

# **HomeChoice Proprietary Limited**

**(Registration no. 1985/002759/07)**

**Manual in terms of Section 51 of the  
Promotion of Access to Information Act 2 of  
2000**

as at 21 July 2021.

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## 1. PREAMBLE

The Promotion of Access to Information Act No. 2 of 2000, ("**PAIA**") came into operation on 23 November 2001 and gives effect to the constitutional right of access to information held by public or private bodies required for the exercise or protection of rights. Section 51 of PAIA and the Protection of Personal Information Act 4 of 2013 ("**POPIA**") requires that we, as a private body, compile a manual to inform the public of the procedure to follow when requesting information from us for the purpose of exercising or protecting rights and a disclosure of the information collected by us. We also include the grounds for refusal of any access requests in this manual as access to information is not an unlimited right and is subject to justifiable limitations, such as protection of privacy, commercial confidentiality and governance reasons.

This manual may be amended from time to time and any new versions of the manual will be made public.

## 2. INTRODUCTION TO THIS PRIVATE BODY

HomeChoice Proprietary Limited ("**HomeChoice**") is an omni-channel credit retailer and digital loans provider through its FinChoice division, with a fast-growing digital channel which is also supported by delivery services. HomeChoice offers affordable credit options that enable customers to purchase on flexible payment terms. HomeChoice offers an extensive range of household textiles and homeware merchandise and fashion products under private label brands supplemented with a broad range of well-known external brands. The FinChoice division offers personal loans, including term loans, facility products and other ancillary services.

HomeChoice supports a culture of transparency and accountability in its environment and aims to ensure that members of the public have effective access to information in its possession which will assist them in the exercise and protection of their rights. These will however always be subject to the limitations in terms of the law.

This manual will provide information on the categories of information in our possession. We also explain the process to follow should you require access to any of this information.

A copy of this manual is also available on our website <https://www.homechoice.co.za/home>.

### **3. NOTICE IN TERMS OF SECTION 51(1)(C)**

To date, no notices on the categories of records automatically available without a person having to request access thereto in terms of PAIA have been published.

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 PAIA.

Request forms for these categories of information are also available from our information officer, whose contact details appear in clause 4 of this manual:

- Newsletters;
- Booklets;
- Marketing pamphlets / brochures;
- The annual financial statements of the group of companies to which HomeChoice belongs, HomeChoice International PLC; and
- Any other information available on HomeChoice's website at [www.homechoice.co.za](http://www.homechoice.co.za) and FinChoice's website at [www.finchoice.co.za](http://www.finchoice.co.za).

#### 4. OUR DETAILS

Full registered name	HomeChoice Proprietary Limited
Registration number	1985/002759/07
Registered address	78 Main Road Wynberg Cape Town 7800
Postal address	Private Bag X150 Claremont Cape Town 7735
Telephone number	South Africa: +27 86 199 9635 Outside South Africa: +27 21 680 1300
Email	popi@finchoice.com
Chief Executor Officer	Christian de Wit
Information officer	Guy Wills (HomeChoice) Colin Campbell (FinChoice)
Deputy information officer	N/A
Information officer contact details	Tel: 021 680 1000 Email: <a href="mailto:contact@homechoice.co.za">contact@homechoice.co.za</a> / popi@finchoice.com
Website	<a href="https://www.homechoice.co.za">https://www.homechoice.co.za</a> / <a href="https://www.finchoice.co.za">finchoice.co.za</a>

## 5. THE OFFICIAL GUIDE

Section 10 of PAIA requires the Information Regulator to update and make available the Guide compiled by the South African Human Rights Commission containing information reasonably required by a person wishing to exercise or protect any right in terms of PAIA. This Guide is available on the Information Regulator's website (<https://www.justice.gov.za/infoereg/>).

