

**MANUAL PREPARED IN ACCORDANCE WITH SECTION 51 OF THE
PROMOTION OF ACCESS TO INFORMATION ACT NO. 2 OF 2000
(AS AMENDED BY THE PROTECTION OF PERSONAL
INFORMATION ACT NO. 4 OF 2013)
FOR
THE ACCENTURE FOUNDATION (SOUTH AFRICA) TRUST
MASTER'S REFERENCE NUMBER: IT7688/04
("the Trust")**

TABLE OF CONTENTS

Clause number and description	Page
1. INTRODUCTION	2
2. DEFINITIONS AND INTERPRETATION	2
3. THE TRUSTS OVERVIEW	5
4. AVAILABILITY OF THIS MANUAL	6
5. HOW TO REQUEST ACCESS TO RECORDS HELD BY THE TRUST	6
6. CONTACT DETAILS	8
7. THE TRUST'S PROCESSING OF PERSONAL INFORMATION IN TERMS OF POPIA.....	9
8. HOW TO ACCESS THE GUIDE AS DESCRIBED IN SECTION 10 OF THE ACT	13
9. VOLUNTARY DISCLOSURE	15
10. RECORDS AVAILABLE IN ACCORDANCE WITH LEGISLATION	15
11. RECORDS HELD BY THE TRUST.....	16
12. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS	19
13. REMEDIES AVAILABLE IN REFUSAL OF A REQUEST FOR INFORMATION	20
14. PRESCRIBED FORMS AND FEE STRUCTURE	20
15. The forms prescribed under PAIA located under Annexure A of the Regulations, as well as the fee structure prescribed under PAIA located under Annexure B of the Regulations, are available from the Government Gazette No. 45057 R.757/2021 accessible here.	20
Annexure A - FORM 2 - PRESCRIBED FORM FOR REQUEST FOR ACCESS TO RECORD	1
Annexure B	i

Date	Version Reference	Approved By
December 2021	1	Khethiwe Nkuna – Information Officer

1. INTRODUCTION

- 1.1. This Manual is published in terms of section 51 of the Promotion of Access to Information Act No. 2 of 2000 ("**PAIA**"). PAIA gives effect to the provisions of section 32 of the Constitution, which provides for the right of access to information held by either the State or private persons that is required for the exercise and/or protection of any right.
- 1.2. The reference to any information in addition to that specifically required in terms of section 51 of PAIA does not create any right or entitlement (contractual or otherwise) to receive such information, other than in terms of PAIA.
- 1.3. This Manual applies in respect of each member of the Trust. The Information Officer named below is appointed in respect of the Trust.
- 1.4. 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.
- 1.5. 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.
- 1.6. The definitions provided in this Manual are solely for the purpose of this Manual and are not to be taken as applicable to PAIA.
- 1.7. Only requests for records of the trustor/s, trustee/s and/or beneficiaries of the Trust are covered by the Manual and requests for records of, or information relating to, persons outside of the Trust will not be considered.

2. DEFINITIONS AND INTERPRETATION

- 2.1. Unless a contrary intention clearly appears, words signifying: -
 - 2.1.1. the singular includes the plural and *vice versa*;
 - 2.1.2. any one gender includes the other genders and *vice versa*; and
 - 2.1.3. natural persons include juristic persons.
- 2.2. Unless the context clearly indicates otherwise, the following terms shall have the meanings assigned to them hereunder, namely –

-
- 2.2.1. **“Data Subject”** means the person to whom the Personal Information relates;
- 2.2.2. **“Beneficiaries”** means –
- 2.2.2.1. Individuals and organisations (however organised and structured, including but not limited to trusts, foundations, voluntary associations, statutory bodies, partnerships and incorporated entities) which, in the opinion of the trustees of the Trust, are at the applicable time committed and dedicated to one or more aspects of social upliftment in relation to Disadvantaged People as defined in the Trust Deed; and / or
- 2.2.2.2. Any individuals, group of individuals who, in the opinion of the Trustees, is or are at the applicable time Disadvantaged People as defined in the Trust Deed;
- 2.2.3. **“Employee”** means any person who works for, or provides services to, or on behalf of the Trust, and receives or is entitled to receive remuneration;
- 2.2.4. **“Information Officer”** means the person acting on behalf of the Trust and discharging the duties and responsibilities assigned to the “head” of the Trust by PAIA. The Information Officer is duly authorised to act as required and such authorisation has been confirmed by the “head” of the Trust in writing;
- 2.2.5. **“Manual”** means this manual published in compliance with Section 51 of PAIA;
- 2.2.6. **“PAIA”** means the Promotion of Access to Information Act, Act 2 of 2000, as amended from time to time;
- 2.2.7. **“Personal Information”** has the meaning ascribed thereto under section 1 of POPIA and includes information relating to an identifiable natural person, including, but not limited to –
- 2.2.7.1. information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being,

