

# ACCESS TO INFORMATION MANUAL ("PAIA MANUAL")



# **ACCESS TO INFORMATION MANUAL ("PAIA Manual")**

In terms of the Promotion of Access to Information Act,  
Act 2 of 2000 as amended.

**attooh! Consulting Services Holdings (Pty) Ltd**

A Juristic representative of Discovery Life,  
an authorised Financial Services provider, FSP:18147

Version 1.1.2 - July 2025

## **1. List of Acronyms and Definitions**

- **Discovery Health:** Discovery Health (Pty) Ltd.
- **Discovery Life:** Discovery Life Limited.
- **FAIS Act:** Financial Advisory and Intermediary Services Act, Act 37 of 2002.
- **Form 2:** Request for Access to Information.
- **Form 3:** Outcome of Request and of Fees Payable.
- **FSCA:** Financial Sector Conduct Authority.
- **FSP:** Financial Services Provider, licensed with the Financial Sector Conduct Authority.
- **Information Officer:** The appointed individual in the company to attend to matters falling within the Protection of Personal Information Act 4 of 2013.
- **Information Regulator:** The regulatory appointed and established body in terms of the Protection of Personal Information Act 4 of 2013.
- **Juristic Representative:** Juristic Representative on the Financial Services Provider license of Discovery Life Ltd, an authorized financial services provider, under license number FSP: 18147.
- **Manual:** Access to Information Manual.
- **PAIA:** Promotion of Access to Information Act 2 of 2000.
- **POPIA:** Protection of Personal Information Act 4 of 2013.
- **Attooh Consulting Services:** Attooh Consulting Services Holdings (Pty) Ltd (Reg. Nr.: 2012/145909/07)

## **2. Introduction**

Your privacy is very important to us, and Attooh Consulting Services Holdings (Pty) Ltd (“Attooh Consulting Services”) is committed to protecting your right to privacy as well as your right to access any information that we as juristic representative of Discovery Life Ltd, an authorised financial services provider FSP 18147 and which Discovery may have on record about you.

This Access to Information Manual (‘Manual’) is prepared in compliance with the Promotion of Access to Information Act 2 of 2000 (‘PAIA’) and the Protection of Personal Information Act 4 of 2013 (‘POPIA’) and as amended from time to time. In terms of this legislation, everyone has the right to access their personal information that is processed by a private body or responsible party, such as Attooh Consulting Services and/or the applicable Discovery product provider company within the Discovery Group. The purpose of this Manual is to enable requesters to get access to the records to which they are entitled in a quick, easy, and accessible manner.

This Manual applies to Attooh Consulting Services as a juristic representative of Discovery Life Ltd. This Manual excludes all requests made to medical schemes administered by Discovery Health (Pty) Ltd (‘Discovery Health’).

## **3. Purpose of PAIA and POPIA**

PAIA aims to give effect to everyone in South Africa’s constitutional right to access their information held by the state or a private body. This information can be accessed for the purpose of exercising or protecting any right contained in the Bill of Rights.

When such a request is made, Attooh Consulting Services is obliged to give access to the requested information, except where the law expressly provides that the information must not be released.

It is important to note that PAIA recognises certain limitations to the right of access to information, which includes:

- Limitations aimed at the reasonable protection of the right to privacy.
- Commercial confidentiality; and
- Effective, efficient, and good governance.

The limitation should be in a manner that balances that right of access to information with any other rights.

The main objective of POPIA is to promote the protection of personal information processed by public and private bodies. POPIA amended certain provisions of PAIA, balancing the need for access to information against the need to ensure the protection of personal information.

## **4. Access to the Information Manual**

In line with the legislative requirements, this Manual serves as Attooh Consulting Services’ information

manual, and provides information on both the types and categories of records held by Attooh Consulting Services and/or the relevant Discovery product provider. This includes the following:

- A description of the records held by and on behalf of Attooh Consulting Services and/or Discovery
- The procedure to be followed
- Any fees payable when requesting access to any of these records This Manual is available for public inspection as follows:
- At the physical address of Attooh Consulting Services office
- On request by any person and upon payment of a reasonable prescribed fee
- From the designated Information Officer of Attooh Consulting Services.

A fee for a copy of the Manual shall be payable per each A4- size page photocopy made.

