



PROMOTION OF ACCESS TO INFORMATION ACT MANUAL FOR BOWMAN GILFILLAN INC.

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1. INTRODUCTION

- 1.1 Bowman Gilfillan Inc. is a law firm which conducts business as attorneys, notaries, conveyancers, and is involved in the provision of a range of legal services. We are a member of the Bowmans Group, which is an international legal practice comprising B & M Legal Practitioners (Zambia), Bowmans (Mauritius) Limited; Bowman Gilfillan Incorporated (South Africa), Bowmans Tanzania Limited, Coulson Harney LLP (Kenya) and Hope & Partners (Namibia). All six firms trade under the 'Bowmans' brand name, while still retaining their legal identities. Bowman Gilfillan Incorporated has offices in Cape Town, Durban, Sandton and Stellenbosch.
- 1.2 This Manual has been compiled in accordance with the requirements of the Promotion of Access to Information Act, Act No. 2 of 2000 (**PAIA**), read with the relevant sections of the Protection of Personal Information Act, Act No. 4 of 2013 (**POPIA**). Our Firm is a private body as defined in PAIA, and this manual contains the information specified in section 51 (1) of PAIA, which is applicable to such a private body.
- 1.3 A copy of the Manual will be made available to the Information Regulator, upon request, and any controlling body of which the Firm is a member, if required, and will be published on the Firm's website.
- 1.4 This Manual will be updated on a regular basis in accordance with the requirements of section 51(2) of PAIA.

2. DEFINITIONS

- 2.1 For the purposes of this Policy:
- 2.1.1 **BG / the Firm** means Bowman Gilfillan Incorporated;
- 2.1.2 **Client** means a natural or juristic person who or which receives services from Bowman Gilfillan;
- 2.1.3 **Employee** means any person who works for or provides services to or on behalf of the Firm, and receives or is entitled to receive remuneration;
- 2.1.4 **Guide** means the guide originally published by the SAHRC and updated by the Information Regulator in terms of section 10 of the Act;
- 2.1.5 **PAIA** means the Promotion of Access to Information Act, Act No. 2 of 2000 as amended from time to time, including the regulations promulgated in terms of the Act;
- 2.1.6 **POPIA** means the Protection of Personal Information Act, Act No. 4 of 2013;
- 2.1.7 **Requester** means any person or entity requesting access to a record that is under the control of the Firm;
- 2.1.8 **SAHRC** means the South African Human Rights Commission;
- 2.1.9 **Manual** means this manual which is published in accordance with section 51 of PAIA;

2.1.10 **Minister** means the Cabinet member responsible for the administration of justice, presently the Minister of Justice and Constitutional Development.

3. **AIM**

To facilitate requests for access to records of the Firm as provided for in PAIA.

4. **CONTACT DETAILS**

Mr Neil Van Vuuren is the duly appointed head of the Firm for the purposes of PAIA as well as the Firm's Information Officer for purposes of POPIA and is the person to whom requests for access to records should be addressed. His contact details are as follows:

Physical address:

Bowman Gilfillan
11 Alice Lane
Sandton
Johannesburg

Postal address:

P.O. Box 785812
Sandton
2146
Telephone: (011) 669 9241
Telefax: (011) 669-9001
Email: informationofficer@bowmanslaw.com
neil.vanvuuren@bowmanslaw.com

Mr Shaynel Praful Joshi is the duly appointed deputy information officer of the Firm for the purposes of PAIA for purposes of POPIA and is the person to whom requests for access to records can additionally be addressed to. His contact details are as follows:

Physical address

Bowman Gilfillan
11 Alice Lane
Sandton
Johannesburg

Postal address:

P.O. Box 785812
Sandton
2146
Telephone: (011) 669 9285
Telefax: (011) 669-9000
Email: deputyinformationofficer@bowmanslaw.com
shaynel.joshi@bowmanslaw.com/

5. **GUIDE ON HOW TO USE PAIA**

5.1 PAIA grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request for information from the Firm, the public body must be acting in the public interest. Requests in terms of PAIA shall be made in accordance with the prescribed procedures, at the rates provided.