- disability, religion, conscience, belief, culture, language and birth of the person;
- 2.2.7.2. information relating to the education or the medical, financial, criminal or employment history of the person;
- 2.2.7.3. any identifying number, symbol, email address, physical address, telephone number, location information, online identifier or other particular assigned to the person;
- 2.2.7.4. the biometric information of the person;
- 2.2.7.5. the personal opinions, views or preferences of the person;
- 2.2.7.6. correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
- 2.2.7.7. the views or opinions of another individual about the person;
and
- 2.2.7.8. the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person;
- 2.2.8. **"Personnel"** means a person who works for or provides services to or on behalf of the Trust and receives or is entitled to receive any remuneration. This includes, without limitation, all permanent, temporary and part-time staff as well as contract workers;
- 2.2.9. **"POPIA"** means the Protection of Personal Information Act No. 4 of 2013 as amended from time to time;
- 2.2.10. **"Record"** means recorded information, regardless of form or medium, which is in the possession or under the control of the Trust, irrespective of whether it was created by the Trust;
- 2.2.11. **"Request"** means a request for access to a record of the Trust;

- 2.2.12. **“Requester”** means any person, including a public body or an official thereof, making a request for access to a record of the Trust and includes any person acting on behalf of that person;
- 2.2.13. **“Special Personal Information”** means "special personal information" as defined in POPIA, and includes –
- 2.2.13.1. the religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life or biometric information of a Data Subject; or
 - 2.2.13.2. the criminal behaviour of a Data Subject to the extent that such information relates to –
 - 2.2.13.2.1. the alleged commission by the Data Subject of any offence; or
 - 2.2.13.2.2. any proceedings in respect of any offence allegedly committed by a Data Subject or the disposal of such proceedings; and
- 2.2.14. **“Third Party”** means any independent contractor, agent, consultant, sub-contractor or other representative of the Trust.

2.3. Terms defined in PAIA shall have the same meaning in this Manual.

3. THE TRUST OVERVIEW

- 3.1. The purpose of the Trust is to initiate and implement Socio-Economic Development Contributions in favour of Beneficiaries with the specific objective of facilitating income generating activities for the targeted Beneficiaries, utilising funds provided by the Potential Funders subject to the restriction that, as described in Code Series 500 issued under section 9 of the Broad Based Economic Empowerment Act 2003 as amended (“the BEE Act”), the full value of Socio-Economic Development Contributions to the Trust made by the Founder or any of the Founder’s subsidiaries is used on Contribution Types with Benefit Factor of 100% as listed in Annexe 500A of Code Series 500 and that a minimum of 75% of such contributions directly benefit Black people where “Black People” has the same meaning as the definition of Black People in the BEE Act.

- 3.2. Without derogating from the generality and restriction of the Purpose as stated in 3.1 above, the objects of the Trust are to:-
- 3.2.1 provide financial support, professional skills and managerial expertise to Beneficiaries;
 - 3.2.2 establish programmes in the discretion of the Trustees for the Social Upliftment of Disadvantaged People;
 - 3.2.3 raise awareness of the plight of Disadvantaged People, particularly in order to encourage the participation of the Accenture Global Organisation in the Social Upliftment of Disadvantaged People, whether through the contribution of skill, time, efforts or funds;
 - 3.2.4 to raise funding from Potential Funders, and / or assist Beneficiaries to raise funding, in connection with any of the Objects;
 - 3.2.5 to increase the Trust Fund through the obtaining of grants and donations, the making of investments and the establishment of undertakings as hereinafter more fully described and in any other manner as the Trustees may from time to time in their discretion determine;
 - 3.2.6 to carry out or be responsible for such other functions or roles as may be considered by the Trustees in their discretion to be consistent with the Purpose and the Objects.

