

Bidvest Commercial Products (Pty) Ltd t/a



Incorporating:



PAIA MANUAL

of

**BIDVEST COMMERCIAL PRODUCTS (Pty) Ltd
t/a ACADEMY BRUSHWARE**

(Registration no: 2011/010523/07)

This Manual is prepared in terms of Section 51 of the Promotion of Access to Information Act No 2 of 2000 ("PAIA") as amended by the Protection of Personal Information Act, No 4 of 2013 ("POPIA")

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1. DEFINITIONS

“Academy”, “we”, “us” and “our”	means Academy Brushware, incorporated in South Africa and for the purpose and scope of this Manual.
“Data Subject”	means the person to whom the personal information relates.
“Manual”	means this Academy Brushware PAIA manual, together with all APPENDICES hereto.
“PAIA”	means the of Promotion of Access to Information Act, No 2 of 2000.
“POPIA”	means the Protection of Personal Information Act, No 4 of 2013.
“Processing”	means any operation or activity, whether by automatic means, concerning personal information including collection, receipt, storage, alteration, erasure (as further defined in POPIA).
“Record”	means any recorded information, regardless of form or medium which includes writing, label, marking, hardware, software, book, image (as further defined in POPIA).
“Regulator”	means the Information Regulator (as established in terms of section 39 of POPIA).
“Requester”	means any person making a Request for Access to a Record held by Academy
“Request for Access”	means a Request for Access to a Record (as further defined in section 1 of PAIA)

2. INTRODUCTION TO PAIA AND POPIA

PAIA:

The Promotion of Access to Information Act, 2000 ("PAIA") commenced on 9 March 2001, which among other things:

- Seeks to give effect to a person's Constitutional right of access to information (subject to certain limitations) and sets out the procedural process to follow to exercise or protect this right.
- Obliges private and public bodies to compile a PAIA Manual, which sets out how a person, who is desirous of requesting certain information which he/she believes he/she has a right to may go about requesting such information.
- Where a person is desirous of obtaining information from a private or public body in terms of PAIA, then such person must make a request in the format as prescribed by PAIA by following the laid-out procedure and using the prescribed forms, as described in the private or public entities PAIA Manual.
- Upon receipt of the Request for Access, the body receiving the request must decide if it is able to provide the requested information to the Requester in accordance with the provisions of PAIA.

POPIA:

The Protection of Personal Information Act, 2013 ("POPIA") commenced on 1 July 2020 and gives effect to:

- a person's right to privacy, including the right to data privacy, and in accordance with this objective, describes and prescribes a series of conditions which must be met when personal information is processed, which conditions establish the minimum requirements for the Processing of personal information.
- amends certain provisions of PAIA, balancing the need for access to information against the need to ensure the protection of personal information.

3. PURPOSE OF THE ACADEMY BRUSHWARE PAIA MANUAL

The Purpose of this PAIA Manual is to understand:

- the categories of Records that are automatically available without a person having to submit a Request for Access.
- a description of the Records which are available per other legislation.
- how Academy processes personal information, the categories of information and data subjects, the recipients thereof, and the security measures employed.
- the procedure that a Requester must follow to make a Request for Access, the forms to complete, and the way a Request for Access will be facilitated by Academy.

4. THE INFORMATION REGULATOR'S PAIA GUIDE

- 4.1 The Regulator has compiled an official PAIA Guide which sets out clearly how to exercise any right contemplated in PAIA or POPIA. The Regulators Guide is available in each of the official languages and in braille.
- 4.2 A copy of the Guide can be obtained: –
- 4.2.1 directly from the Regulator (details below)
 - 4.2.2 upon request from the Information Officer.
 - 4.2.3 downloaded from the website of the Regulator <https://infoeregulator.org.za/paia-guidelines/>
 - 4.2.4 downloaded from the Academy website <https://academybrushware.co.za/terms-and-conditions/>

NOTE: Copies of the Regulators PAIA Guide are available in all the official languages, for public inspection, free of charge, during normal office hours at the reception of the Academy (physical address set out in section 6 below). Should hard copies be required this will be subject to a fee. A request for a hard copy format must be made using FORM 2 -APPENDIX A and in accordance with the procedure as set out in clause 11.