The Information Regulator has published a guide on its website on how the use of the Promotion of Access to Information Act 2 of 2000, as amended.

See: [www.inforegulator.org.za](http://www.inforegulator.org.za)

## **5. Contact details of the Attooh Consulting Services Information Officer**

The responsibility for administration of any information requests lies with the Information Officer and all requests should be directed to the below contact details.

|                      |                                                                                            |
|----------------------|--------------------------------------------------------------------------------------------|
| Information Officer: | The Director: Mr Wouter Snyman                                                             |
| Physical address:    | Unit 1 C, Menlyn Woods Office Park<br>291 Sprite Avenue<br>Faerie Glen<br>Pretoria<br>0043 |
| Email address:       | <a href="mailto:wouter@attooh.co.za">wouter@attooh.co.za</a>                               |
| Contact Number:      | 012 368 9900                                                                               |

## **6. Contact details of the Discovery Life (License Holder's) Information Officer**

|                               |                                                                      |
|-------------------------------|----------------------------------------------------------------------|
| Information Officer:          | Pieter van der Walt                                                  |
| Deputy Information Officer/s: | Lorraine Dichabe<br>Chris Booyse<br>Deshni Naicker<br>Lerato Kebile  |
| Postal address:               | PO Box 786722<br>Sandton 2146                                        |
| Physical address:             | 1 Discovery Place Sandton<br>2146                                    |
| Email address:                | <a href="mailto:privacy@discovery.co.za">privacy@discovery.co.za</a> |
| Website:                      | <a href="http://www.discovery.co.za">www.discovery.co.za</a>         |

## **7. Contact details of the Information Regulator**

|                          |                                                                                                |
|--------------------------|------------------------------------------------------------------------------------------------|
| Physical address:        | Woodmead North Office Park<br>54 Maxwell Drive<br>Woodmead<br>Johannesburg                     |
| Telephone number:        | 0800 017 160 / +27 10 023 5207                                                                 |
| PAIA Complaints email:   | <a href="mailto:PAIAComplaints@inforegulator.org.za">PAIAComplaints@inforegulator.org.za</a>   |
| POPIA Complaints email:  | <a href="mailto:POPIAComplaints@inforegulator.org.za">POPIAComplaints@inforegulator.org.za</a> |
| General enquiries email: | <a href="mailto:enquiries@inforegulator.org.za">enquiries@inforegulator.org.za</a>             |

## **8. Automatic disclosure**

Attooh Consulting Services has made available a description of categories of records that are automatically available without a person having to request access in terms of this Manual.

The below records are automatically available:

- Product and Services Brochures

- Pamphlets
- News and other Marketing Information

| <b><i>Category of records</i></b> | <b>Types of the Record</b>                                                                                                                                                                | <b>Available on<br/>Discovery<br/>Website /<br/>App</b> | <b>Available<br/>upon<br/>request</b> |
|-----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|---------------------------------------|
| <i>Client Related Records</i>     | Name, ID number, company registration number, address, product information, application form, policy documents, tax number, tax certificates, vehicle and driver registration information | X                                                       | X                                     |

A prescribed fee, as contained in Annexure 1, may be payable for reproduction of these records.

## **9. Types and categories of records**

### **RECORDS HELD IN ACCORDANCE WITH OTHER LEGISLATION**

A requester may also request information that is available in terms of other legislation and may request access to related information outside this process. This includes (but is not limited to) the following legislation as amended from time to time and applicable to Attooh Consulting Services and the category of license as a juristic representative of Discovery Life Ltd :

- Basic Conditions of Employment Act 75 of 1997
- Companies Act 71 of 2008
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Consumer Protection Act 68 of 2008
- Electronic Communications and Transactions Act 25 of 2002
- Employment Equity Act 55 of 1998
- Financial Advisory and Intermediary Services Act 37 of 2002
- Financial Intelligence Centre Act 38 of 2001
- Financial Sector Regulation Act 9 of 2017
- Income Tax Act 58 of 1962
- Insurance Act 18 of 2017
- The Labour Relations Act 66 of 1995
- Long-term Insurance Act 52 of 1998
- Occupational Health and Safety Act 85 of 1993
- Short-term Insurance Act 53 of 1998
- Unemployment Insurance Act 63 of 2001
- Value-added Tax Act 89 of 1991
- Banks Act 94 of 1990

The above is not an exhaustive list of statutes that may require Attooh Consulting Services to keep Records.