4. AVAILABILITY OF THIS MANUAL

- 4.1. A copy of this Manual is available at **www.accenture.co.za** or by sending a request for a copy to the Information Officer by email. The Manual may also be inspected by the general public, during normal office hours, at the Trusts office and the Information Regulator at the respective addresses set out below. This Manual will be updated from time to time, as and when required.
- 4.2. The Manual is also available to the Information Regulator upon request.

5. HOW TO REQUEST ACCESS TO RECORDS HELD BY THE TRUST

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

- 5.2. Requests for access to records held by the Trust must be made using the prescribed form to make the request for access to a record, which form is attached hereto as Annexure "A". The Requester should note that not using this form could cause your request to be refused (if you do not provide sufficient information or otherwise) or delayed.
- 5.3. Please note that Requesters are also required to make payment of the prescribed fees. This issue is dealt with more fully below.
- 5.4. Requests for access to records must be made to our Information Officer at the address, fax number or electronic mail address provided for in paragraph 6 below.
- 5.5. 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 indicate if he or she wishes to be informed in any other manner and state the necessary particulars to be so informed.
- 5.6. Requests will be received by the Information Officer as indicated in the prescribed manner detailed below. The Requester will be notified within 30 days of the receipt of the completed request form(s). The request will be evaluated by the Information Officer as well as the representative of the Trust from which the record is being requested. The Trust reserves the right to notify the Requester of an extension period that is required to access the requested information. The said notice will include reasons for such extension, the required extension period will not exceed 60 days as well as the Requester's right to approach a court via application proceedings for relief in the event that the Requester is against the extension and/or the procedure. Further to that, the Trust may notify the Requester whether a deposit is required. This deposit will be determined by factors such as, the format and/or volume of the information requested as well as the time required for the searching for and preparation of the records. The notice will set out the required deposit amount as well as the Requester's right to approach a court via application proceedings for relief in the event that the Requester is against the payment of the required deposit and/or the procedure.
- 5.7. The Requester must identify the right that he or she is seeking to exercise or protect and provide an explanation of why the requested record is required for the exercise of protection of that right.

- 5.8. If a request is made on behalf of a person, the Requester must then submit proof, in the form of an affidavit or letter of consent, of the capacity in which the Requester is making the request to the satisfaction of the Information Officer.
- 5.9. The Requester is required to pay a fee for evaluating the request and for providing the records requested, including the requirement to pay a deposit in certain circumstances. The list detailing the prescribed fee payable to the Trust in respect of requests and the fees in respect of access to records (if the request is granted) is attached as Annexure B.
- 5.10. Kindly note that all requests to the Trust or any of its constituent companies will be evaluated and considered in accordance with PAIA. Publication of this Manual and describing the categories and subject matter of information held by the Trust does not give rise to any rights (in contract or otherwise) to access such information or records except in terms of PAIA.
- 5.11. If it is reasonably suspected that a Requester has obtained access to the Trust's records through the submission of materially false or misleading information, legal proceedings may be instituted against such Requester.

6. CONTACT DETAILS

Name of Private Body	The Accenture Foundation (South Africa) Trust
Head of Private Body	Vukani Eddison Mngxati
Information Officer (Duly designated by the Head of Private Body)	Khethiwe Nkuna
Deputy Information Officer (s)	N/A
Email address of Information Officer and Deputy Information Officer(s)	DataPrivacyOfficer@accenture.com
Postal address	P.O. Box 1587, Kelvin, 2054; South Africa

Street address	Building Number 3 Waterfall Corporate Campus, 74 Waterfall Drive, Waterfall City, Midrand, 1685
Phone number	+2711 208 3000 / +2711 208 4341
Fax number	