Subsidiary businesses will also have copies in at least two languages at all principal places of business.

Address:	The Information Regulator (South Africa) JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001
Telephone Number:	P.O. Box 31533, Braamfontein, Johannesburg, 2017 +27 (0)10 023 5207 / 010 023 5241/42
E-mail Address:	Complaint's email: PAIAcomplaints@infoeregulator.org.za General enquiries: enquiries@infoeregulator.org.za
Website	https://www.infoeregulator.org.za

5. COMPANY OVERVIEW & SCOPE OF MANUAL

5.1 COMPANY OVERVIEW:

- Academy Brushware was founded in 1953 and has flourished since inception. The company is currently recognised as the top-ranking brush making company in South Africa.
- The company produces a range of products recognised for its high quality over many years of manufacture. We manufacture a wide range of brooms for domestic and industrial purposes, scrubs, as well as all affiliated domestic brushes, mops and rakes. The company also produces and distributes a complete range of painting utensils and tools, from traditional flat type paint brushes, block brushes etc, to a substantial paint roller range offering a wide choice of fabric application for various purposes.

For further information about Academy Brushware, please visit the website:

<https://academybrushware.co.za/>

5.2 SCOPE OF MANUAL:

To ensure that you are referencing the correct PAIA manual information and procedure for a specific business in the Group, please refer to APPENDIX E, alternatively, We invite you to visit the Academy website to access the relevant categories : <https://academybrushware.co.za/> We understand the importance of access to information and seamless communication flow, therefore, while we encourage direct reference to the business's PAIA manual and Information Officer, the Officer will co-ordinate and facilitate any Requests for Access to information.

The Manual is available:

- or downloading, free of charge on the Academy website: <https://academybrushware.co.za/terms-and-conditions/>
- Head Office (physical address set out in section 6 below).
- in hard copy format. Should hard copies be required this will be subject to a fee. A request for a hard copy format must be made using FORM 2 – (APPENDIX A) and per the procedure as set out in clause 10.
- for inspection, free of charge, during normal office hours at the reception of Academy Brushware.

6. THE ACADEMY BRUSHWARE - CONTACT DETAILS

MD/Information Officer	Alison Zweers
Physical Address	38 5 th Avenue, Bredell, Kempton Park, 1619
Postal Address	PO Box 501, Germiston 1400
Telephone Number/Head Office	+27 (0) 11 821 2900
Email Address	popi@academybrush.co.za

7. RECORDS WHICH ARE AUTOMATICALLY AVAILABLE

All information housed under the public areas of the Academy website is automatically available and accessible for downloading, subject to our website disclaimer. No formal Request for Access is required to access this information. The aforesaid automatically available information is available on the Academy website: <https://academybrushware.co.za/>

8. RECORDS HELD BY ACADEMY ARE AVAILABLE ON REQUEST FOR ACCESS

- 8.1 The table sets out a description of the subjects of Records which are held by Academy together with a description of the categories of those Records (Section 51(1) (b) (iv) of PAIA).
- 8.2 Academy is subject to many laws and regulations, some of which require us to keep certain Records. The legislation in terms of which the Records are held is also described in the table below (Section 51(1) (b) (iii) of PAIA) and is not an exhaustive list.
- 8.3 A Requester is required to make a Request for Access to these Records by completing a Request for Access form using FORM 2 under APPENDIX A. All Requests for Access will be evaluated on a case-by-case basis according to the provisions of PAIA. Please note that many of the Records held by Academy are those of third parties, such as clients and employees. Requests for Access to these Records will be carefully considered.

