



Chartered Group of Companies

**Prepared in terms of section 51 of the
Promotion of Access to Information
Act 2 of 2000 (as amended)**

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Policy Owner	Joanie van den Heever
Responsible Business Unit	Compliance

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Introduction

The Chartered group of companies consists of the following Authorised Financial Services providers and private companies: Chartered Wealth Solutions (Pty) Ltd (FSP No.: 13909), Chartered Wealth Solutions (EC) (Pty) Ltd (FSP No.: 12985), Chartered Financial Planning (Pty) Ltd (FSP No.:38005), WealthStrat (Pty) Ltd (FSP No.: 44865), Point Capital Management (Pty) Ltd (FSP No.: 44708), Chartered Employee Benefits (Pty) Ltd (FSP No.: 24323), Chartered Wealth Solutions (Durban) (Pty) Ltd (FSP No.: 3814), Chartered Wealth Solutions WC (Pty) Ltd, Chartered Legacy and Trust (Pty) Ltd, Chartered Tax (Pty) Ltd, Chartered Management Services (Pty) Ltd, Chartered Wealth Holdings (Pty) Ltd, Chartered Group (Pty) Ltd, and Chartered Acres (Pty) Ltd ("Chartered"). Chartered offers a wide array of services, including financial planning, financial advice, asset management, employee benefit consulting, tax advice, will drafting, and administration of estates and trusts.

PAIA grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. Where a public body lodges a request, the public body must be acting in public interest.

Requests in terms of PAIA shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariffs are dealt with in paragraphs 6 and 7 of PAIA.

Requesters are referred to the Guide in terms of Section 10 of PAIA which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.

The contact details for the Commission are:

Website:	www.sahrc.org.za
Telephone Number:	+27(0) 11 877 3750 / +27(0) 11 877 3751
Physical Address:	Sentinel House, Sunnyside Office Park, 32 Princess of Wales Terrace, Parktown, Johannesburg, South Africa, 2001

Definitions

“Chartered”	- Chartered Wealth Solutions (Pty) Ltd (FSP No.: 13909), Chartered Wealth Solutions (EC) (Pty) Ltd (FSP No.: 12985), Chartered Financial Planning (Pty) Ltd (FSP No.:38005), WealthStrat (Pty) Ltd (FSP No.: 44865), Point Capital Management (Pty) Ltd (FSP No.: 44708), Chartered Employee Benefits (Pty) Ltd (FSP No.: 24323), Chartered Wealth Solutions (Durban) (Pty) Ltd (FSP No.: 3814), Chartered Wealth Solutions WC (Pty) Ltd, Chartered Legacy and Trust (Pty) Ltd, Chartered Tax (Pty) Ltd, Chartered Management Services (Pty) Ltd, Chartered Wealth Holdings (Pty) Ltd, Chartered Group (Pty) Ltd, and Chartered Acres (Pty) Ltd.
“CEO”	- Means Chief Executive Officer.
“DIO”	- Means Deputy Information Officer.
“IO”	- Means Information Officer.
“Minister”	- Means Minister of Justice and Correctional Services.
“PAIA”	- Means the Promotion of Access to Information Act, No. 2 of 2000 (as Amended).
“POPIA”	- Means the Protection of Personal Information Act, No.4 of 2013.
“Regulator”	- Means the Information Regulator.
“Republic”	- Means the Republic of South Africa.

Purpose of the PAIA Manual

This PAIA Manual is useful for the public to:

- check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- have a sufficient understanding of how to make a request for access to a record of the body, by providing a description of the subjects on which the body holds records, and the categories of records held on each subject;
- know the description of the records of the body which are available in accordance with any other legislation;

- access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;
- know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- know if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- know the description of the categories of data subjects and of the information or categories of information relating thereto;
- know the recipients or categories of recipients to whom the personal information may be supplied;
- know if the body has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

Key Contact Details for Access to Information

Chartered Company	Information Officer	Contact details
Chartered Wealth Solutions	John Campbell	john@charteredwealth.co.za
	Joanie van den Heever (DIO)	joanie@charteredwealth.co.za
Chartered Wealth Solutions (EC)	Donovan Adams	donovan@charteredwealth.co.za
Chartered Wealth Solutions (WC)	Tom Brukman	tom@charteredwealth.co.za
Chartered Financial Planning	Caroline Adams	caroline@charteredwealth.co.za
Chartered Employee Benefits	Trevor Taylor	trevor@charteredeb.co.za
WealthStrat	Barclay Hoar	barclay@charteredwealth.co.za
Point Capital Management	Victoria Reuvers	victoria@wealthstrat.co.za
Chartered Tax	John Campbell	john@charteredwealth.co.za