## 10. Subject categories of records

Attooh Consulting Services retains records in the subjects and categories mentioned below.

### EMPLOYEE RECORDS

“**Employees**” refers to any person who works for or provides services to or on behalf of Attooh Consulting Services and receives remuneration or is entitled to receiving remuneration. It also refers to any other person who assists in carrying out or conducting the business of Attooh Consulting Services. It includes, without limitation, directors (executive and non-executive), all permanent, temporary and part-time staff, as well as contract workers.

Personal records provided by employees include the following:

- Records provided by a third party relating to Attooh Consulting Services employees
- Conditions of employment as well as other employee-related contractual and legally binding records, including job applications
- Internal evaluation records and other internal records
- Correspondence relating to, or emanating from, employees (both internal and external to the organisation)
- Training schedules and material
- Payment records (and beneficiary payments), including banking details

### CLIENT-RELATED RECORDS

“**Client**” refers to any natural or juristic person who receives services or procures Discovery products and benefits through a licensed Representative of Attooh Consulting Services being a juristic representative of Discovery Life Ltd under license number FSP18147. “Client” includes prospective clients who submit applications through Attooh Consulting Services to Discovery, but who ultimately do not become Discovery clients.

Requests for records pertaining to the diagnosis, treatment, or health of members of the medical schemes administered by Discovery Health must be submitted to the medical scheme directly. Such requests can be made by following the medical scheme’s PAIA-prescribed process on the medical scheme’s website.

Client-related records include the following:

- Records provided by a client to a third party acting for or on behalf of Attooh Consulting Services and/or Discovery
- Records provided by a third party to Attooh Consulting Services (for example, records from astute, other insurers or system obtained information)
- Records generated by or within Attooh Consulting Services and/or the Discovery relating to its clients
- Transactional records
- Recorded call center calls
- Correspondence with a client that is implicitly or explicitly of a private or confidential nature
- Records pertaining to a client retrieved from other sources, such as any credit bureau or credit provider’s industry association.

## **ATTOOH CONSULTING SERVICES COMPANY RECORDS**

These records include, but are not limited to, the records that pertain to Attooh Consulting Services' own affairs. These include the following:

- Financial records
- Operational records
- Information technology
- Communication
- Administrative records, such as contracts and service-level agreements
- Product records
- Statutory records
- Internal policies and procedures
- Human resources records

## **THIRD-PARTY RECORDS**

These records include the following:

- Attooh Consulting Services and/or Discovery may hold records pertaining to other parties. This includes, without limitation, financial records, correspondence, contractual records, records provided by the other party (for example third- party beneficiaries or employees of a client), and records that third parties have provided about Attooh Consulting Services and/or Discovery's contractors or suppliers.
- Attooh Consulting Services may possess records pertaining to other parties. This includes, but is not limited to, contractors, suppliers and service providers.

## **11. Processing details**

In terms of POPIA, data must be processed for a specified purpose. The purpose for which data is processed by Attooh Consulting Services and/or Discovery will depend on the license category for which advice and/or financial and/or intermediary services are rendered, the nature of the data and the data subject. This purpose is disclosed, explicitly or implicitly, at the time the data is collected.

### **PURPOSE OF THE PROCESSING**

#### **Employee data**

Attooh Consulting Services processes personnel data for business administration purposes, such as for payroll purposes. Employee data is also processed to the extent required by legislation and regulation. For example, Attooh Consulting Services discloses employees' financial information to the Commissioner for the South African Revenue Service in terms of the Income Tax Act 58 of 1962, employees' special personal information in terms of the Employment Equity Act 55 of 1998 and/or employees licensed as representatives' special information to the Financial Sector Conduct Authority (FSCA) for ongoing licensing purposes.

## Client data

Attooh Consulting Services processes client-related information as an integral party of its service offering from a financial advisory and intermediary services and/or compliance point of view. For example, this could take place during the client advice process, financial planning point of view, application process, in assessing a client's profile, needs and risks, in administering a client's financial portfolio, for compliance and advisory monitoring purposes or for academic research purposes. Attooh Consulting Services and/or Discovery may also process data provided to it by credit bureaus or industry regulatory bodies and other sources, including a client's employer, to consider a client's application, to conduct underwriting or risk assessments, or to consider a claim for medical expenses on behalf of a medical scheme.