7. THE TRUST'S PROCESSING OF PERSONAL INFORMATION IN TERMS OF POPIA

7.1. Purpose of the Trust's Processing of Personal Information

- 7.1.1. The Trust will process Personal Information only in ways that are for, or compatible with, the purposes for which the data was collected or that are subsequently authorised by the relevant Data Subject.
- 7.1.2. The Trust will retain Personal Information only for as long as is necessary to accomplish Trust's legitimate purposes or for as long as may be permitted or required by applicable law.
- 7.1.3. We use the Personal Information we collect to serve the Trust's objectives and purposes and in order to fulfil its various obligations and responsibilities as a social upliftment trust and in doing so to consider and process the Personal Information of applicants who are assisted and supported via the Trust and also to ensure-
- 7.1.3.1. Compliance with applicable laws and policies (including complying with request from regulators);
 - 7.1.3.2. Management of disputes; and
 - 7.1.3.3. Audits;
 - 7.1.3.4. for such other purposes to which the Data Subject may consent from time to time; and
 - 7.1.3.5. for such other purposes as authorised in terms of applicable law.

- 7.2. The Trust will not use the Personal Information which we collect for any purposes other than those purposes specified in paragraph 7.1.3 above.

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

7.3.1. The Trust collects Personal Information directly from the Data Subject and/or from Third Parties, and where the Trust obtains Personal Information from Third Parties, it will ensure that it either obtains the consent of the Data Subject to do so or will Process the Personal Information where the Trust is permitted to do so based on a lawful basis and/or in terms of applicable law.

7.3.2. Data Subjects in respect of which Personal Information is Processed include Beneficiaries of the Trust.

7.3.3. Examples of Third Parties from whom Personal Information is collected include our Beneficiaries, other companies providing services to the Trust and where the Trust makes use of publicly available sources of information.

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

7.4.1. The Trust 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 the Trust, our Beneficiaries or others.

7.4.2. The Trust will comply with POPIA before transferring Personal Information to a Third Party who is not a contractor of the Trust. Before transferring Personal Information to a Third Party contractor, such as an authorised service provider, the Trust will obtain assurances from the Third Party that it will process Personal Information in a manner consistent with POPIA. Where the Trust learns that a Third Party contractor is using or disclosing

Personal Information in a manner contrary to POPIA, the Trust will take reasonable steps to prevent such use or disclosure.

- 7.4.3. 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.

7.5. Planned Transborder Flows of Personal Information

- 7.5.1. In carrying out any cross-border transfers, the Trust shall adhere to the provisions of POPIA.
- 7.5.2. All cross-border transfers of Personal Information shall be authorised by [the](#) Trust's Information Officer.

7.6. Information Security Measures

- 7.6.1. The security and confidentiality of Personal Information is important to the Trust. We have implemented technical, administrative, and physical security measures to protect Personal Information from unauthorised access or disclosure and improper use.
- 7.6.2. We are committed to ensuring that our security measures which protect your Personal Information are continuously reviewed and updated where necessary.
- 7.6.3. In Processing any Personal Information, the Trust shall comply with the following minimum technical and organisational security requirements –
- 7.6.3.1. **Physical Access** – Access to Personal Information is restricted in our offices and only to those Employees who need the Personal Information to perform a specific job / task.
- 7.6.3.2. **Employee Training** – All Employees with access to Personal Information are kept up-to-date on our security and privacy practices. After a new policy is added, these Employees are notified and/or reminded about the importance we place on

privacy, and what they can do to enhance protection for the Personal Information of all Data Subjects.

- 7.6.3.3. **Unique User Identification** – Employees each have a unique user ID assigned to them, subject to strict confidentiality undertakings in terms of the Trust's password and confidentiality policies.
- 7.6.3.4. **Passwords** – the Trust shall ensure that there are passwords required for any access to Personal Information in line with its password policies.
- 7.6.3.5. **Physical access and privileges** – the Trust ensures that access to Personal Information is limited to Employees on a "need to know" basis, and the Trust Employees are required to strictly utilise their unique user ID and applicable passwords to access same. The access to such Personal Information shall be subject to a two-step authorization/authentication process.
- 7.6.3.6. **Back-ups** – the Trust ensures that all Personal Information is backed-up regularly, and that back up testing is conducted regularly in order to ensure that Personal Information can be recovered in the event that such Personal Information is lost, damaged or destroyed.
- 7.6.3.7. **Malware protection** – the Trust ensures that its environment has comprehensive malware protection software employed, which software is specifically designed to protect the Trust from the most recent malware infections.
- 7.6.3.8. **Vulnerability scanning** – the Trust regularly conducts vulnerability scanning in order to assess whether any computers, networks or applications have any vulnerabilities to cyber-attacks.
- 7.6.3.9. **Network configuration** – the Trust continuously monitors all designated networks, employs intrusion detection systems

and/or intrusion prevention systems, and records any security incidents.