- 5.2 The Regulator has, in terms of section 10(1) of PAIA, updated and made available the revised guide on how to use PAIA (the **Guide**), in an easily and comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.
- 5.3 The Guide is available in each of the official languages and in braille.
- 5.4 The Guide contains a description of –
- 5.4.1 the objects of PAIA and POPIA;
 - 5.4.2 the postal and street address, phone and fax number and, if available, electronic mail address of-
 - 5.4.2.1 the information officer of every public body, and
 - 5.4.2.2 every deputy information officer of every public and private body designated in terms of section 17(1) of PAIA and section 56 of POPIA;
 - 5.4.3 the manner and form of a request for-
 - 5.4.3.1 access to a record of a public body contemplated in section 11 of PAIA; and
 - 5.4.3.2 access to a record of a private body contemplated in section 50 of PAIA;
 - 5.4.4 the assistance available from the information officer of a public body in terms of PAIA and POPIA;
 - 5.4.5 the assistance available from the Regulator in terms of PAIA and POPIA;
 - 5.4.6 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-
 - 5.4.6.1 an internal appeal;
 - 5.4.6.2 a complaint to the Regulator; and
 - 5.4.6.3 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;
 - 5.4.7 the provisions of sections 14 and 51 of PAIA requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
 - 5.4.8 the provisions of sections 15 and 52 of PAIA providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
 - 5.4.9 the notices issued in terms of sections 22 and 54 of PAIA regarding fees to be paid in relation to requests for access; and

- 5.4.10 the regulations made in terms of section 92 of PAIA.
- 5.5 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.
- 5.6 A copy of the Guide is available in the following four official languages, for public inspection during normal office hours at the Firm's head office in Sandton.
- 5.6.1 English, Afrikaans, Isizulu and Sesotho
- 5.7 The Guide can also be obtained-
- 5.7.1 upon request to the Information Officer of the Firm;
- 5.7.2 from the website of the Regulator (<https://info regulator.org.za/>).
- 5.8 The contact details for the Information Regulator are (at present) as follows:

The Information Regulator (South Africa)

JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001

Postal Address: P.O Box 31533, Braamfontein, Johannesburg, 2017

Telephone number: +27 (0)10 023-5200 / +27 (0)82 746-4173

Website: <https://info regulator.org.za/>

E-mail: enquiries@info regulator.org.za / PAIAComplaints@info regulator.org.za

6. RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION

- 6.1 The Firm holds details of its own registration, together with its financial statements, information pertaining to its directors and shareholders and other corporate information required to be retained in terms of the Companies Act, 2008.
- 6.2 It holds information relating to its tax affairs in terms of the Income Tax Act, 1962 (the **ITA**), the Tax Administration Act, 2011, the Value Added Tax Act, 1991 as well as the Unemployment Insurance Contributions Act, 2002 and the Skills Development Levies Act, 1999.
- 6.3 The Firm holds information pertaining to its employees as required in terms of applicable employment and other relevant legislation including the Basic Conditions of Employment Act, 1997, the Labour Relations Act, 1995, the Employment Equity Act, 1998, the Occupational Health and Safety Act, 1993, the Compensation for Occupational Injuries and Diseases Act, 1993, the Immigration Act, 2002 and the ITA.
- 6.4 The Firm holds information pertaining to its clients in terms of the Legal Practice Act, 2014.
- 6.5 The Firm holds information pertaining to its clients in terms of the Financial Intelligence Centre Act, 2001.

7. ACCESS TO RECORDS

- 7.1 For purposes of facilitating a request in terms of PAIA, the information below includes a description of the subjects on which the Firm holds records and the categories into which these fall. This information is not exhaustive and may be amended from time to time.
- 7.2 Certain records are available without having to be requested in terms of the request procedures set out in PAIA and detailed in clause 8 of the Manual below.
- 7.3 Subject to the provisions of PAIA, information may be inspected, collected, purchased or copied at the offices of the Firm and, unless the records are available on the Firm's website, an appointment to view the records will have to be made with the Information Officer. The schedule of reproduction fees in relation to a section 52 information request are set out clause 9.2 below.
- 7.4 Categories of record of the Firm which are available to a person without having to request access in terms of PAIA: (see attached **Annexure A**: Section 52(1) Notice of PAIA read with section 51(1)(b)(ii))