## Third-party data

Attooh Consulting Services processes records of other parties for business administration and compliance purposes, such as to make a payment to contractors and suppliers.

In performing these various tasks, Attooh Consulting Services may, among other things, collect, collate, process, store and disclose personal information. This includes the following information:

- Personnel, client, or private body records that are held by another party, as opposed to the records held by Attooh Consulting Services and/or Discovery itself
- Records held by Attooh Consulting Services pertaining to other parties, including, without limitation, financial records, correspondence, contractual records, records provided by the other party, and records that third parties have provided about the contractors or suppliers.

Attooh Consulting Services may keep records pertaining to other parties, including, without limitation, contractors, suppliers, subsidiary/holding/sister companies, joint-venture companies, and service providers.

## CATEGORIES OF DATA SUBJECTS

Attooh Consulting Services may hold the following categories of information and records on the following categories of data subject:

| Categories of Data Subject              | Category of Information and Records                                                                                                                                                                                                                                                                                                                                                                        |
|-----------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Employees of Attooh Consulting Services | Name, ID number, physical address, health information, disability information, employee benefit information, bank details, tax number, letter of appointment, FAIS Viability Records, vehicle registration information, performance records, payslips, training records, CV, records of qualifications, psychometric assessment results, credit check results, criminal record check results, CCTV footage |

|                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                            |
|---------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Clients of Attooh Consulting Services and Discovery                                                           | Name, ID or registration number, address, financial information, credit check results, health information, application form, policy documents, VAT number, tax number, tax certificates, CCTV footage, call recordings, vehicle, and driver registration information, contact person information in the event that the client is a juristic person, Compliance and Advisory reports, Advice documentation. |
| Business partners that Attooh Consulting Services and Discovery partners with for delivering certain products | Name, registration number, contact details, rewards benefits, compliance advisory documents and reporting.                                                                                                                                                                                                                                                                                                 |
| Third party with whom Attooh Consulting Services Conducts its business services                               | Name, registration number, financial information, contract details, Advice compliance documentation and reports.                                                                                                                                                                                                                                                                                           |

| Category of data subject                            | Categories of information and records*                                                                                                                                                                                             |
|-----------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Contractors of Attooh Consulting Services           | Name, physical address, registration number, financial information, contract, contractor name, ID number of contractors, CCTV footage, vehicle and driver registration information, Advisory Compliance documentation and reports. |
| Suppliers and vendors of Attooh Consulting Services | Name, registration number, financial information, contract, tender documents                                                                                                                                                       |

\*This list of categories of information and records is non-exhaustive.

## RECIPIENTS TO WHOM PERSONAL INFORMATION MAY BE SUPPLIED

A requester is any person making a request for access to a record (using Form 2 hereto), or held by, Attooh Consulting Services. The requester is entitled to requesting access to the requester's own information, or information pertaining to third parties, where the requester has a legitimate interest to protect or is appropriately authorised. The access to information may be subject to a payment of fees in accordance with Annexure 1. Subject to the nature of the data, Attooh Consulting Services may supply information or records to the following categories of recipients:

- Statutory oversight bodies, regulators or judicial commissions of enquiry making a request for data (such as the Financial Sector Conduct Authority ("FSCA"))
- Any court, administrative or judicial forum, arbitration, statutory commission or ombud making a request for data held by Attooh Consulting Services in terms of the applicable rules (such as the Financial Sector Conduct Authority in terms of the Financial Advisory and Intermediary Services Act, Act 37 of 2002)
- Contracted Third parties for purposes of Compliance reporting and auditing purposes
- South African Revenue Service, or another similar authority
- Third parties with whom Attooh Consulting Services have a contractual relationship for the retention of data (for example, a third-party archiving services)
- Research or academic institutions
- Auditing and accounting bodies (internal and external)

- Anyone making a successful application for access in terms of PAIA
- Subject to the provisions of POPIA, Attooh Consulting Services and/or Discovery may share information about a client's creditworthiness with any credit bureau or credit providers, industry association or other association for an industry and applicable license categories in which Attooh Consulting Services operates on the Discovery Life Ltd license.