Chartered Acres	Kim Potgieter	kim@charteredwealth.co.za
Chartered Legacy and Trust	Kerryn Franck	kerryn@charteredlegacy.co.za
Chartered Wealth Solutions (Durban)	Jason Appel	jason@charteredwealth.co.za

Head office information:

Chartered Wealth Solutions
2 North Road
Dunkeld West
Johannesburg
2196

E-Mail: Compliance@charteredwealth.co.za

Tel: +27(0) 11 502 2800

Guide On How to Use Paia and How to Obtain Access to the Guide

1. The Regulator has, in terms of section 10(1) 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.
2. The Guide is available in each of the official languages and in braille.
3. The aforesaid Guide contains the description of:
 - 3.1. the objects of PAIA and POPIA;
 - 3.2. the postal and street address, phone and fax number and, if available, electronic mail address of:
 - 3.2.1. the Information Officer of every public body, and
 - 3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA and section 56 of POPIA;
 - 3.3. the manner and form of a request for-
 - 3.3.1. access to a record of a public body contemplated in section 11; and
 - 3.3.2. access to a record of a private body contemplated in section 50;
 - 3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;
 - 3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
 - 3.6. 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:

- 3.6.1. an internal appeal;
 - 3.6.2. a complaint to the Regulator; and
 - 3.6.3. 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 Regulator or a decision of the head of a private body;
 - 3.7. the provisions of sections 14 and 51 requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
 - 3.8. the provisions of sections 15 and 52 providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
 - 3.9. the notices issued in terms of sections 22 and 54 regarding fees to be paid in relation to requests for access; and
 - 3.10. the regulations made in terms of section 92.
4. Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.
 5. The Guide can also be obtained:
 - 5.1. upon request to the Information Officer;
 - 5.2. from the website of the Regulator (<https://www.justice.gov.za/infoereg/>).

Records Available in Accordance with Legislation

<u>No</u>	<u>Act</u>	<u>Ref</u>
1	Companies Act	No 71 of 2008
2	Employment Equity Act	No 55 of 1998
3	Labour Relations Act	No 66 of 1995
4	Value Added Tax Act	No 89 of 1991
5	Trademarks Act	No 194 of 1993
6	Basic Conditions of Employment Act	No 75 of 1997
7	Unemployment Insurance Act	No 63 of 2001
8	Compensation for Occupational Injuries and Health Diseases Act	No 130 of 1993
9	Occupational Health & Safety Act	No 85 of 1993
10	Skills Development Act	No 97 of 1998

11	Financial Advisory and Intermediary Services Act (FAIS)	No 37 of 2002
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Records Available on Request

<u>Records</u>	<u>Subject</u>
Companies Act Records	• Memorandum of Incorporation • Minutes of meetings of the Board of Directors • Minutes of Shareholders meetings • Records relating to the appointment of directors / auditors / secretary / public officer and other officers • Share register and other statutory registers
Financial Records	• Annual Financial Statements • Financial and Tax Records • Tax Returns • Accounting Records • Banking Records • Asset Register • Rental Agreements • Invoices • PAYE records • Documents issued to employees for incometax purposes • All other statutory compliances: ◦ VAT ◦ Regional Services Levies ◦ Skills Development Levies ◦ UIF ◦ Workmen's Compensation
Labour Relations Records	• Employment contracts • Employment Equity Plan • Medical Aid records • Pension Fund records • Disciplinary records

	• Salary records • SETA records • Disciplinary code • Leave records • Training records • Training manuals
FAIS Act Records	• Record of Advice • FAIS disclosure document • Engagement agreement • CPD hours register • Representative Register

Form of Request

To facilitate the processing of your request, kindly:

1. Use the prescribed form, available on the website of the South African Human Rights Commission at www.sahrc.org.za.
2. Address your request to the Head of the Company (CEO). Provide sufficient details to enable the COMPANY to identify:
 - a. The record(s) requested;
 - b. The requester (and if an agent is lodging the request, proof of capacity);
 - c. The form of access required;
 - d. The postal address or fax number of the requester in the Republic;
 - e. If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;
 - f. The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

Prescribed Fees

The following applies to requests (other than personal requests):

- A requestor is required to pay the prescribed fees (R50.00) before a request will be processed;
- If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted); A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- Records may be withheld until the fees have been paid.
- The fee structure is available on the website of the South African Human Rights Commission at www.sahrc.org.za.