Category	Description	Format	Maintained by	Retention period
Information in the public domain	Incorporation documents	Hard copy and electronic copy	Information Officer	Indefinite
	B-BBEE certificate	Hard copy and electronic copy	Information Officer	Indefinite
	Public statements and communications	Hard copy and electronic copy	Information Officer	Indefinite
	Employment Equity Report	Hard copy and electronic copy	Information Officer	Indefinite
	General information pertaining to the Firm and information regarding the services rendered	Hard copy and electronic copy	Information Officer	Indefinite

- 7.5 The records listed below, which need to be requested in terms of PAIA and/or POPIA, will not in all instances be provided to a requester. In other words, the records held under the various subjects are not automatically available and access to them is subject to the nature of the information contained in the record, as well as the grounds of refusal as set out in PAIA that may

be applicable to a request for such records. (See also clause 8.6 below.) The procedure in terms of which such records may be requested from the Firm is set out in clause 8.1 below.

7.6 Categories of records that may be requested in terms of PAIA and/or POPIA:

Category	Description	Format	Maintained by	Retention
Finance and administration	<p>Bank account records;</p> <p>Books and records of account and financial statements;</p> <p>Annual budget;</p> <p>VAT, SITE and PAYE records;</p> <p>Asset registers;</p> <p>Details of auditors;</p> <p>External auditor reports;</p> <p>Information pertaining to clients as required in terms of the Financial Intelligence Centre Act;</p> <p>Minutes of the meetings of the Firm (non-confidential parts);</p> <p>Minutes of the meetings of committees/ subcommittees;</p> <p>Minutes of staff meetings and/or management meetings.</p>	Hard copy and electronic copy	Group CFO / Information Officer	Indefinite / as required in terms of applicable legislation / as required in terms of applicable contracts
Management	<p>Minutes of meetings of the Executive Committee and subcommittees;</p> <p>Internal correspondence;</p> <p>Resolutions and directives; internal investigation reports;</p> <p>Policies, procedures, and codes;</p> <p>Travel management and arrangements.</p>	Hard copy and electronic copy	Information Officer	Indefinite / as required in terms of applicable legislation / as required in terms of applicable contracts

Category	Description	Format	Maintained by	Retention
Human Resources	<p>Organisational information (organisational structure, etc.);</p> <p>Personnel files;</p> <p>Contracts, conditions of service and other agreements;</p> <p>Statutory employee records;</p> <p>Records of background checks (including qualification, credit and criminal record checks);</p> <p>Retirement fund records;</p> <p>Medical aid records;</p> <p>Budget projections in respect of staff;</p> <p>Employee leave records;</p> <p>Employee payments and benefits (statutory and contractual);</p> <p>Correspondence with or about employees;</p> <p>Performance management records;</p> <p>Records of disciplinary hearings and findings;</p> <p>Records of incapacity proceedings, including medical information</p> <p>Records of occupational injuries and diseases;</p> <p>Employee declarations in terms of the EEA.</p>	Hard copy and electronic copy	Head of Talent	As required in terms of applicable legislation / contracts of employment
Relationships with third parties	Agreements with stakeholders;	Hard copy and electronic copy	Information Officer	Indefinite / as required in terms of applicable legislation / as

Category	Description	Format	Maintained by	Retention
	<p>Service level agreements with suppliers;</p> <p>Contact details of suppliers;</p> <p>Tender and bid documentation;</p> <p>Service level agreements;</p> <p>Details of customers / clients including contact details, details pertaining to transactions, loyalty programmes, etc.;</p> <p>Licences and general conditions for conducting business.</p>			required in terms of applicable contracts
Information technology	<p>Computer software;</p> <p>Support and maintenance agreements;</p> <p>Licensing agreements;</p> <p>Records regarding computer systems and programmes.</p>	Hard copy and electronic copy	Head of IT	Indefinite / as required in terms of applicable legislation / as required in terms of applicable contracts
Property	<p>Asset registers;</p> <p>Lease agreements in respect of immoveable property;</p> <p>Records regarding insurance in respect of movable or immoveable property.</p>	Hard copy and electronic copy	Head of Operations	Indefinite / as required in terms of applicable legislation / as required in terms of applicable contracts
Legal	<p>Litigation;</p> <p>Appeals;</p> <p>Contracts and memoranda of understanding;</p> <p>Regulatory permissions, licenses, and/or exemptions.</p>	Hard copy and electronic copy	Information Officer / Head of Risk	Indefinite / as required in terms of applicable legislation / as required in terms of applicable contracts