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

**Address:** 27 Stiemens Street, Braamfontein

**Telephone:** 011 877 3600

**Fax:** 011 403 0684

**Website:** <https://www.justice.gov.za/infoereg/>

**E-mail:** [infoereg@justice.gov.za](mailto:infoereg@justice.gov.za)

## **6. INFORMATION AVAILABLE IN TERMS OF PAIA AND POPI AND INFORMATION HELD BY HOMECHOICE**

### **6.1. CATEGORIES OF GENERAL INFORMATION HELD**

We hold the following categories of information in terms of PAIA and the Protection of Personal Information Act 4 of 2013 ("**POPI**"):

#### **6.1.1. Statutory Company Information**

- 6.1.1.1. Certificate of Incorporation;
- 6.1.1.2. Certificate of Change of Name (if any);
- 6.1.1.3. Memorandum of Incorporation;
- 6.1.1.4. Certificate to Commence Business;
- 6.1.1.5. Minute Book, waivers, and resolutions of shareholders and directors;
- 6.1.1.6. Securities and directors' register;
- 6.1.1.7. Copies of all share certificates;
- 6.1.1.8. Details of public and any other officers and company secretary;
- 6.1.1.9. Books of Account regarding information required by the Companies Act 71 of 2008.

#### **6.1.2. Accounting Records**

- 6.1.2.1. Annual Financial Statements including:
  - 6.1.2.1.1. Annual accounts;
  - 6.1.2.1.2. Directors' reports; and
  - 6.1.2.1.3. Auditor's report;

6.1.2.2. Books of Account including journals and ledgers; and

6.1.2.3. Statements and receipts.

**6.1.3. Employee Records**

6.1.3.1. Employees' names, occupations and other personal information and record of remuneration paid to each employee;

6.1.3.2. Attendance register;

6.1.3.3. Employment equity plan;

6.1.3.4. Salary register;

6.1.3.5. Staff records (after date of employment ceases);

6.1.3.6. Conditions of employment;

6.1.3.7. Evaluation and other internally generated records;

6.1.3.8. Employee related correspondence;

6.1.3.9. IRP 5 certificates of employees;

6.1.3.10. Employee contracts;

6.1.3.11. Staff loans;

6.1.3.12. Motor vehicle schemes;

6.1.3.13. Employee related policies including leave;

6.1.3.14. Training records and manuals;

6.1.3.15. Medical aid records;

6.1.3.16. Pension fund records;

6.1.3.17. Human Resources Policy and Disciplinary Code of Conduct;



6.1.3.18. Records of disciplinary actions.

**6.1.4. Property records**

6.1.4.1. Title Deeds;

6.1.4.2. Leases agreements;

6.1.4.3. Finance agreements;

6.1.4.4. Asset register; and

6.1.4.5. Building plans.

**6.1.5. Agreements and Contracts**

6.1.5.1. Joint venture agreements, partnership agreements, participation, franchise, co-marketing, co-promotion or other alliance agreements;

6.1.5.2. Agreements with shareholders, officers or directors;

6.1.5.3. Agreements with contractors, service providers and suppliers;

6.1.5.4. Agreements with buyers; and

6.1.5.5. Purchase or lease agreements.

**6.1.6. Taxation**

6.1.6.1. Copies of all Income Tax Returns;

6.1.6.2. Pay-as-you-earn (PAYE) records;

6.1.6.1. Documents issued to employees for income tax purposes and records of payments made to SARS on behalf of Employees;

6.1.6.2. Value Added Tax records; and

6.1.6.3. Other tax related documents as required in terms of applicable laws or business requirements.

**6.1.7. Insurance**

6.1.7.1. Insurance policies; and

6.1.7.2. Claim records

**6.1.8. Information Technology**

Records relating to:

6.1.8.1. Hardware;

6.1.8.2. Operating systems;

6.1.8.3. Telephone exchange equipment;

6.1.8.4. Telephone lines, leased lines and data lines;

6.1.8.5. LAN installations;

6.1.8.6. Software packages;

6.1.8.7. Disaster recovery procedures;

6.1.8.8. Internal systems support and programming / development;

6.1.8.9. Agreements; and

6.1.8.10. Licenses.

**6.1.9. Sales and Marketing**

Records relating to:

6.1.9.1. Products;

6.1.9.2. Customers / buyers, prospective customers and our online users; and

- 6.1.9.3. Brochures, newsletters, promotional competitions, other promotions and advertising materials

## **6.2. CATEGORIES OF DATA SUBJECTS AND PERSONAL INFORMATION HELD**

The categories of data subjects and the categories of information that will be held and/or processed for each category includes:

### **6.2.1. Employees and potential employees:**

- 6.2.1.1. Name and contact details;
- 6.2.1.2. Identity number;
- 6.2.1.3. Employment history and references;
- 6.2.1.4. Banking and financial details;
- 6.2.1.5. Details of payments to third parties (deductions from salary); and
- 6.2.1.6. Other information not specified reasonably required to be processed for business operations and compliance with applicable laws.

### **6.2.2. Vendors / suppliers / other business relationships:**

- 6.2.2.1. Name and contact details;
- 6.2.2.2. Identity number and/or company information and directors' information (where applicable);
- 6.2.2.3. Banking and financial details;
- 6.2.2.4. Information about products or services;
- 6.2.2.5. Information pertaining to the relationship with us;

6.2.2.6. Other information not specified reasonably required to be processed for business operations and compliance with applicable laws.

**6.2.3. Customers / buyers, and prospective customers, where relevant**

6.2.3.1. General personal information and contact details, such as names, identity numbers, addresses, contact numbers, email addresses and employment information;

6.2.3.2. Financial, payment, banking and account information;

6.2.3.3. Demographic information;

6.2.3.4. Credit bureau and fraud information;

6.2.3.5. Cookies and device information, such as browser settings, IP addresses, and time of logging on;

6.2.3.6. Advertising and online information, such as website interactions and platform interactions where HomeChoice products are advertised;

6.2.3.7. Payment behaviour

6.2.3.8. Views, opinions and preferences; and

6.2.3.9. Consent records.

**6.2.4. Online users**

6.2.4.1. Cookies and device information, such as browser settings, IP addresses, and time of logging on;

6.2.4.2. Advertising and online information, such as website interactions and platform interactions where HomeChoice products are advertised;

6.2.4.3. Views, opinions and preferences; and

6.2.4.4. Consent records.

### **6.3. RECIPIENTS OF PERSONAL INFORMATION**

The following persons / entities may be recipients of information:

- 6.3.1. Any person / entity who provides a service on HomeChoice's behalf;
- 6.3.2. Any person / entity who provides HomeChoice with products or services;
- 6.3.3. Any person who HomeChoice has reason to believe to be a data subject's next of kin, in the case of an emergency or where he/she is unable to handle his/her own affairs because of mental incapacity or other similar issues;
- 6.3.4. The operator of any payment system which HomeChoice uses;
- 6.3.5. Regulatory and governmental authorities or ombudsmen, or other authorities, including tax authorities and regulators, where HomeChoice has a duty to share information;
- 6.3.6. Credit bureaus;
- 6.3.7. Debt Collectors;
- 6.3.8. Debt counsellors;
- 6.3.9. Payment distribution agencies;
- 6.3.10. Payment system service providers;
- 6.3.11. Fraud prevention agencies;
- 6.3.12. Third-party fraud prevention applications;

- 6.3.13. Third parties to whom payments are made on behalf of employees, including pension funds and medical schemes;
- 6.3.14. Financial institutions from whom payments are received on behalf of data subjects;
- 6.3.15. Any other operator not specified;
- 6.3.16. Other companies within the HomeChoice group;
- 6.3.17. Affiliates with whom a customer or online user holds a relationship;
- 6.3.18. Employees, contractors and temporary staff;
- 6.3.19. Third party obtaining HomeChoice rights and obligations as a result of a sale of business;
- 6.3.20. Any other third party where allowed to so in law; and
- 6.3.21. Agents.