## **TRANSBORDER FLOWS OF PERSONAL INFORMATION**

Attooh Consulting Services may from time to time be required to transfer personal information to a third party who is in a foreign country to administer certain services in accordance with the Discovery products. Personal Information may be stored in data servers hosted outside South Africa. However, Attooh Consulting Services may only do so subject to the provisions of POPIA. Academic or market research may be conducted by a company within Attooh Consulting Services and/or the Discovery Group and/or by a contracted research and survey provider, which may be inside or outside South Africa.

## **SECURITY MEASURES**

Attooh Consulting Services takes extensive information security measures to ensure the confidentiality, integrity and availability of personal information in Attooh Consulting Services' possession or under its control. Attooh Consulting Services takes appropriate technical and organisational measures designed to ensure that personal data remains protected and secure against unauthorised or unlawful processing or access, and against accidental loss, destruction or damage.

## **12. Grounds for refusal of access to records**

Attooh Consulting Services may on its own or in terms or in accordance with Discovery's privacy rules, may refuse a request for information on the following basis:

- Mandatory protection of the personal information, special personal information, or privacy of a third party who is a natural person (including children), if supplying the information would involve the unlawful or unreasonable disclosure of personal information of that natural person
- Mandatory protection of the commercial information of a third party, if the record contains:
  - Trade secrets or intellectual property of that third party
  - Financial, commercial, scientific, compliance, or technical information, if the disclosure would likely cause harm to the financial or commercial interests of that third party
  - Information disclosed in confidence by a third party to Attooh Consulting Services if the disclosure could put that third party at a disadvantage in negotiations or commercial competition.
- Mandatory protection of confidential information of third parties if it is protected in terms of any agreement or legislation
- Mandatory protection of the safety of individuals and the protection of property
- Mandatory protection of records that would be regarded as privileged in legal proceedings
- The commercial activities of Attooh Consulting Services and/or Discovery, which may include:
  - Trade secrets
  - Intellectual property
  - Financial information that, if disclosed, could put Attooh Consulting Services and/or Discovery at a disadvantage in negotiations or commercial competition

- A computer program, algorithm, actuarial modelling, or application that is owned by Attooh Consulting Services and/or Discovery and that is protected by copyright.
- The research information of Attooh Consulting Services and/or Discovery or a third party, if its disclosure would disclose the identity of the institution, the researcher or the subject matter of the research and would place the research at a serious disadvantage
- Requests for information that are clearly frivolous, or which involve an unreasonable diversion of resources.

## **REFUSAL WHEN THE RECORD CANNOT BE FOUND**

- If all reasonable steps have been taken by Attooh Consulting Services to find the record requested by the Requester and same cannot be found for reasons justifiable as per section 55 of PAIA, the authorized individual of Attooh Consulting Services shall provide an affidavit or affirmation to the Requester advising that it is not possible to give access to the record requested.
- In the event the record is found subsequently, the authorized individual of Attooh Consulting Services undertakes to contact the Requester to gain access to same, after the payment of the applicable access fee.

## **13. Access procedure**

A requester requiring access to information held by Attooh Consulting Services must complete the Access Request Form 2 hereto. The manual form must be submitted to the authorized individual of Attooh Consulting Services at the postal address, physical address or email address provided. The requester must pay an access request fee (and a deposit, if applicable).

- The Access Request Form 2 must contain enough details to enable the authorized individual of Attooh Consulting Services to identify:
  - The records requested
  - The proof of identity of the requester
  - The form of access required if the request is granted
  - The email address, postal address, or fax number of the requester.
- If the request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request. This information must be to the reasonable satisfaction of authorized individual of Attooh Consulting Services and the requester must clearly disclose the right they wish to protect.
- If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.
- The requester will be informed whether access has been granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, the requester must state the manner and the particulars so required.