- 7.7.1 For the purposes of facilitating a request for personal information, the information below includes details of the purpose of the processing of personal information by the Firm, a description of the categories of data subjects and of the information or categories of information relating to data subjects held by the Firm, the recipients or categories of recipients to whom personal information may be supplied, planned transborder flows of personal information, and a general description allowing a preliminary assessment of the suitability of the information security measures to be implemented by the Firm to ensure the confidentiality, integrity and availability of the information which is to be processed.
- 7.7.2 In terms of POPIA, a requester to whom certain personal information relates may request the Firm to confirm, free of charge, whether or not it holds personal information about that particular requester.
- 7.7.3 A requester may make a request that the Firm provides the record or a description of the personal information about the requester which is held by it, including information about the identity of third parties, or categories of third parties, who have, or have had, access to the information. This request must be made within a reasonable time, in a reasonable manner, and format, at a fee, and in a form that is generally understandable.
- 7.7.4 Categories of data subjects and categories of personal information relating thereto:

Data subjects	Categories of information
Employees	Human resources information (see above)
Applicants for employment	Contact details Recruitment records
Alumni / previous employees	Contact details Human resources information, as required to be retained post-termination of employment (see above)
Clients	Company registration details Contact details Take-on information in terms of the Financial Intelligence Centre Act, 2001 Details of services provided and fees charged Demographic information
Contractors / service providers	Company registration details Contact details and banking details Details of services rendered and fees paid Demographic information

- 7.7.5 Purposes of processing:

Data subject category	Broad description of purposes of processing
Applicants for employment;	<p>To carry out actions for the consideration of an application for employment;</p> <p>To carry out actions necessary for the conclusion of an employment contract;</p> <p>To ensure compliance with an obligation imposed by law on the Firm;</p> <p>To pursue the legitimate interests of the Firm.</p>
Employees	<p>To carry out actions necessary for the performance of the employment contract;</p> <p>To ensure compliance with an obligation imposed by law on the Firm;</p> <p>To pursue the legitimate interests of the Firm or a third party to whom the information is supplied.</p>
Alumni	<p>To ensure compliance with an obligation imposed by law on the Firm;</p> <p>To pursue the legitimate interests of the Firm or a third party to whom the information is supplied.</p>
Clients	<p>To carry out actions necessary for the performance of the services contract;</p> <p>To ensure compliance with an obligation imposed by law on the Firm;</p> <p>To pursue the legitimate interests of the company or a third party to whom the information is supplied.</p>
Contractors / service providers	<p>To carry out actions necessary for the performance of the services contract;</p> <p>To ensure compliance with an obligation imposed by law on the Firm;</p> <p>To pursue the legitimate interests of the Firm or a third party to whom the information is supplied.</p>

7.7.6

Likely recipients:

Data subjects	Likely recipients
Applicants for employment;	Management Board / Partnership Board

employees; alumni.	Human resources department Finance department Line management Verification agencies Regulatory bodies Benefit providers
Clients	Management Board / Partnership Board Partners / Directors Lawyers / Employees working on client mandates Finance department Risk department Marketing department Regulatory bodies
Contractors / Service providers	Management Board / Partnership Board Human resources department Finance department Facilities management department Regulatory bodies

7.7.7 Planned transborder flows of personal information:

Yes	No
<p>If yes: which jurisdictions:</p> <p>In all offices where the Bowmans Group has a presence and where necessary to assist in rendering services to clients.</p>	

7.7.8 General description of information security measures:

Technical measures	Organisational measures
<p>Firewalls</p> <p>Malware and anti-virus protection systems</p> <p>Patches and updating the software as relevant.</p> <p>Strong Passwords</p>	<p>Information security policies</p> <p>Business continuity plan</p> <p>Awareness & training</p> <p>Reviews & audits</p> <p>Risk assessments</p>