Availability of the Manual

A copy of the Manual is available-

- On [Planning with Purpose | Chartered Wealth Solutions Chartered Employee Benefits - Bridging the Gap \(charteredeb.co.za\)](http://chartereddeb.co.za) and [WealthStrat – One accessible solution to a diverse range of outcomes](#);
- Chartered Wealth Solutions' head office (address above) for public inspection during normal business hours;
- to any person upon request and upon the payment of a reasonable prescribed fee; and
- to the Information Regulator upon request.

A fee for a copy of the Manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made.

Updating of the Manual

The Compliance Officer of Chartered Wealth Solutions will update this manual on a regular basis.

TO: _____

The Information Regulator "was requested to conduct an assessment/ has on its own initiative decided to conduct an assessment, in terms of section 77H of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000), and has, after taking all the relevant information into consideration, formed the undermentioned views:

IEWS OF INFORMATION REGULATOR

☐ The Information Regulator hereby wishes to confirm that it wishes to take no further action in this regard.

☐ The Information Regulator hereby wishes to confirm that it wishes to take the following action in this regard:

Signed at _____ this _____ day of _____ 20____ _

 Information Regulator

ANNEXURE B FEES

Fees in Respect of Public Bodies

Item	Description	Amount
1.	The request fee payable by every requester	R100.00
2.	Photocopy of A4-size page	R1.50 per page or part thereof.
3.	Printed copy of A4-size page	R1.50 per page or part thereof.
4.	For a copy in a computer-readable form on:	
	(i) Flash drive (to be provided by requestor)	R40.00
	(ii) Compact disc	
	• If provided by requestor	R40.00
	• If provided to the requestor	R60.00
5.	For a transcription of visual images	Service to be outsourced. Will depend on quotation from Service provider.
6.	Copy of visual images	R24.00
7.	Transcription of an audio record, per A4-size page	
8.	Copy of an audio record on:	

Item	Description	Amount
	(i) Flash drive (to be provided by requestor)	R40.00
	(ii) Compact disc	R40.00
	• If provided by requestor	R60.00
	• If provided to the requestor	
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	R100.00 R300.00
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.

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 requestor)	R40.00
	(iv) Compact disc	R40.00
	• If provided by requestor	R60.00
	• If provided to the requestor	
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 requestor)	R40.00
	(vi) Compact disc	R40.00
	• If provided by requestor	R60.00
	• If provided to the requestor	
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.

FORM 1

REQUEST FOR A COPY OF THE GUIDE

[Regulations 3]

TO: The Information Officer

I,

Full names:	ef		
In my capacity as (mark with "x"):	Information officer		Other
Name of *public/private body (<i>if applicable</i>)			
Postal Address:			
Street Address:			
E-mail Address:			
Facsimile:			
Contact numbers:	Tel.(B):		Cellular:

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

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

Manner of collection (*mark with "x"*):

Personal collection	Postal address	Facsimile	Electronic communication (Please specify)

Signed at _____ this _____ day of _____ 20 _____

Signature of requester

FORM 2

REQUEST FOR ACCESS TO RECORD

[Regulation 7]

NOTE:

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

TO: The Information Officer

(Address)

E-mail address:

--

Fax number:

--

Mark with an "X"

☐

Request is made in my own name

☐

Request is made on behalf of another person.

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

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

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

Signature of Information Officer

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

Note:

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

Reference number: _____

TO: _____

Your request dated _____, refers.