- 7.6.3.10. **System's Review** – the Trust 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.

8. HOW TO ACCESS THE GUIDE AS DESCRIBED IN SECTION 10 OF THE ACT

- 8.1. The Information Regulator has, in terms of section 10 of PAIA, as amended, updated and made available the revised Guide on how to use PAIA ("**Guide**"), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.
- 8.2. The Guide sets out information which would be reasonably required of any person wishing to exercise any right set out in PAIA. More specifically, the Guide contains a description of, *inter alia* –
- 8.2.1. the objects of PAIA and POPIA;
- 8.2.2. the postal and street address, phone and fax number and, if available, electronic mail address of every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA, and section 56 of POPIA
- 8.2.3. the manner and form of a request for –
- 8.2.3.1. access to a record of a public body contemplated in section 11;
and
- 8.2.3.2. access to a record of a private body contemplated in section 50;
- 8.2.4. the assistance available from the Information Officer of a public body in terms of PAIA and POPIA;
- 8.2.5. the assistance available from the Information Regulator in terms of PAIA and POPIA;

- 8.2.6. all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging –
 - 8.2.6.1. an internal appeal;
 - 8.2.6.2. a complaint to the Information Regulator; and
 - 8.2.6.3. an application with a court against a decision by the Information Regulator; and
 - 8.2.6.4. an application with a court against a decision by the Information Officer of a public body, a decision on internal appeal or a decision by the Information Regulator or a decision of the head of a private body;
- 8.2.7. the provisions of section 51 of PAIA requiring a private body, respectively, to compile a manual, and how to obtain access to a manual;
- 8.2.8. the provisions of section 52 of PAIA providing for the voluntary disclosure of categories of records by a private body;
- 8.2.9. the notices issued in terms of section 22 and 54 of PAIA regarding fees to be paid in relation to requests for access; and
- 8.2.10. the regulations made in terms of section 92 of PAIA ("**Regulations**").
- 8.3. The Guide is available in all of the official languages.
- 8.4. The Guide is accessible on the Information Regulator's website, as well as from the offices of the Information Regulator during normal working hours, or you may request a copy of the Guide from the Trust by contacting our Information Officer. You may also direct any queries to:

The Information Regulator of South Africa

Postal address: P.O. Box 31533, Braamfontein

Johannesburg

2017

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

Telephone: 012 406 4818

Fax: 086 500 3351

Website: <https://www.justice.gov.za/inforeg/index.html>

E-mail: enquiries@inforegulator.org.za /
PAIAComplaints@inforegulator.org.za / POPIAComplaints@inforegulator.org.za

9. VOLUNTARY DISCLOSURE

- 9.1. The Trust is not obliged to and has not published a notice in terms of Section 52(2) of PAIA regarding the categories of records automatically available without a person having to request access thereto in terms of PAIA.
- 9.2. Certain information is also made available to employees of the Trust, which is not generally made available to the public. To avoid confusion, these items of information are not listed here but may be obtained by Trust Employees from the HR office.

10. RECORDS AVAILABLE IN ACCORDANCE WITH LEGISLATION

- 10.1. Information is retained in terms of the following legislation. The information retained in terms of this legislation will only be made available to the persons or entities specified in the legislation:
- 10.1.1. Companies Act 71 of 2008;
- 10.1.2. Income Tax Act 58 of 1962;
- 10.1.3. Value Added Tax Act 89 of 1991;
- 10.1.4. Constitution of the Republic of South Africa, 1996;
- 10.1.5. Pension Funds Act 24 of 1956;

- 10.1.6. POPIA;
 - 10.1.7. Regulation of Interception of Communications and Provision of Communication-Related Information Act 70 of 2002;
 - 10.1.8. Labour Relations Act 66 of 1995;
 - 10.1.9. Basic Conditions of Employment Act 75 of 1997;
 - 10.1.10. Employment Equity Act 55 of 1998;
 - 10.1.11. Skills Development Act 97 of 1998;
 - 10.1.12. Skills Development Levies Act 9 of 1999;
 - 10.1.13. Unemployment Insurance Act 63 of 2001;
 - 10.1.14. Unemployment Contributions Act 4 of 2002;
 - 10.1.15. Compensation for Occupational Injuries and Health Diseases Act 130 of 1993;
 - 10.1.16. Occupational Health and Safety Act 85 of 1993;
 - 10.1.17. Trade Marks Act 194 of 1993;
 - 10.1.18. Competition Act, 89 of 1998; and
 - 10.1.19. Customs and Excise Act, 91 of 1964.
- 10.2. 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.