Physical security	
Appropriate disposal of assets	
Managing Access rights	

8. REQUEST PROCEDURE IN TERMS OF THE ACT

- 8.1 A request for access to records held by the Firm in terms of section 53 of PAIA must be made on the form that corresponds substantially with Form 2 of Annexure A to the Regulations Relating to the Promotion of Access to Information, 2021. A copy of the form is attached as **Annexure B** to the Manual. The request must be made to the Information Officer of the Firm at the address, telefax number or e-mail address specified in clause 4 above.
- 8.2 The requester must provide enough detail on the prescribed form to enable the Information Officer of the Firm to identify the record and the identity of the requester. The requester must submit details of the capacity in which the requester is making the request and indicate whether the request is made in their own name or on behalf of another person. Proof of identity of the requester must be attached to the request if it is in their own name. If a request is made on behalf of another person or entity, the requester must attach proof of authorisation to make the request.
- 8.3 The requester is also required to indicate what type of record s/he/it is requesting and what form of access to the relevant records is required. Additionally, the requester must provide her/his/its contact details and indicate what manner of access is requested.
- 8.4 The requester must provide particulars of the right to be exercised or protected and explain why the record requested is required for the exercise and protection of the aforementioned right.
- 8.5 For the purposes of Form 2, the requester must comply with all the procedural requirements in PAIA relating to a request for access to the relevant records.
- 8.6 The Firm may, and must in certain instances, refuse access to records on any of the grounds set out in Chapter 4 of Part 3 of PAIA. These grounds include: that access would result in the unreasonable disclosure of personal information about a third party, that it is necessary to protect the commercial information of a third party or the Firm itself, that it is necessary to protect the confidential information of a third party, that it is necessary to protect the safety of individuals or property, that a record constitutes privileged information for legal proceedings, that it is necessary to protect the research information of a third party or the Firm itself.
- 8.7 If all reasonable steps have been taken to find a record that a requester has requested, and there are reasonable grounds for believing that the record is in the Firm's possession but cannot be found, or it does not exist, then the Information Officer will, by way of an affidavit or affirmation, notify the requester that it is not possible to give access to that record.

- 8.8 The Information Officer must, if a request for access to a record is granted or refused, inform a requester of her/his decision and the fees payable. This must be done on a form that corresponds substantially with Form 3 of Annexure A to the Regulations. A copy of the Form 3 is attached as **Annexure C** to the Manual. A request for a copy of the Guide may not be refused. If the requester wishes to be informed of the Firm's decision in another manner as well, this must be set out in the request and the relevant details included in order to allow the Firm to inform the requester in the preferred manner.
- 8.9 The Firm will make a decision in relation to a request for records within 30 days of receiving it, unless a third party notification and intervention, as contemplated in Chapter 5 of PAIA, applies. This period may be extended in appropriate circumstances, in accordance with section 57 of PAIA.

9. FEES PAYABLE

- 9.1 The access fees for reproduction of information that is automatically available from the Firm (a section 52 request), are as follows:

(a)	For every photocopy/printed black and white copy of an A4-size page or part thereof.	R2,00
(b)	For every printed copy of an A4-size page or part thereof	R2,00
(c)	For copy in a computer-readable form on: (i) flash drive (to be provided by requestor) (ii) compact disc - If provided by requestor - If provided to the requestor	R40,00 R40,00 R60,00
(d)	For a transcription of visual images, for an A4-size page or part thereof	Service to be outsourced, will depend on quotation from service provider.
(e)	For a copy of visual images	Service to be outsourced, will depend on quotation from service provider.
(f)	For a transcription of an audio record, for an A4-size page	R24,00
(g)	Copy of an audio record, per A4-size page	

	(i) flash drive (to be provided by requestor)	R40,00
	(ii) compact disc	
	- If provided by requestor	R40,00
	- If provided to be requestor	R60,00

9.2 The request fee and access fees for information which needs to be requested in terms of PAIA and/or POPIA (a section 53 request) are as follows:¹