## **7. PURPOSES OF PROCESSING INFORMATION**

The purposes of processing personal information will include –

### **7.1. For clients:**

- 7.1.1. Credit and fraud checks;
- 7.1.2. Determining internal credit scores, including receiving and considering credit bureau information;
- 7.1.3. Reporting to credit bureau;
- 7.1.4. Updating information through batch updates received from credit bureau;

- 7.1.5. Performing obligations or exercising rights in pursuance of any agreement with clients;
- 7.1.6. Making, or assisting in making, credit decisions;
- 7.1.7. Verifying clients' details;
- 7.1.8. Operating and managing clients' accounts and managing any agreement or correspondence that clients may have; Corresponding with clients via various methods, including email, SMS, letter, telephone or in any other way about our products and services, unless clients inform us that they prefer not to receive such information or marketing;
- 7.1.9. Forming a view of clients as an entity and to identify, develop or improve products, that may be of interest to clients;
- 7.1.10. Carrying out market research, business and statistical analysis;
- 7.1.11. Carrying out audits;
- 7.1.12. For data science, modelling, statistical and analytical purposes;
- 7.1.13. Performing other administrative and operational purposes, including the testing of systems;
- 7.1.14. Recovering any debt that clients may owe us;
- 7.1.15. Complying with our regulatory or other obligations;
- 7.1.16. Any other reasonably required purpose relating to the HomeChoice business and relationship.

**7.2. For employees:**

- 7.2.1. Verification of applicants' information during employment application process;
- 7.2.2. General matters relating to personnel;

- 7.2.3. Administration;
- 7.2.4. Pension fund;
- 7.2.5. Medical aid;
- 7.2.6. Payroll;
- 7.2.7. Disciplinary action;
- 7.2.8. Training; and
- 7.2.9. Any other reasonably required purpose relating to the employment or potential employment relationship.

**7.3. For prospective clients:**

- 7.3.1. Making, or assisting in making, credit decisions;
- 7.3.2. Verifying and updating information;
- 7.3.3. Direct marketing or communications to prospective clients; and
- 7.3.4. Any other reasonably required purpose relating to the processing of a prospective client's personal information.

**7.4. For vendors / suppliers / other business relationships:**

- 7.4.1. Verifying information and performing checks;
- 7.4.2. Managing any benefits a person may receive as a result of an agreement with a customer, such as where the person is a beneficiary under a customer's policy.
- 7.4.3. Purposes relating to the agreement or business relationship or possible agreement or business relationships between the parties;
- 7.4.4. Payment;
- 7.4.5. Complying with our regulatory or other obligations;



7.4.6. Reporting; and

7.4.7. Any other reasonably required purpose relating to the HomeChoice business.

## **8. PLANNED TRANS-BORDER FLOWS OF PERSONAL INFORMATION**

HomeChoice currently foresees the following reasons for possible trans-border flow of personal information, which it undertakes to do in compliance with POPI:

8.1. Storing information electronically;

8.2. Making use of third party service providers to fulfil a business function on behalf of the company;

8.3. Reporting to HomeChoice International;

8.4. Sharing information with companies within the HomeChoice group for business operational purposes;

8.5. Use of operating systems implemented by HomeChoice International; and

8.6. Any transfers of information cross-border as required and mandated by clients.

## **9. INFORMATION SECURITY MEASURES**

HomeChoice implements the following general processes and procedures as reasonable measures to protect the security, integrity and confidentiality of personal information:

9.1. general awareness and training programs;

9.2. retention policy for all information;

9.3. secure hard copy filing (where appropriate);

- 9.4. secure systems and devices (where appropriate);
- 9.5. selection of third party suppliers through a dedicated election process;
- 9.6. information security policies and processes including access controls and monitoring,.; and
- 9.7. process for reporting risks identified or security breaches.

## 10. PROCESS FOR REQUESTING ACCESS TO INFORMATION

If you wish to request access to any categories of information referred to above, you are required to complete a request form as set out in Annexure "A" hereto. These forms are also available from:

- our Information Officer (whose contact details are in clause 4 of this manual);
- the Information Regulator's website (<https://www.justice.gov.za/inforeq/>); or
- the Department of Justice and Constitutional Development website ([www.doj.gov.za](http://www.doj.gov.za)).