11. RECORDS HELD BY THE TRUST

- 11.1. This section of the Manual sets out the categories and descriptions of records held the Trust.
- 11.2. The Trust maintains records on the following categories and subject matters. However, please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be granted. In

particular, certain grounds of refusal as set out in PAIA may be applicable to a request for such records.

- 11.3. All requests for access will be evaluated on a case-by-case basis in accordance with the provisions of PAIA.
- 11.4. In the event that there is no extension period or deposit required then the Requester will be notified within 30 days of the outcome of their request. If the request is successful then the Requester will be notified of the access fee payable upon gaining access to the record (if any), an indication of the form in which the access will be granted as well as a notice of the Requester's right to approach a court via application proceedings for relief in the event that the Requester is against the payment of the required access fee and/or the procedure.
- 11.5. If the record requested contains information about a Third Party the Trust is obliged to inform them of such request. This serves to allow the Third Party the opportunity to respond by either granting consent to the access request or to provide reasons why the request should be denied. The reasons provided by the Third Party either for consent or denying access will be considered by the Information Officer in making a final decision regarding whether access should be granted or refused.
- 11.6. All records in the possession of the Trust that contain Special Personal Information shall only be provided to the person to whom the Special Personal Information pertains. In the event that the Requester is not the subject of the Special Personal Information then the Requester must submit proof of consent to request such record for their use on behalf of the Data Subject.

11.7. Generic Records

11.7.1. Internal records

11.7.1.1. the following are records pertaining to the Trust's own affairs:

11.7.1.1.1. Trust deed;

11.7.1.1.2. Financial records;

11.7.1.1.3. Operational records;

11.7.1.1.4. Intellectual property;

11.7.1.1.5. Marketing records;

11.7.1.1.6. Internal correspondence;

11.7.1.1.7. Product records;

11.7.1.1.8. Internal policies and procedures;

11.7.2. Personnel records (these records can only be requested by the person the record pertains to)

11.7.2.1. Personnel records include the following:

11.7.2.1.1. Any personnel records provided to the Trust by its personnel;

11.7.2.1.2. Any records a Third Party has provided to the Trust about any of its personnel;

11.7.2.1.3. Conditions of employment and other personnel-related contractual and quasi-legal records;

11.7.2.1.4. Internal evaluation records; and

11.7.2.1.5. Other internal records and correspondence.

11.7.3. Other Parties

11.7.3.1. Records are kept in respect of other parties, including without limitation contractors, commercial banks, auditors and consultants, suppliers, joint venture companies and service providers, and general market conditions. In addition, such other parties may possess records which can be said to belong to the Trust. The following records fall under this category:

11.7.3.1.1. Personnel, Beneficiary, or Trust records which are held by another party as opposed to being held by the Trust; and

11.7.3.1.2. Records held by the Trust pertaining to other parties, including financial records,

correspondence, contractual records, records provided by the other party, and records Third Parties have provided about the contractors or suppliers.

12. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

12.1. The Trust may legitimately refuse to grant access to records that fall within certain categories. The grounds to refuse access to a particular record/s include:

12.1.1. records contain Personal Information of a Third Party and must be protected from unreasonable disclosure, including records of a deceased person;

12.1.2. records contain Third Party commercial information that must be protected from unreasonable disclosure, including records that contain –

12.1.2.1. trade secrets, or

12.1.2.2. financial, commercial, scientific or technical information,

the disclosure of which would likely cause harm to the commercial or financial interests of that Third Party;

12.1.3. disclosure of a record would result in a breach of duty of confidence owed in terms of an agreement to a Third Party;

12.1.4. disclosure of a record would result in an individual's life being endangered;