(a)	Request fee payable by every requester	R140.00
(b)	For every photocopy/printed black and white copy of an A4-size page or part thereof	R2,00
(c)	For every printed copy of an A4-size page or part thereof	R2,00
(d)	For copy in a computer-readable form on: (i) flash drive (to be provided by requestor) (ii) compact disc - If provided by requestor - If provided to the requestor	R40,00 R40,00 R60,00
(e)	For a transcription of visual images, for an A4-size page or part thereof	Service to be outsourced, will depend on quotation from service provider.
(f)	For a copy of visual images	Service to be outsourced, will depend on quotation from service provider.
(g)	For a transcription of an audio record, for an A4-size page	R24,00
(h)	For a copy of an audio record (i) Flash drive (to be provided by requestor) (ii) Compact disk - If provided by requestor - If provided to the requestor	R40,00 R40,00 R60,00

¹ These are based on the tariffs contained in the regulations.

(i)	To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably. To not exceed a total cost of:	R145,00 R435,00
(j)	Deposit: if search exceeds 6 hours	One third of amount per request calculated in terms of items (b) to (h).
(k)	Postage, e-mail or any other electronic transfer	Actual expense, if any.

9.3 The request fee may be paid at the time a request is made or the person authorised to deal with such requests on the Firm's behalf may notify the requester that s/he/it needs to pay the request fee before processing the request any further.

9.4 Where a request for access to a record or records held by the Firm is granted, the requester also has to pay an access fee for the reproduction of the record or records, and for the search for and the preparation of the records for disclosure. The access fee amount depends on the form in which access is required and the reasonable time required to search for and prepare the record. The requester will be notified of the amount of the access fee. The Firm is entitled to withhold a record until the required access fees have been paid.

9.5 The information officer may inform the requester to pay, as a deposit, a portion of the access fee (not exceeding one third of the amount payable) if the request is granted and if the search for the record and the preparation of the record for disclosure would in the information officer's opinion require more than six hours.

9.6 If a request is granted, the deposit (if any), is payable before the request will be processed and the requested record or portion thereof will only be released once proof of full payment is received.

9.7 Remedies for refusal to request for information

9.7.1 Internal remedy:

The Firm does not have an internal appeal procedure. As such, the decision made by the Information Officer is final, and requestors will have to exercise such external remedies at their disposal if the request for information is refused, and the requestor is not satisfied with the answer supplied by the Information Officer.

9.7.2 External remedy:

Where a requester is not satisfied by a decision made by the Information Officer, s/he/it may submit a complaint to the Information Regulator, within 180 days of receiving the decision that has caused the grievance. This must be done on a form that corresponds substantially with Form 5 of Annexure A to the Regulations. A copy of the Form 5 is attached as **Annexure D** to the Manual. Where the Regulator's complaints procedure has been exhausted, an application can be made to a court for appropriate relief. This application can be made to a Magistrate's Court or High Court.

10. **OTHER INFORMATION AS MAY BE PRESCRIBED**

The amended Regulations published in terms of PAIA, under Government Notice R757 in *Government Gazette* 45057 of 27 August 2021, set out, among other things, the fees which may be charged by private bodies for the reproduction of records (provided in the table above).

11. **AVAILABILITY OF THE MANUAL**

This Manual is available at the offices of the Firm at the address set out in paragraph 4 above, as well as on the Firm's website.

12. **ACKNOWLEDGEMENT**

The Manual has been based on an original template supplied by the SAHRC and amended accordingly based on a template supplied by the Information Regulator.

ANNEXURE A

NOTICE OF CATEGORIES OF RECORDS THAT ARE AUTOMATICALLY AVAILABLE

(FORM 2: Section 53 of the Promotion of Access to Information Act, 2000)

[Regulation 7]

The following categories of records of the Firm are available to a person without having to request access in terms of PAIA:

Category	Description	Format	Maintained by	Retention period
Information in the public domain	Incorporation documents	Hard copy and electronic copy	Information Officer	Indefinite
	B-BBEE certificate	Hard copy and electronic copy	Information Officer	Indefinite
	Public statements and communications	Hard copy and electronic copy	Information Officer	Indefinite
	Employment Equity Report	Hard copy and electronic copy	Information Officer	Indefinite
	General information pertaining to the Firm and information regarding the services rendered	Hard copy and electronic copy	Information Officer	Indefinite