Subjects of Records and Applicable Legislation	Categories of Records
Statutory Company Information <i>COMPANIES ACT No 71 of 2008</i>	- o Incorporation documents - o Memorandum of Incorporation - o Minute books, Resolutions - o Records of all subsidiary companies o - Registers of directors and officers - o Share registers and other statutory registers - o Statutory returns to relevant authorities - o Statutory Records - o Records relating to appointment of directors, auditors, company secretary, public officer and other officers.
Financial and Accounting Records <i>FINANCIAL ADVISORY AND INTERMEDIARY SERVICES ACT 37 of 2002</i> <i>FINANCIAL INTELLIGENCE CENTRE ACT 38 OF 2001 (AS AMENDED)</i> <i>VALUE-ADDED TAX ACT 89 OF 1991</i>	- o Annual Financial Statements - o Accounting Records (inclusive of books of account) - o Administrative Records - o Banking Records - o Internal and external audit reports - o Rental agreements - o Invoices - o Supporting schedules and documentation to books of account - o Lease agreements - o Asset registers - o Sale Agreements - o Intellectual Property records
Tax Records <i>INCOME TAX ACT 58 of 1962</i> <i>VALUE-ADDED TAX ACT 89 OF 1991</i> <i>TAX ADMINISTRATION ACT 28 of 2011</i> <i>INCOME TAX ACT 58 OF 1962</i> <i>TRANSFER DUTY ACT 40 OF 1949</i>	- o Customs and Excise Records - o Income tax returns and other documentation - o PAYE Records - o Regional services council Records - o Skills Development Levies Records - o Stamp Duties Records - o UIF and Workmen's compensation - o Value Added Tax Records
Legal Records <i>TRANSFER DUTY ACT 40 OF 1949</i> <i>PRESCRIPTION ACT 68 OF 1969</i>	- o Documentation pertaining to litigation or arbitration - o General agreements and contracts - o Licenses, permits and authorizations
Insurance Records <i>LONG TERM INSURANCE ACT 52 OF 1998</i> <i>SHORT TERM INSURANCE ACT 53 OF 1998</i>	- o Claims Records - o Details of insurance coverage, limits, and insurers - o Insurance policies

Employee Records <i>EMPLOYMENT EQUITY ACT 55 OF 1998</i> <i>BASIC CONDITIONS OF EMPLOYMENT ACT 75 OF 1997</i> <i>BROAD BASE BLACK ECONOMIC EMPOWERMENT ACT 53 OF 2003</i> <i>OCCUPATION HEALTH AND SAFETY ACT 85 OF 1993</i> <i>PROMOTION OF EQUALITY PREVENTION OF UNFAIR DISCRIMINATION ACT 4 OF 2000</i> <i>SKILLS DEVELOPMENT ACT 97 OF 1998</i> <i>UNEMPLOYMENT INSURANCE ACT 63 OF 2001</i> <i>LABOUR RELATIONS ACT 66 OF 1995</i> <i>PENSION FUND ACT 24 OF 1956</i>	- o Agreements with trade unions - o Arbitration awards - o Attendance registers - o Casual employee Records - o CCMA Records - o Code of conduct - o Company tax submissions in respect of employees - o Confidentiality agreements - o Disciplinary Records and internal evaluations - o Employee personal details - o Employment conditions and policies - o Employment contracts - o Employment equity plan - o Internal correspondence - o Internal Records, policies, and procedures - o Leave Records - o Operating manuals - o Medical aid Records - o Personnel Records provided by personnel - o Records of strikes, lockouts or protest action - o Remuneration and benefits Records - o Restraint of trade agreements - o Retirement and Pension fund Records - o Service Records - o Share option schemes registers - o Share option schemes rules - o Share purchase scheme register - o Share purchase scheme rules - o Training schedules and material
Customer Records / Credit Services / Third Party Records <i>VALUE-ADDED TAX ACT 89 OF 1991</i> <i>ELECTRONIC COMMUNICATIONS ACT 36 OF 2005</i> <i>FINANCIAL INTELLIGENCE CENTRE ACT 38 OF 2001 (AS AMENDED)</i> <i>NATIONAL CREDIT ACT 34 OF 2005</i>	- o Customer contracts - o Credit application forms - o Customer Records - o Debtors with collection agents - o Records of customer details and payment performance listed with credit bureaus - o Sales Records - o Terms and conditions of sale - o Transaction Records - o Code of Conduct - o Supplier contracts - o Terms and conditions for dealing with suppliers - o Transactional Records and supporting information

9. INFORMATION RELATED TO PERSONAL INFORMATION

In terms of POPIA, Academy is required to provide you with a description of the personal information that it processes, the reason therefore, and with whom it may be shared.

