Treatment records
- Death reports
- Occupational health records

### **Safety**

- Safety reports
- Incidents and accident reports
- Data and statistics
- Safety inspections and audits
- Claims and compensation.

### **Projects**

- Data and statistics
- Reports
- Procurement information
- Project specifications and information
- Quality and standards
- Environmental reports and audits

### **Geology**

- Fall of ground register





- Quality assurance
- Reports
- Mine plans and drawings
- Surveying and drafting
- DMR applications
- Mineral resource and mineral reserve statements
- Data and statistics
- Exploration and evaluation drilling
- Geophysical information
- Production results
- Ore accounting

### **Engineering**

- Log books
- Maintenance records
- Standards and specifications
- Environmental management plans
- Machinery and equipment records
- Explosive control records

### **Operations**

- Ventilations reports and statistics
- Fire reports
- Water reports
- Gas emission reports
- Dust reports
- Log books
- Feasibility studies
- Mine plans and mine design
- Metal accounting analyses
- Equipment and plan information
- Dispatch documentation
- Standard certificates

### **Financial**

- Annual Financial Statements
- Information technology
- Capital expenditure
- Taxation



- Accounting records
- Employee salary records
- Employee Leave records
- Asset registers
- Financial statements and management accounts
- Tax records and returns
- VAT records and returns
- Bank statements and Records
- Rental Agreements
- Invoices.

#### **Intellectual property**

- Trademarks
- Copyright
- Patents
- Licenses

#### **Marketing**

- Market information
- Public customer information
- Product brochures
- Owner manuals
- Price information
- Sales reports
- Marketing reports
- PGM import/export statistics
- Industry news and information

#### **Immovable and moveable property**

- Title deeds of land owned by the Companies
- Agreements for the lease or sale of properties/buildings owned by the Companies
- Leases in respect of vehicles
- Office equipment leases
- Property records and leases

#### **Insurance**

- Insurance policies
- Property records and leases

## **PART 6 – Subject Categories of Records in terms of POPI**

The information is classified and grouped according to records relating to the following subjects and categories:

### **6.1 Personnel Records**

"Personnel" refers to any person who works for or provides services to or on behalf of Siyanda and receives, or is entitled to receive, remuneration and any other person who assists in carrying out or conducting the business of Siyanda. It includes, without limitation, directors (executive and non-executive), all permanent, temporary and part-time staff, as well as contract workers.

Personal records provided by personnel include:

- Records provided by a third party relating to Siyanda personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records, including job applications;
- Internal evaluation records and other internal records;
- Correspondence relating to, or emanating from, personnel (internal and external to the organization);
- Training schedules and material; and
- Payment records (and beneficiary payments), including banking details.

### **6.2 Client Related Records**

"Client" refers to any natural or juristic entity that receives services from Siyanda. This includes prospective clients of Siyanda, but which or who ultimately do not become Siyanda clients.

Client related records include:

- Records provided by a client to a third party acting for or on behalf of Siyanda
- Records provided by a third party;
- Records generated by or within Siyanda relating to its clients;
- Transactional records and recorded call centre calls if any;
- Correspondence with a client that is implicitly or explicitly of a private or confidential nature; and
- Records pertaining to a client retrieved from "other sources", such as any credit bureau or credit providers industry association.

### **6.3 Private Body Records**

These records include, but are not limited to, the records which pertain to Siyanda's own affairs.

These include:

- Financial records;
- Operational records;
- Information technology;
- Communication;
- Administrative records, such as contracts and service level agreements;
- Product records;
- Statutory records;
- Internal Policies and procedures; and
- Human resources records.

#### **6.4 Other Party Records**

These records include:

- Records held by Siyanda pertaining to other parties, including without limitation, financial records, correspondence, contractual records, records provided by the other party (for example third party beneficiaries or employees of a client), and records third parties have provided about Siyanda's contractors/suppliers.
- Siyanda may possess records pertaining to other parties including, but not limited to, contractors, suppliers, and service providers and such other parties may possess records that can be said to belong to Siyanda.

#### **Processing Details**

In terms of POPI, data must be processed for a specified purpose. The purpose for which data is processed by Siyanda will depend on the nature of the data and the particular data subject. This purpose is ordinarily disclosed, explicitly or implicitly, at the time the data are collected.

#### **Purpose of the Processing**

##### **Personnel Data**

Siyanda processes personnel data for business administration purposes.

##### **Client Related Data**

Siyanda processes client related records as an integral party of its commercial services.

##### **Third Party Data**

Siyanda process third party records for business administration purposes.

## **Other Party Data**

Siyanda processes “other party” records for business administration purposes. In performing these various tasks, Siyanda may, amongst others, collect, collate, process, store and disclose personal information.