A request for access to these records held by the Firm may be made by addressing an email to the Firm's Information Officer or Deputy Information Officer:

Information Officer	Deputy Information Officer
Neil van Vuuren neil.vanvuuren@bowmanslaw.com	Shaynel Joshi shaynel.joshi@bowmanslaw.com

Or on: [\[Informationofficer@bowmanslaw.com\]](mailto:Informationofficer@bowmanslaw.com)

ANNEXURE B
REQUEST FOR ACCESS TO RECORD

(FORM 2: Section 53 of the Promotion of Access to Information Act, 2000)

[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 <i>(if applicable)</i> :				
Identity number:				
Postal address:				
Street address:				
E-mail address:				
Contact numbers:	Tel. (B):		Facsimile:	
	Cellular:			
<p align="center">PARTICULARS OF RECORD REQUESTED</p> <p><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></p>				
Description of record of relevant part of the record:				
Reference number, if available:				
Any further particulars of record:				
<p align="center">TYPE OF RECORD</p> <p align="center"><i>(Mark the applicable box with an "X".)</i></p>				

Record is in written or printed form.	
Record comprises of 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.	
<p align="center">FORM OF ACCESS</p> <p align="center"><i>(Mark if applicable box with an "X")</i></p>	
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 disk drive <i>(including virtual images and soundtracks).</i>	
Copy of record saved on cloud storage server.	
<p align="center">MANNER OF ACCESS</p> <p align="center"><i>(Mark the applicable box with an "X.")</i></p>	
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) 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 <i>(Please specify)</i>

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).	
Date received:	
Access fees:	
Deposit (if any):	

Signature of information officer

ANNEXURE C
OUTCOME OF REQUEST AND OF FEES PAYABLE

(FORM 3: Section 56 of the Promotion of Access to Information Act, 2000)

[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			
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			
• If provided to the requestor	R60.00		
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			
• If provided to the requestor	R60.00		
Postage, e-mail or any other electronic transfer:	Actual costs		
TOTAL:			

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

☐

Yes

☐

No

Hours search	of		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 _____

Information officer

ANNEXURE D
COMPLAINTS TO REGULATOR – COMPLAINT FORM

(FORM 5: Section 77 of the Promotion of Access to Information Act, 2000)

[Regulation 10]



**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/inforeg/>.
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	<input type="checkbox"/>	No	<input type="checkbox"/>
Has 30 days lapsed from the date on which you submitted your PAIA form?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Did you exhaust all the Internal appeal procedure against a decision of the Information officer of a public body?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Have you applied to Court for appropriate relief regarding this matter?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Adv. FDP Tlakula (Chairperson), Adv. LC Stroom Nzama (Full-time Member), Adv. JC Weapond (Full-time Member), Prof. SL Snail Ika Mtuze (Part-time Member), Ms. A Tilley (Part-time Member).

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 <i>(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)</i>			
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 <i>(Please attach letter of authorisation)</i>			
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>	<input type="checkbox"/>
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>	<input type="checkbox"/>
	<i>The tender or payment of a deposit.</i>	<input type="checkbox"/>
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>	<input type="checkbox"/>
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>	<input type="checkbox"/>
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>	<input type="checkbox"/>
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>	<input type="checkbox"/>
	<i>Extension period has expired and no response was received.</i>	<input type="checkbox"/>
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/unreasonably been disclosed.</i>	<input type="checkbox"/>
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>	<input type="checkbox"/>
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>	<input type="checkbox"/>
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>	<input type="checkbox"/>
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>	<input type="checkbox"/>
Failure to disclose records	<i>The Body decided to grant me access to the requested records, but I have not received them.</i>	<input type="checkbox"/>
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>	<input type="checkbox"/>
Frivolous or vexatious request (Section 45 of PAIA)	<i>The Body indicated that my request is manifestly frivolous or vexatious and I disagree.</i>	<input type="checkbox"/>
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.

☐

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

☐

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.

☐

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