The type of personal information that is processed will depend on the purpose for which it is collected.

We will disclose the purpose for the collection and will process the personal information in accordance with that purpose. For further information related to the purpose visit the Internal and External Processing Notice on the Academy Brushware website. <https://academybrushware.co.za/terms-and-conditions/>

9.1 The personal information Academy processes and to whom it belongs:

Below list describes the personal information that Academy Processes and to which broad category of data subject the personal information belongs:

9.1.1 Clients:-

- 9.1.1.1 Natural persons: names; contact details; physical and postal addresses; date of birth; ID number; tax related information; nationality; gender; confidential correspondence.
- 9.1.1.2 Juristic persons / entities / business partners: names of contact persons; name of legal entity; physical and postal address and contact details; financial information; registration number; founding documents; tax related information; authorised signatories; beneficiaries; ultimate beneficial owners
- 9.1.1.3 Foreign persons / entities: names; contact details; physical and postal, financial information addresses; date of birth; passport number tax related information; nationality; gender; confidential correspondence; registration number; founding documents; tax related information; authorised signatories, beneficiaries, ultimate beneficial owners.

9.1.2 Contracted Service Providers/Suppliers/franchisors/franchisees - Names of contact persons; name of legal entity; physical and postal address and contact details; financial information; registration number; founding documents; tax related information; authorised signatories, beneficiaries, banking information.

9.1.3 Intermediaries/Advisor/Banks/Insurers /Agents; Names of contact persons; name of legal entity; physical and postal address and contact details; financial information; registration number; founding documents; tax related information; authorised signatories, beneficiaries, ultimate beneficial owners.

9.1.4 Employees / Directors /Potential Employees/Learners/Interns/Shareholders /Volunteers /Employees' family members/Temporary employees - gender, pregnancy; marital status; race, age, language, education information; financial information; employment history; ID number; next of kin; children's name, gender, age, school, grades; physical and postal address; contact details; opinions, criminal behaviour and/or criminal Records; well-being; trade union membership; external commercial interests; medical information; health Records; images; demographics.

9.1.5 Website end-users/Application end-users: names, electronic identification data: IP address; log-in data, cookies, electronic localization data; cell phone details, GPS data, social media.

9.1.6 Persons who interact with us physically or enter sites, offices, parking areas, manufacturing site, showroom and all facilities of the company or interact via websites / email / correspondence and who provide their personal information.

9.2 Categories of recipients of personal information

We may share personal Information to these recipients:

- 9.2.1 Management.
- 9.2.2 Employees and temporary employees/learnerships/internships/job applicants/agents/bursary applicants/directors.
- 9.2.3 Group entities.
- 9.2.4 Business partners.
- 9.2.5 Advertisers.
- 9.2.6 Customers and clients.
- 9.2.7 Medical Service Providers, insurance companies, pensions and provident funds, wellness, or health providers; banks.
- 9.2.8 Contractors / vendors / suppliers / service providers / operators / franchisors / franchisees.
- 9.2.9 Third party service providers.
- 9.2.10 Cyber third parties service providers / Users / Third parties with whom Academy conducts business.
- 9.2.11 Statutory oversight bodies, regulators or judicial commissions of enquiry making a request for personal information, enforcement agencies; public bodies who we engage with to discharge legal and public duties and or trading obligations including SARS, National treasury, Department of Labour, and the financial sector conduct authorities.
- 9.2.12 Courts, administrative or judicial forum, arbitration, statutory commission, or ombudsman making a request for personal information or discovery in terms of the applicable rules.
- 9.2.13 Anyone making a successful Request for Access in terms of PAIA or POPIA.
- 9.2.14 Subject to the provisions of POPIA and other relevant legislation, Academy may share information about a client's creditworthiness with any credit bureau or credit providers industry association or other association for an industry in which Academy operates.
- 9.2.15 Trading partners, agents, auditors, organs of state, regulatory bodies.