## **Categories of Data Subjects.**

Siyanda holds information and records on the following category of data subject:

- Employees/personnel of Siyanda;
- Clients of Siyanda;
- Any third party with whom Siyanda conducts its business services;
- Contractors of Siyanda;
- Suppliers of Siyanda;
- Service providers of Siyanda.

This list of categories of data subjects is non-exhaustive.

## **Recipients to Whom Personal Information will be supplied**

Depending on the nature of the data, Siyanda may supply information or records to the following categories of recipients:

- Statutory oversight bodies, regulators or judicial commissions of enquiry making a request for data;
- Any court, administrative or judicial forum, arbitration, statutory commission, or ombudsman making a request for data or Siyanda in terms of the applicable rules (i.e. the Competition Commission in terms of the Competition Act 89 of 1998);
- South African Revenue Services, or another similar authority;
- A contracted third party who requires this information to provide a healthcare service to a client or any dependant/s on the client’s health plan;
- Third parties with whom Siyanda have a contractual relationship for the retention of data (for example, a third party archiving services);
- Research/academic institutions;
- Auditing and accounting bodies (internal and external);
- Anyone making a successful application for access in terms of PAIA;
- Subject to the provisions of POPI and the National Credit Act 34 of 2005, Siyanda may share information about a client’s creditworthiness with any credit bureau or credit provider’s industry association or other association for an industry in which Siyanda operates.

## **Planned Transborder Flows of Personal Information**

Siyanda may transfer personal information to a third party who is in a foreign country in order to administer certain services but may only do so subject to the provisions of POPI.

## **Security Measures**

Siyanda takes extensive information security measures to ensure the confidentiality, integrity and availability of personal information in Siyanda's possession. Siyanda takes appropriate technical and organizational measures designed to ensure that personal data remains confidential and secure against unauthorized or unlawful processing and against accidental loss, destruction or damage. These measures include:

- Firewalls;
- Virus protection software and update protocols;
- Logical and physical access control;
- Secure setup of hardware and software making up our information technology infrastructure; and
- Outsourced service providers who are contracted to implement security controls.

## **Grounds for Refusal of Access to Records**

Siyanda may refuse a request for information on the following basis:

- Mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person;
- Mandatory protection of the commercial information of a third party, if the record contains:
- Trade secrets of that third party;
- Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party; and
- Information disclosed in confidence by a third party to Siyanda, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition.
- Mandatory protection of confidential information of third parties if it is protected in terms of any agreement or legislation;
- Mandatory protection of the safety of individuals and the protection of property;
- Mandatory protection of records which would be regarded as privileged in legal proceedings;
- The commercial activities of Siyanda, which may include:
- Trade secrets of Siyanda;

- Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of Siyanda;
- Information which, if disclosed, could put Siyanda at a disadvantage in negotiations or commercial competition;
- A computer program which is owned by Siyanda and which is protected by copyright.
- The research information of Siyanda or a third party, if its disclosure would disclose the identity of the institution, the researcher or the subject matter of the research and would place the research at a serious disadvantage;
- Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

### **PART 7– Availability of manual**

The manual is available for inspection at the head office of Siyanda free of charge, and on the Siyanda website (refer to Part 3 of the manual).

### **PART 8 – Access Request Procedure**

A requester is any person making a request for access to a record of or held by Siyanda. The requester is entitled to request access to information, including information pertaining to third parties, but Siyanda is not obliged to grant such access. Apart from the fact that access to a record can be refused based on the grounds set out above, in order to successfully access information, the requester must fulfill the prerequisite requirements for access in terms of PAIA, including the payment of a request and access fee.

A requester requiring access to information held by Siyanda must complete the prescribed form, enclosed herewith and marked **Annexure A (“Access Request Form”)**; submit the form to the Information Officer at the postal or physical address, fax number or electronic mail address and pay a request fee (and a deposit, if applicable).

If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the Information Officer.

If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.

The requester will be informed in writing whether access has been granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, he must state the manner and the particulars so required.

## **Part 9 – Payment of Fees**

Payment details can be obtained from the Information Officer and can be made either via a direct deposit, by bank guaranteed cheque or by postal order. Proof of payment must be supplied when the Access Request Form is submitted.

The following fees are (or may be) payable:

- Request fee;
- Access fee; and
- Reproduction fee.

### **Request fee**

An initial “request fee” is payable on submission of the Access Request Form. The prescribed fee is set out below in Part III.

### **Access Fee**

If the request for access is successful, an access fee must be paid. This fee is for the search, reproduction and/or preparation of the record(s). The access fee will be calculated based on the prescribed fees set out below in Part III.