There is a prescribed fee (payable in advance) for requesting and accessing information in terms of PAIA. Details of these fees are contained in the request form. You may also be called upon to pay the additional fees prescribed by regulation for searching for and compiling the information which you have requested, including copying charges.

**It is important to note that access to information is not automatic** – you must identify the right you are seeking to exercise or protect and explain why the record you request is required for the exercise or protection of that right. You will be notified in the manner indicated by you on the request form whether your request has been approved.

## **11. INFORMATION AVAILABLE IN TERMS OF OTHER LEGISLATION**

Where applicable to our operations, information is also available and/or we also retain records and documents in terms of certain provisions of the following statutes (as amended from time to time):

- Basic Conditions of Employment Act 75 of 1997 and Basic Conditions of Employment Amendment Act 11 of 2002
- Broad Based Black Economic Empowerment Act 53 of 2003
- Companies Act 71 of 2008
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Consumer Protection Act 68 of 2008
- Debt Collectors Act 114 of 1998
- Electronic Communications and Transmissions Act 25 of 2002
- Employment Equity Act 55 of 1998
- Financial Markets Act 19 of 2012
- Financial Sector Regulation Act 9 of 2017
- Financial Services Board Act 97 of 1990
- Financial Services Ombud Schemes Act 37 of 2004
- Income Tax Act No. 58 of 1962
- Labour Relations Act 66 of 1995
- Magistrates Court Act 32 of 1944
- Credit Agreements Act 75 of 1980
- Financial Advisory and Intermediary Services Act 37 of 2002

- Financial Intelligence Centre Act, No 38 of 2001
- Financial Sector Regulation Act 9 of 2017
- National Credit Act 34 of 2005
- National Minimum Wage Act 9 of 2018
- Occupational Health and Safety Act 85 of 1993
- Promotion of Access to Information Act 2 of 2000
- Protection of Personal Information Act 4 of 2013
- Regulation of Interception of Communications and Provision of Communication Related Information Act 70 of 2002
- Short Term Insurance Act 53 of 1998
- Standards Act 29 of 1993
- Tax Administration Act 28 of 2011
- Unemployment Insurance Amendment Act 10 of 2016
- Value-added Tax Act 89 of 1991

## 12. REFUSAL OF ACCESS TO INFORMATION

HomeChoice must refuse a request for information on the following grounds:

- 12.1. **The mandatory protection of privacy of a third party who is natural person.** An access request must be refused where the disclosure of personal information would involve the unreasonable disclosure of personal information about a third party (including a deceased person) (unless an exception exists as per section 63(2) of PAIA);

- 12.2. **The mandatory protection of the commercial information of a third party.** An access request must be refused if the record contains –
- 12.2.1. trade secrets of that third party;
  - 12.2.2. financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party; or
  - 12.2.3. information disclosed in confidence by a third party to HomeChoice, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition (unless an exception exists as per section 64(2) of PAIA);
- 12.3. **The mandatory protection of confidential information of a third party.** Access requests must be refused where the information is protected in terms of any agreement;
- 12.4. **The mandatory protection of the safety of individuals and the protection of property.** Access requests must be refused where disclosure could be expected to endanger the lives or physical safety of others;
- 12.5. **The mandatory protection of records which would be regarded as privileged in legal proceedings.** Access requests must be refused where the information is privileged, unless the person entitled to the privilege has waived the privilege;
- 12.6. **The commercial information of HomeChoice.** An access request must be refused where the information may include –
- 12.6.1. trade secrets of HomeChoice;
  - 12.6.2. financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of HomeChoice;
  - 12.6.3. information which, if disclosed could put HomeChoice at a disadvantage in negotiations or commercial competition; or

12.6.4. a computer program which is owned by HomeChoice, and which is protected by copyright

(unless an exception exists as set out in section 68(2) of PAIA).