12.1.5. disclosure of a record would prejudice or impair the security of property;

12.1.6. disclosure of a record would prejudice or impair the protection of a person under witness protection;

12.1.7. disclosure of a record would prejudice or impair public safety;

12.1.8. disclosure of a record is privileged in terms of legal proceedings, unless such privilege has been waived;

12.1.9. disclosure of a record would harm the commercial and financial interests of the Trust, including records that contain –

- 12.1.9.1. trade secrets,
 - 12.1.9.2. financial, commercial, scientific or technical information;
 - 12.1.10. disclosure of a record would put the Trust at a disadvantage in contractual or other negotiations or prejudice it in commercial competition; and
 - 12.1.11. disclosure of the research of the Trust or a Third Party on behalf of the Trust would expose the Trust, or such Third Party, the researcher or the subject matter of the research to serious disadvantage.
- 12.2. In the event that the requested record cannot be located and it is believed that the record does not exist or merely cannot be located, then the Trust will inform the Requester by way of affidavit or affirmation of the reason for delay or inability to locate the record.

13. REMEDIES AVAILABLE IN REFUSAL OF A REQUEST FOR INFORMATION

- 13.1. The Trust does not have any internal appeal procedures that may be followed once a request to access information has been refused.
- 13.2. The decision of the Information Officer or deputy information officer is final.
- 13.3. When a Requester is not satisfied by a decision made by the Information Officer of the Trust, for example for refusing access, for imposing fees, or for extending the time period in which the response is due, the Requester may, within 180 days of receiving the decision, (i) submit a complaint to the Information Regulator in the prescribed manner and form; or (ii) apply to a court of competent jurisdiction for appropriate relief.

14. PRESCRIBED FORMS AND FEE STRUCTURE

- 15. The forms prescribed under PAIA located under Annexure A of the Regulations, as well as the fee structure prescribed under PAIA located under Annexure B of the Regulations, are available from the Government Gazette No. 45057 R.757/2021 accessible [here](#).

Annexure A - FORM 2 - PRESCRIBED FORM FOR REQUEST FOR ACCESS TO RECORD

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 <i>(when made on behalf of another person)</i>			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel. (B):		Facsimile:
	Cellular:		
Full names of person on whose behalf request is made <i>(if applicable)</i> :			
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 <i>(Please specify)</i>

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

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

Signature of Information Officer

Annexure B

FEES IN RESPECT OF PRIVATE BODIES

1. If access to a record/s is granted by the Trust, 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.
2. The access fees payable by a Requester are as set out below. The Trust can withhold a record until such access fees have been paid.

Item	Description	Amount (Rand)
1.	The request fee payable by every requester	R140.00
2.	Photocopy/printed black & white copy of A4-size page	R2.00 per page or part thereof
3.	Printed copy of A4-size page	R2.00 per page or part thereof
4.	For a copy in a computer-readable form on: <ol style="list-style-type: none"> 1 Flash drive (to be provided by requester) 2 Compact disc <ol style="list-style-type: none"> 2.1 If provided by requester 2.2 If provided to requester 	R40.00 R40.00 R60.00
5.	For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on quotation from service provider.
6.	Copy of visual images	
7.	Transcription of an audio record, per A4-size page	R24.00
8.	Copy of audio record on: <ol style="list-style-type: none"> 1 Flash drive (to be provided by requester) 2 Compact disc <ol style="list-style-type: none"> 2.1 If provided by requester 2.2 If provided to requester 	R40.00 R40.00 R60.00
9.	To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation To not exceed a total cost of	R145.00 R435.00

10.	Deposit: if search exceeds 6 hours	One third of amount per request calculated in terms of item 2 to 8.
11.	Postage, e-mail or any other electronic transfer	Actual expense, if any.

3. The Requester may lodge an application to the court against the tender or payment of the request fee.

Exceptions

If the Information Officer, Deputy Information Officer or Head of the Private Body thinks that the collection and reproduction of documents will take longer than six hours, he or she must inform the Requester (by formal notice) that one third of the access fee is payable upfront as a deposit.

If the record is not provided in the form requested, the access fee that is charged to the Requester must not exceed the fee that would have been charged if access were granted in the form requested. However, this rule does not apply when an alternate form is required because information had to be severed from the record.

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