### **Reproduction Fee**

This fee is applicable in respect of documents/records which are voluntarily disclosed (see ‘Automatic Disclosure’ above). This is for reproduction, copying and transcribing the relevant documents or records. The reproduction fee will be calculated based on the prescribed fees set out below in Annexure III.

### **Deposit**

If the search for, and the preparation of, the record for disclosure would, in the opinion of the Information Officer, require more than 6 hours, the requester may be required to pay as a deposit one third of the access fee (the fee which will be payable if the request is granted).

## **Part 10 - Third Party notification**

Siyanda will take all reasonable steps to inform a third party to whom or which a requested record relates if the disclosure of that records would –

- involve the disclosure of personal information about that third party;
- involve the disclosure of trade secrets of that third party; financial, commercial, scientific or technical information (other than trade secrets) of that third party, the disclosure of which would be likely to cause harm to the commercial or financial interests of that third party; or information



supplied in confidence by a third party, the disclosure 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;

- constitute an action for breach of a duty of confidence owed to a third party in terms of an agreement; or
- involve the disclosure of 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 the third party, a person that is or will be carrying out the research on behalf of the third party, or the subject matter of the research, to serious disadvantage.

## **Part 11 - Notice of Decision**

- The Information Officer will, within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.
- The 30 day period, within which Siyanda has to decide whether to grant or refuse the request, may be extended for a further period of not more than 30 days if the information cannot reasonably be obtained within the original 30 day period.
- The Information Officer will notify the requester in writing should an extension be required. The requester may lodge a complaint to the Information Regulator or an application with a court against the extension.

## **Part 12 - Remedies Available when Siyanda Refuses a Request for Information**

### **1 Internal Remedies**

Siyanda does not have internal appeal procedures. Therefore, the decision made by the Information Officer is final. Requesters who are dissatisfied with a decision of the Information Officer will have to exercise external remedies at their disposal.

### **2 External Remedies**

All complaints, by a requester or a third party, can be made to the Information Regulator or a court, in the manner prescribed below.

### **3 Complaints to the Information Regulator**

The requester or third party, as the case may be, may submit a complaint in writing to the Information Regulator, within 180 days of the decision, alleging that the decision was not in compliance with the provisions of PAIA.

The Information Regulator will investigate the complaint and reach a decision - which may include a decision to investigate, to take no further action or to refer the complaint to the Enforcement Committee established in terms of POPI. The Information Regulator may serve an enforcement notice confirming, amending or setting aside the impugned decision, which must be accompanied by reasons.

#### **4 Application to Court**

An application to court will be brought in the ordinary course. For purposes of PAIA, any reference to an application to court includes an application to a Magistrates' Court.

Handwritten signature or initials in black ink, consisting of a large 'L' followed by a smaller 'h'.

**ANNEXURE "A"**  
**FORM C**

**REQUEST FOR ACCESS TO RECORD**

Section 53(1) of the Promotion of Access to Information Act, 2000  
(Act No 2 of 2000)  
[Regulation 10]

**A. Particulars of private body**

The Head:

.....  
.....  
.....

**B. Particulars of person requesting access to the record**

- (a) The particulars of the person who requests access to the records must be given below.*  
*(b) The address and/or fax number in the Republic to which information is to be sent must be given.*  
*(c) Proof of the capacity in which the request is made, if applicable, must be attached.*

Full Name and Surname: .....

Identity Number: .....

Postal Address: .....

Telephone Number: ..... Fax Number: .....

E-mail Address: .....

Capacity in which request is made, when made on behalf of another person: .....

**C. Particulars of person on whose behalf request is made:**

*This section must be completed only if a request for information is made on behalf of another person.*

Full Name and Surname: .....

Identity Number: .....

**D. Particulars of record:**

- (a) 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.  
(b) 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 folios.**

1. Description of record or relevant part of the record: .....  
.....  
.....  
.....
2. Reference number, if available: .....
3. Any further particulars of record: .....  
.....  
.....

**E. Fees**

- (a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a **request fee** has been paid.  
(b) You will be notified of the amount required to be paid as the request fee.  
(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 for exemption from payment of fees: .....  
.....  
.....