1. You requested:

Personal inspection of information at registered address of public/private body (<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>) 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 (<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 information on flash drive (<i>including virtual images and soundtracks</i>)	
Copy of information on compact disc drive(<i>including virtual images and soundtracks</i>)	
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 (<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>)	

Kindly note that your request has been:

☐

Approved

☐

Denied, for the following reasons:

--

--

4. Fees payable with regards to your request:

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

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

☐

Yes

☐

No

Hours of search	Amount of deposit (calculated on one third of total amount per request)

The amount must be paid into the following Bank account:

Name of Bank: _____
 Name of account holder: _____
 Type of account: _____
 Account number: _____
 Branch Code: _____
 Reference Nr: _____
 Submit proof of payment to: _____

Signed at _____ this _____ day of _____ 20 _____

 Information officer

INTERNAL APPEAL FORM

FORM 4

[Regulation 9]

Reference Number:

PARTICULARS OF PUBLIC BODY				
Name of Public Body				
Name and Surname of Information Officer:				
PARTICULARS OF COMPLAINANT WHO LODGES THE INTERNAL APPEAL				
Full Names				
Identity Number				
Postal Address				
Contact Numbers	Tel. (B)		Facsimile	
	Cellular			
E-Mail Address				
Is the internal appeal lodged on behalf of another person?		Yes	☐	No ☐
If answer is "yes", capacity in which an internal appeal on behalf of another person is lodged: <i>(Proof of the capacity in which appeal is lodged, if applicable, must be attached.)</i>				
PARTICULARS OF PERSON ON WHOSE BEHALF THE INTERNAL APPEAL IS LODGED <i>(If lodged by a third party)</i>				
Full Names				
Identity Number				
Postal Address				
Contact Numbers	Tel. (B)		Facsimile	
	Cellular			
E-Mail Address				

DECISION AGAINST WHICH THE INTERNAL APPEAL IS LODGED <i>(mark the appropriate box with an "X")</i>	
Refusal of request for access	
Decision regarding fees prescribed in terms of section 22 of the Act	
Decision regarding the extension of the period within which the request must be dealt with in terms of section 26(1) of the Act	
Decision in terms of section 29(3) of the Act to refuse access in the form requested by the requester	
Decision to grant request for access	
GROUND FOR APPEAL <i>(If the provided space is inadequate, please continue on a separate page and attach it to this form. all the additional pages must be signed)</i>	
State the grounds on which the internal appeal is based:	
State any other information that may be relevant in considering the appeal:	

You will be notified in writing of the decision on your internal appeal. Please indicate your preferred manner of notification:

Postal address	Facsimile	Electronic communication <i>(Please specify)</i>

Signed at _____ this _____ day of _____ 20 _____

Signature of Appellant/Third party

FOR OFFICIAL USE

OFFICIAL RECORD OF INTERNAL APPEAL

Appeal received by: <i>(state rank, name and surname of Information Officer)</i>				
Date received:				
Appeal accompanied by the reasons for the information officer's decision and, where applicable, the particulars of any third party to whom or which the record relates, submitted by the information officer:			Yes	☐
			No	☐
OUTCOME OF APPEAL				
Refusal of request for access. Confirmed?	Yes	☐	New decision <i>(if not confirmed)</i>	
	No	☐		
Fees (Sec 22). Confirmed?	Yes	☐	New decision <i>(if not confirmed)</i>	
	No	☐		
Extension (Sec 26(1)). Confirmed?	Yes	☐	New decision <i>(if not confirmed)</i>	
	No	☐		
Access (Sec 29(3)). Confirmed?	Yes	☐	New decision <i>(if not confirmed)</i>	
	No	☐		
Request for access granted. Confirmed?	Yes	☐	New decision <i>(if not confirmed)</i>	
	No	☐		

Signed at _____ this _____ day of _____ 20 _____

Relevant Authority



INFORMATION REGULATOR (SOUTH AFRICA)

Ensuring protection of your personal information
and effective access to information

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

Email: PAIAComplaints@infoRegulator.org.za

COMPLAINT FORM

FORM 5

[Regulation 10]

NOTE:

1. This form is designed to assist the Requester or Third Party (hereinafter referred to as "the Complainant") in requesting a review of a Public or Private Body's response or non-response to a request for access to records under the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) ("PAIA"). Please fill out this form and send it to the following email address: PAIAComplaints@infoRegulator.org.za or complete online complaint form available at <https://www.justice.gov.za/infoegl>.
2. PAIA gives a member of the public a right to file a complaint with the Information Regulator about any of the nature of complaints detailed in part F of this complaint form.
3. It is the policy of the Information Regulator to defer investigating or to reject a complaint if the Complainant has not first given the public or private body (herein after referred to as "the Body") an opportunity to respond to and attempt to resolve the issue. To help the Body address your concerns prior to approaching the Information Regulator, you are required to complete the prescribed **PAIA Form 2** and submit it to the Body.
4. A copy of this Form will be provided to the Body that is the subject of your complaint. The information you provide on this form, attached to this form or that you supply later, will only be used to attempt to resolve your dispute, unless otherwise stated herein.
5. The Information Regulator will only accept your complaint once you confirm having complied with the prerequisites below.
6. **Please attach copies of the following documents, if you have them:**
 - a. Copy of the form to the Body requesting access to records;
 - b. The Body's response to your complaint or access request;
 - c. Any other correspondence between you and the Body regarding your request;
 - d. Copy of the appeal form, if your complaint relate to a public body;
 - e. The Body's response to your appeal;
 - f. Any other correspondence between you and the Body regarding your appeal;
 - g. Documentation authorizing you to act on behalf of another person (if applicable);
 - h. Court Order or Court documents relevant to your complaint, if any.
7. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.

CAPACITY OF PERSON/PARTY LODGING A COMPLAINT

(Mark with an "X")

☐

Complainant Personally

☐

Representative of Complainant

☐

Third Party

PREREQUISITES

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

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

Postal address	Facsimile	Other electronic communication (Please specify)

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

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

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

Contact Numbers	Tel. (B):		Facsimile	
	Cellular			
PART D				
BODY AGAINST WHICH THE COMPLAINT IS LODGED				
Type of body	Private		Public	
Name of public / private body				
Registration number (if any)				
Name, surname and title of person you dealt with at the public or private body to try to resolve your complaint or request for access to information				
Postal Address				
Street Address				
E-mail Address				
Contact Numbers	Tel. (B):		Facsimile	
	Cellular			
Reference Number given (if any)				
PART E				
COMPLAINT				
<i>Tell us about the steps you have taken to try to resolve your complaint (Complaints should first be submitted directly to the public or private body for response and possible resolution)</i>				
Date on which request for access to records submitted.				
Please specify the nature of the right(s) to be exercised or protected, if a complaint is against a private body.				
Have you attempted to resolve the matter with the organisation?	Yes		No	
If yes, when did you receive it? (Please attach the letter to this application.)				
Did you appeal against a decision of the information officer of the public body?	Yes		No	
If yes, when did you lodge an appeal?				
Have you applied to Court for appropriate relief regarding this matter?	Yes		No	
If yes, please indicate when was the matter adjudicated by the Court? Please attach Court Order, if there is any.				
PART F				
DETAILED TYPE OF ACCESS TO RECORDS				
<i>(Please select one or more of the following to describe your complaint to the Information Regulator)</i>				
Unsuccessful appeal (Section 77A(2)(a) or section 77A(3)(a) of PAIA)	I have appealed against the decision of the public body and the appeal is unsuccessful.			
Unsuccessful application for condonation (Sections 77A(2)(b) and 75(2) of PAIA)	I filed my appeal against the decision of the public body late and applied for condonation. The condonation application was dismissed.			

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

The legal basis for the following agreements is explained in the Privacy Notice on how to file your complaint document. In order for the Information Regulator to process your complaint, you need to check each one of the checkboxes below to show your agreement:

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I agree that the Information Regulator may use the information provided in my complaint to assist it in researching issues relating to the promotion of the right of access to information as well as the protection of the right to privacy in South Africa. I understand that the Information Regulator will never include my personal or other identifying information in any public report, and that my personal information is still protected by the Protection of Personal Information Act, 2013 (Act No. 4 of 2013). I understand that if I do not agree, the Information Regulator will still process my complaint.

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The information in this Complaint Form is true to the best of my knowledge and belief.

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I authorize the Information Regulator to collect my personal complaint information (such as the information about me in this complaint form) and use it to process my human rights complaint relating to the right of access to information and / or the protection of the right to privacy.

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I authorise anyone (such as an employer, service provider, witness) who has information needed to process my complaint to share it with the Information Regulator. The Information Regulator can obtain this information by talking to witnesses or asking for written records. Depending on the nature of the complaint, these records could include personnel files or employer data, medical or hospital records, and financial or taxpayer information.

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If any of my contact information changes during the complaint process, it is my responsibility to inform the Information Regulator; otherwise my complaint could experience a delay or even be closed.

Signed at _____ this _____ day of _____ 20 _____

Complainant/Representative/Authorised person of Third party