9.3 Cross-border flows of personal information

Academy may from time to time disclose personal information that it processes to overseas subsidiaries or third-party service providers, such as cloud service providers. Personal information will only be transferred to those countries that have similar data privacy laws in place or where the recipient of the personal information is bound contractually to a no lesser set of obligations than those imposed by POPIA and our confidentiality and security requirements.

9.4 Security measures

Considering the nature, scope, context, and purpose of processing, Academy implements appropriate technical and organizational measures to ensure the confidentiality, integrity, and security of personal information against unlawful access, accidental loss, and destruction as prescribed by POPIA.

The security measures include:

- 9.4.1 Firewalls; authentication software; intrusion detection systems; unique user profiles; encryption;
- 9.4.2 Anti - Virus and anti-malware software and update protocols;
- 9.4.3 Logistical and physical access control; alarms systems; biometric access barriers; video monitoring;
- 9.4.4 Secure setup of hardware and software making up our information technology infrastructure; and
- 9.4.5 Outsourced service providers who are contracted to implement security controls.
- 9.4.6 Cyber security incident response plan.

9.5 Objection: (Section 11(3)(a) of POPIA)

POPIA provides that a Data Subject may object to the Processing of personal information, on reasonable grounds unless legislation provides for such Processing. FORM to be used: *APPENDIX C - Objection to the Processing of Personal Information [this is per Regulation 2]*. To be submitted to the Information Officer

at the postal, physical address, or electronic mail address as provided.

9.6 Rectification: (Section 24 of POPIA)

A Data Subject may request correction/deletion of personal information that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading, or obtained unlawfully; or to destroy/delete a Record that Academy is no longer authorized to retain. FORM to be used: *APPENDIX D – Request for correction or deletion of Personal Information or destroying or deletion of Record of personal information [this is per Regulation 3]*. To be submitted to the Information Officer at the postal, physical address, or electronic mail address as provided.

*POPIA provides that a Data Subject may, upon proof of identity, request us to confirm or advise, free of charge, the information we hold about the Data Subject. The Data Subject may request access to such information, including information about the identity of third parties who have or have had access to such information (which latter request may be subject to a fee, see clause 12 below). Such a Request for Access must also be made on FORM 2 attached as APPENDIX A - *Request for Access to Record*.

10. REQUEST FOR ACCESS - PROCEDURE

- 10.1 This section provides the Requester with the procedures to facilitate a Request for Access to a Record held by Academy.

Note that a Request for Access to information can be refused if the Request for Access application does not comply with the procedural requirements of the PAIA Act.

- 10.2 A Request for Access that does not comply will be returned to a Requester for completion as per the required formalities. If the prescribed form used for the Request for Access is not compliant, the 30-day period will only commence upon full compliance.
- 10.3 Furthermore, the successful completion and submission of a Request for Access on the prescribed FORM does not automatically allow the Requester access to the Record.
- 10.4 A Requester will only be entitled to access a Record where the Requester has satisfied the Information Officer that the Record is required to exercise or protect a right.
- 10.5 All communications and notifications will be confirmed in writing.

Note:

If it is suspected that the Requester has obtained access to the Group's records through the submission of materially false or misleading information, legal proceedings may be instituted against such Requester.

10.6 Completion of the Prescribed Form (Section 53 of PAIA)

For Academy to respond to requests promptly, the FORM 2 – APPENDIX A (as per Regulation 7) should be completed, taking due cognizance of the following *Instructions on the Completion of FORMS*:

- 10.6.1 The FORM must be completed the English language.
- 10.6.2 Type or print in BLOCK LETTERS and answer every question.
- 10.6.3 If a question does not apply, state "N/A" or "NIL" in response to that question.
- 10.6.4 If there is nothing to disclose in reply to a particular question state "NIL" in response to that question.
- 10.6.5 In the event of insufficient space in which to answer a question, additional information may be provided on an additional folio, to be attached to the FORM.
- 10.6.6 When using an additional folio, precede each answer thereon with the title applicable to that