**F. Form of access to record**

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

|  |  |
|--|--|
| Disability: .....<br>.....<br>.....<br>..... | Form in which record is required: .....<br>.....<br>.....<br>..... |
|--|--|

LC

Mark the appropriate box with an "X"

**NOTES:**

- (a) Your indication as to the required form of access depends on the form in which the record is available.
- (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
- (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

|   |   |  |  |
|---|---|--|--|
| <b>1. If the record is in written or printed form:</b>  |   |  |  |
|   | Copy of record*                           |  | Inspection of record                                       |
| <b>2. If record consists of visual images: (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)</b>         |   |  |  |
|   | View the images                           |  | Copy of the images*  |
|   |   |  | Transcription of the images*                               |
| <b>3. If record consists of recorded words or information which can be reproduced in sound:</b>   |   |  |  |
|   | Listen to the soundtrack (audio cassette) |  | Transcription of soundtrack* (written or printed document) |
| <b>4. If record is held on computer or in an electronic or machine-readable form:</b>   |   |  |  |
|   | Printed copy of record                    |  | Printed copy of information derived from the record*       |
|   |   |  | Copy in computer readable form* (stiffy or compact disc)   |
| * If you requested a copy or transcription of a record (above), do you wish for a copy or transcription to be posted to you? <b>Postage is payable.</b> |   |  | YES  |
|   |   |  | NO   |

**G. 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 folios.*

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

.....

.....

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

.....

.....

.....

*lc*

**H. Notice of decision regarding request for access:**

*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?

.....  
.....  
.....

Signed at ..... this ..... day of .....20.....

.....  
SIGNATURE OF REQUESTER/PERSON  
ON WHOSE BEHALF REQUEST IS MADE



## **ANNEXURE B**

AN EXPLANATORY NOTE ON FEES TO BE CHARGED 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 Part III of Annexure "A" of the Regulations. A copy of Part III is attached for your convenience. The present charges are as follows:

### **1. Copies of a manual**

Should an individual require a copy of the private body's manual, a fee of R1.10 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 paragraph 2 of Part III of Annexure "A" to 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 paragraph 4 of Part III of Annexure "A" to the Regulations.

### **4. Other fees**

4.1 A request fee<sup>3</sup> of R50.00 is payable by a requester who is seeking access to a record containing information which is not personal to the requester. See paragraph 6 of Part 1 of this document.

4.2 A search fee<sup>4</sup> may be charged at a rate of R30.00 per hour or part thereof for searching and preparing the record for disclosure provided such time was reasonably required for that purpose.

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

4.4 If a copy of a record is posted to a requester, the requester is obliged to pay the actual postage payable.

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

<sup>2</sup> Section 54(7) and Regulation 11(3)

<sup>3</sup> Section 54(1) and Regulation 11(2)

<sup>4</sup> Annexure "A", Part III, Item 4(1)(f)

<sup>5</sup> Section 54(2)

**PART III - PRESCRIBED FEES**

| <b>REPRODUCTION FEES</b>   |           |
|--|-----------|
| <b>The applicable fees (VAT inclusive) for reproduction or copies as referred to above are:</b>  |           |
| For every photocopy of an A4-size page or part thereof   | R<br>1,25 |
| For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form   | 0,85      |
| For a copy in a computer-readable form on:   |           |
| - Stiffy disc  | 8,55      |
| - Compact disc   | 79,80     |
| A transcription of visual images for an A4-size page or part thereof   | 45,60     |
| For a copy of visual images  | 68,40     |
| A transcription of an audio record, for an A4-size page or part thereof  | 22,80     |
| For a copy of an audio record  | 34,20     |
| <b>Request Fees</b>  |           |
| Where a requester submits a request for access to information held by Siyanda on a person other than the requester himself/herself, the request fee is payable up-front before the institution will further process the request received.  | 50,00     |
| <b>Access Fees</b>   |           |
| An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of PAIA or an exclusion is determined by the Minister in terms of section 54(8). The applicable access fees which will be payable are: |           |
| <b>The applicable fees which will be payable are: (VAT inclusive)</b>  | 1,25      |
| For every photocopy of an A4-size page or part thereof   |           |
| For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form   | 0,85      |

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| For a copy in a computer-readable form on:   |       |
| - Stiffy disc  | 8,55  |
| - Compact disc   | 79,80 |
| A transcription of visual images for an A4-size page or part thereof   | 45,60 |
| For a copy of visual images  | 68,40 |
| A transcription of an audio record, for an A4-size page or part thereof  | 22,80 |
| For a copy of an audio record  | 34,20 |
| To search for a record that must be disclosed (per hour or part of an hour reasonably required for such search)  | 34,20 |
| Where a copy of a record needs to be posted the actual postal fee is payable.  |       |
| <p><b>Deposits</b></p> <p>Where Siyanda receives a request for access to information held on a person and the Information Officer upon receipt of the request is of the opinion that the preparation of the required record of disclosure will take more than 6 hours, a deposit is payable to the requester.</p> <p>The amount of the deposit is equal to 1/3 of the amount of the applicable access fee.</p> |       |

**Please note:** In terms of Regulation 8, Value Added Tax (VAT) must be added to all fees prescribed in terms of the Regulations. Therefore, the fees reflected above are VAT inclusive.