12.7. **Mandatory protection of research information of a third party, and protection of research information of a private body.** An access request must be refused where the research information of HomeChoice or a third party if the disclosure of such information would disclose the identity of HomeChoice, the researcher or the subject matter of the research and would place the research at a serious disadvantage.

Any requests for information that are frivolous or vexatious or which involve an unreasonable diversion of resources shall be refused.

### **13. REMEDIES FOR THE REFUSAL OF ACCESS TO INFORMATION**

#### Internal remedy

13.1. The decision of the Information Officer of HomeChoice is final. Where a person is aggrieved with the decision, such person will need to exercise their alternative remedies applicable in cases where a request for information has been denied and they are not satisfied with the reasons provided by the Information Officer.

#### External remedies

13.2. PAIA provides that where a request for information is refused and the person requesting the information is not satisfied with the reasons provided by the Information Officer, the requestor may apply to a court for relief within 180 (one hundred and eighty) days of being notified of the refusal.

13.3. Further, you may lodge a complaint with the Information Regulator established in terms of POPI regarding the outcome of any decision of HomeChoice in respect of requests made in terms of this Manual.

# ANNEXURE "A" – FORM C

## REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

(Section 53 (1) of the Promotion of Access to Information Act, 2000

(Act No. 2 of 2000))

[Regulation 10]

### A. Particulars of the private body

The Head:

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

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

- (a) *The particulars of the person who requests access to the record must be given below.*
- (b) *The address and/or fax number in the Republic to which the 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 names and surname:.....

.....

Identity number: .....

Postal address: .....

.....

.....

..... Fax number: .....

Telephone 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 names and surname:.....

.....

Identity number: .....

**D. Particulars of the 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:.....  
 .....  
 .....

Form in which record is required:.....  
 .....  
 .....

*Mark the appropriate box with an X.*

**NOTES:**

- (a) *Compliance with your request in the specified form may depend 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</b> (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):			
	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 the copy or transcription to be posted to you? <span style="float: right;">YES      NO</span>			
<b>Postage is payable:</b>			

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

**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.....

.....

SIGNATURE OF REQUESTER/PERSON ON WHOSE BEHALF  
REQUEST IS MADE

## **ANNEXURE "B" – FEES PAYABLE**

AN EXPLANATORY NOTE ON FEES TO BE CHARGED BY A PRIVATE BODY WHEN GRANTING A REQUEST FOR ACCESS TO INFORMATION IN TERMS OF THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 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 Work.

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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).

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

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

**Promotion of Access to Information Regulations, 2002**

**Annexure A**

**Part III**

**Fees in respect of private bodies**

1. The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1,10 for every photocopy of an A4-size page or part thereof.

2. The fees for reproduction referred to in regulation 11(1) are as follows:

	R
(a) for every photocopy of an A4-size page or part thereof	1,10
(b) for every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c) for a copy in a computer-readable form on –	
(i) stiffy disc	7,50
(ii) compact disc	70,00
(d) (i) for a transcription of visual images, for an A4-size page or part thereof	40,00
(ii) for a copy of visual images	60,00
(e) (i) for a transcription of an audio record, for an A4-size page or part thereof	20,00
(ii) for a copy of an audio record	30,00

3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50,00.

4. The access fees payable by a requester referred to in regulation 11(3) are as follows:

	R
(1)	
(a) for every photocopy of an A4-size page or part thereof	1,10
(b) for every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c) for a copy in a computer-readable form on –	
(i) stiffy disc	7,50
(ii) compact disc	70,00
(d) (i) for a transcription of visual images, for an a4-size page or part thereof	40,00
(ii) for a copy of visual images	60,00
(e) (i) for a transcription of an audio record, for an A4-size page or part thereof	20,00
(ii) for a copy of an audio record	30,00
(f) to search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation.	
(2) for purposes of section 54(2) of the act, the following applies:	
(a) six hours as the hours to be exceeded before a deposit is payable; and	
(b) one third of the access fee is payable as a deposit by the requester.	
(3) the actual postage is payable when a copy of a record must be posted to a requester.	