- question.
- 10.6.7 A legal form of identity which is certified, must be attached to authenticate identity of the Requester.
 - 10.6.8 THIRD PARTY REQUESTER: In the event of third-party Requester, the person must attach the to the FORM, a certified legal form of identity of the person on whose behalf the request is lodged together with the proof of the capacity in which the third party is acting. In addition, a certified copy of the identity document or other legal form of identity of the third party.
 - 10.6.9 Sufficient information must be provided to enable identification of the Record requested.
 - 10.6.10 The manner and form of access must be indicated.
 - 10.6.11 EXEMPTION: The only exemption to a Requester complying with the procedures herein is in instances when the Requester is not capable of completing the FORM due to illiteracy, disability, or a language barrier. In such an instance the Request for Access may be made orally to the Information Officer. The Information Officer will complete the FORM on behalf of the Requester and provide a copy thereof to the Requester.

11. FEES PRESCRIBED

- 11.1 Upon receipt of a Request for Access, together with the Request Fee, the Information Officer (as per Section 54 of PAIA) will consider the request and will provide the Requester with its decision as per the Notice in the form of FORM 3 - attached as APPENDIX B - *Outcome of Request and Fees Payable*.
- 11.2 If the Request for Access is successful, an Access Fee may be payable, depending on the type of information requested, as described hereunder and APPENDIX B1.
- 11.3 There are two categories of fees payable:
 - 11.3.1 The Request Fee: Currently R140 (excl. VAT) (per Paia Regulation) and may change from time to time. *The request fee is an administration fee that is payable on submission of the Request for Access and must be paid before the Request for Access is considered (unless the request is to access the Requester's personal information in which event there is no fee*). The request fee is not refundable if the Request for Access has been granted. It is refundable if the Request for Access is denied.*
 - 11.3.2 The Access Fee: The access fee is payable prior to the Requester gaining access to the Records in the required form. The access fee is intended to reimburse Academy for the costs involved in reproduction of documents, searching, and preparing the Record requested and for any time reasonably required (more than the prescribed hours) to search and prepare the Record. The current Access Fees are set out in APPENDIX B1 and may change from time to time as set out in the Regulations.
- 11.4 A written estimate/quote will be provided by the Information Officer to the Requester, before providing the services.
- 11.5 Payment details can be obtained from the Information Officer and payment must be made by electronic funds transfer. Proof of payment must be provided.

SEE APPENDIX B1 – *FEES IN RESPECT OF PRIVATE BODIES*.

12. TIMELINES FOR CONSIDERATION OF A REQUEST FOR ACCESS

- 12.1 Upon receipt of a Request for Access, the Information Officer will consult with all relevant Personnel in the Group involved or associated with the Record.

Requests will be processed within 30 (thirty) days unless the request contains considerations that are of such a nature that an extension of the time limit is required.

The Requester will be notified thereof within 30 days of receipt of the Request for Access (section 56 of PAIA).

Should an extension be required, the initial 30 (thirty) days may be extended for a further period of no more than 30 (thirty) days. A Requester will be notified of the reasons explaining why the extension is necessary.

12.2 The following circumstances may affect the 30 days (section 57 of PAIA):

12.2.1 the FORM is not compliant. The 30-day period will only commence upon full compliance.

12.2.2 the 30-day period may be extended, with the Requester's permission or in the sole discretion of the Information Officer, for a period of not more than 30- days, in the event of the following:

12.2.2.1 the Request for Access is for a large volume of Records, or it requires a search through a large volume of Records;

12.2.2.2 if the Records are stored off-site and or not kept at the offices of the company or in the same city or town as the head office;

12.2.2.3 consultation with third parties is necessary and such cannot be completed within a 30-day period;

12.2.2.4 if the Record to which access is requested holds information about a third party.

12.2.3 THIRD PARTIES: Should the Request for Access affect a third party, then such third party must first be informed within 21 (twenty-one) days of receipt of the Request for Access. The third party would then have a further 21 (twenty-one) days to make representations and/or submissions about the granting of access to the Record. In the event the request is denied by the third party, Academy cannot be held responsible.

12.3 Decision on Request:

If no extension period or access fee deposit is needed the Requester will be notified by the Information Officer within the required period of the decision on their Request for Access.

If the Request for Access to a Record is successful, the Requester will be notified of the following:

12.3.1 The amount of the access fee payable upon gaining access to the Record (if any);

12.3.2 An indication of the form in which the access will be granted;

If the Request for Access to a Record is not successful, the Requester will be notified and given adequate reasons for the refusal (refer to the Grounds for Refusal below).

The Information Officer will in addition inform the Requester of their right to lodge a complaint with the Regulator or an application with a court against the decision.

13. GROUNDS FOR REFUSAL OF ACCESS AND PROTECTION OF INFORMATION

There are various grounds upon which a Request for Access to a Record may be refused. These grounds are set out in Chapter 4 of Part 3 of PAIA and include:

- 13.1 the protection of personal information of a third person (who is a natural person) from unreasonable disclosure;
- 13.2 the protection of commercial information of a third party (for example: trade secrets; financial, commercial, scientific, or technical information that may harm the commercial or financial interests of a third party);
- 13.2. if disclosure would result in the breach of a duty of confidence owed to a third party;
- 13.3 if disclosure would jeopardise the safety of an individual or prejudice or impair certain property rights of a third person;
- 13.4 if the Record was produced during legal proceedings, unless that legal privilege has been waived;

- 13.5 if the Record holds trade secrets, financial or sensitive information or any information that would put us at a disadvantage in negotiations or prejudice it in commercial competition; and/or
- 13.6 if the Record holds information about research being carried out or about to be carried out on behalf of a third party or by the Group company.
- 13.7 if all reasonable steps have been taken by Academy to find the Record requested by the Requester and the same cannot be found for reasons justifiable as per section 55 of PAIA, the Information Officer shall provide an affidavit or affirmation to the Requester advising that it is not possible to give access to the Record requested. The affidavit or affirmation will follow the requirements of section 55(2) of PAIA. In the event the Record is later found, Academy undertakes to contact the Requester to gain access to the same, after the payment of the applicable access fee.

14. REMEDIES AVAILABLE TO A REQUESTER

There is no internal right of appeal against the decision of the Information Officer.

The decision of the Information Officer is final, and a Requester or a third party will have to exercise external remedies.

The external remedies are in terms of section 56(3) © and 78 of PAIA where the Requester can lodge a complaint with the Regulator or apply to court for relief, within 180 days of notification of the decision.

APPENDICES (FORMS)

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FORM 2

REQUEST FOR ACCESS TO RECORD

[Regulation 7]

NOTE:

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

TO: The Information Officer

(Address)

E-mail address:

Fax number:

Mark with an "X"

☐ Request is made in my own name. ☐ Request is made on behalf of another person.

PERSONAL INFORMATION				
Full Names				
Identity Number				
Capacity in which request is made (when made on behalf of another person)				
Postal Address				
Street Address				
E-mail Address				
Contact Numbers	Tel. (B):		Facsimile:	
	Cellular:			

Full names of person on whose behalf request is made (if applicable)				
Identity Number				
Postal Address				
Street Address				
E-mail Address				
Contact Numbers	Tel. (B):		Facsimile:	
	Cellular:			
PARTICULARS OF RECORD REQUESTED <i>Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i>				
Description of record or relevant part of the record:				
Reference number, if available				
Any further particulars of record				

TYPE OF RECORD <i>(Mark the applicable box with an "X")</i>	
Record is in written or printed form	
Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	
Record consists of recorded words or information which can be reproduced in sound	
Record is held on a computer or in an electronic, or machine-readable form	

FORM OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Printed copy of record (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)	
Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)	
Transcription of soundtrack (written or printed document)	
Copy of record on flash drive (including virtual images and soundtracks)	
Copy of record on compact disc drive (including virtual images and soundtracks)	
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 (including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)	
Postal services to postal address	
Postal services to street address	
Courier service to street address	

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

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED	
If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.	
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) A request fee must be paid before the request will be considered. b) You will be notified of the amount of the access fee to be paid. c) The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record. d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.	
Reason	

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

Postal Address	Facsimile	Electronic communication (Please specify)

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

<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

FORM 3
OUTCOME OF REQUEST AND OF FEES PAYABLE

[Regulation 8]

Note:

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

Reference number:

TO:

Your request dated , refers.

1. You requested:

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

2. You requested:

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

3. To be submitted:

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

Kindly note that your request has been:

☐ Approved

☐ Denied, for the following reasons:

4. **Fees payable** with regards to your request:

Item	Cost per A4-size page or part thereof / item	Number of pages / items	Total
Photocopy	R2.00		
Printed copy	R2.00		
For a copy in a computer-readable form on: (i) Flash drive • To be provided by requester (ii) Compact disc • If provided by requester • If provided to the requester	R40.00 R40.00 R60.00		
For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on quotation from service provider.		
Copy of visual images			
Transcription of an audio record, per A4-size	R24.00		
Copy of an audio record (i) Flash drive • To be provided by requester (ii) Compact disc • If provided by requester • If provided to the requester	R40.00 R40.00 R60.00		
Postage, e-mail or any other electronic transfer:	Actual costs		
TOTAL:			

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

☐ Yes

☐ No

Hours of search		Amount of deposit (calculated on one third of total amount per request)	
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The amount must be paid into the following Bank account:

Name of Bank:

Name of account holder:

Type of account:

Account number:

Branch Code:

Reference Nr:

Submit proof of payment to:

Signed at _____ this _____ day of _____ 20 _____

Signature Information officer

FEES

In respect of Private Bodies

Item	Description	Amount
1.	The request fee payable by every Requester	R140.00
2.	Photocopy / printed black & white copy of A4 size page	R2.00 per page or part thereof
3.	Printed copy of A4 size page	R2.00 per page or part thereof
4.	For a copy in a computer-readable form on: - (iii) Flash drive (to be provided by Requester) (iv) Compact disc • If provided by Requester • If provided to the 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 an audio record on: (v) Flash drive (to be provided by Requester) (vi) Compact Disk • If provided by Requester • If provided to the 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 items 2 to 8.
11.	Postage, e-mail or any other electronic transfer	Actual expense, if any.

**OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF SECTION 11(3) OF THE
PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)**

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018

[Regulation 2]

Note:

1. *Affidavits or other documentary evidence applicable in support of the objection may be attached.*
2. *If the space provided for in this FORM is inadequate, submit information as an Annexure to this FORM and sign each page.*
3. *Complete as is applicable.*

A	DETAILS OF DATA SUBJECT
Name(s) and surname / registered name of data subject:	
Unique Identifier / Identity Number:	
Residential, postal or business address:	Code ()
Contact number(s):	
Fax number / E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname / Registered name of responsible party:	
Residential, postal or business address:	Code ()
Contact number(s):	
Fax number / E-mail address:	
C	REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) TO (f) <i>(Please provide detailed reasons for the objection)</i>

Signed at on this day of 20

.....
Signature of data subject / designated person

**REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR DELETION
OF RECORD OF PERSONAL INFORMATION IN TERMS OF SECTION 24(1) OF THE PROTECTION OF
PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)**

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018

[Regulation 3]

Note:

1. *Affidavits or other documentary evidence applicable in support of the objection may be attached.*
2. *If the space provided for in this FORM is inadequate, submit information as an Annexure to this FORM and sign each page.*
3. *Complete as is applicable.*

Mark the appropriate box with an "x".

Request for:

- ☐ **Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.**
- ☐ **Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorized to retain the record of information.**

A	DETAILS OF DATA SUBJECT
Name(s) and surname / registered name of data subject:	
Unique Identifier / Identity Number:	
Residential, postal or business address:	Code (_____)
Contact number(s):	
Fax number / E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname / Registered name of responsible party:	
Residential, postal or business address:	Code (_____)
Contact number(s):	
Fax number / E-mail address:	
C	INFORMATION TO BE CORRECTED / DELETED / DESTROYED

D	REASONS FOR *CORRECTIONS OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(a) WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY; and or REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)b) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN <i>(Please provide detailed reasons for the request)</i>

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

.....
Signature of data subject / designated person