## **ACCESS TO HEALTH INFORMATION OR RECORDS**

Where applicable to the products and services for which Attooh Consulting Services are licensed or in relation to any employee of Attooh Consulting Services or otherwise applicable to Attooh Consulting Services, where a request is made for access to information or a health record about the physical or mental health or wellbeing ("health information or records") of the requester or person acting on behalf of a person to whom a record relates, and the authorized individual of Attooh Consulting Services is of the

opinion that the direct disclosure of such health information or record would cause serious harm to the requester's physical and/or mental health or wellbeing, the authorized individual of Attooh Consulting Services may, before granting the request for access, consult with a health practitioner nominated by the requester.

The following conditions apply for nominating a health practitioner:

- In the requester is under the age of 16 years, then a person having parental responsibilities must nominate the health practitioner.
- If the requester is incapable of managing their own affairs, then a legal representative or other person appointed by the court to manage their affairs must nominate the health practitioner.

If the health practitioner is of the opinion that the disclosure of the health information or record would likely cause serious harm to the requester's physical and/or mental health or wellbeing, the Information Officer may only grant access to the health information or record if the requester proves, to the satisfaction of authorized individual of Attooh Consulting Services that adequate provision has been made for counselling or other arrangements before, during or after the disclosure of the health information or record to alleviate or avoid the harm to the requester.

Before the requester is given access to the health information or record, the person responsible for such counselling or arrangements must be given access to the health information or record.

### **THIRD-PARTY NOTIFICATION**

Attooh Consulting Services will take all reasonable steps to inform a third party to whom a requested record relates if the disclosure of that records would involve the disclosure of any of the following:

- Personal information about that third party
- Trade secrets of that third party
- Financial, compliance, commercial, scientific, or technical information (other than trade secrets) of that third party, the disclosure of which would be likely to cause harm to the commercial, compliance or financial interests of that third party
- Information supplied in confidence by a third party, the disclosure of which could reasonably be expected to put that third party at a disadvantage in contractual or other negotiations
- Information about research being, or to be, carried out by or on behalf of a third party, the disclosure of which would be likely to expose the third party, a person that is or will be carrying out the research on behalf of the third party, or the subject matter of the research, to serious disadvantage.

In addition, Attooh Consulting Services will take all reasonable steps to inform a third party to whom a requested record relates if the disclosure of that records would lead to any of the following:

- Prejudice to that third party in commercial competition
- An action for breach of a duty of confidence owed to a third party in terms of an agreement

Attooh Consulting Services will inform the third party as soon as reasonably possible, but in any event, within 21 days after that request is received.

Within 21 days of being informed of the request, the third party may do one of the following:

- Make written or oral representations to authorized individual of Attooh Consulting Services, explaining why the request for access should be refused
- Give written consent for the disclosure of the record to the requester.

Attooh Consulting Services will notify the third party of the outcome of the request. If the request is granted, adequate reasons for granting the request will be given.

The third party may lodge a complaint to the Information Regulator or an application with a court against the decision within 30 days after notice is given, after which the requester will be given access to the record after the expiry of the 30-day period.

## **14. Notification of decision**

The authorized individual of Attooh Consulting Services will, within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.

The 30-day period, within which Attooh Consulting Services must decide whether to grant or refuse the request, may be extended for a further period of not more than 30 days if the information cannot reasonably be obtained within the original 30-day period. The period may be extended if the request is for a large amount of information, or the request requires Attooh Consulting Services and/or Discovery to search for information held at another office.

## **15. Remedies available when Attooh Consulting Services refuses a request for information**

The decision of authorized individual of Attooh Consulting Services is final and binding. Attooh Consulting Services does not have internal appeal procedures. Therefore, the decision is final. Requesters who are dissatisfied with a decision of authorized individual of Attooh Consulting Services may exercise external remedies at their disposal.

All complaints by a requester or a third party can be made to the Information Regulator or a court, in the manner prescribed below.

### **COMPLAINTS TO THE INFORMATION REGULATOR**

The requester or third party may submit a complaint in writing to the Information Regulator, within six months of the decision, alleging that the decision was not compliance with the provisions of the legislation.

The Information Regulator will investigate the complaint and reach a decision, which may include a decision to investigate, to take no further action, to conciliate the matter or to refer the complaint to the Enforcement Committee. The Information Regulator may serve an enforcement notice confirming, amending, or setting aside the impugned decision, which must be accompanied by reasons.

### **APPLICATION TO COURT**

An application to court maybe brought in the ordinary course. For this purpose, any reference to an

application to court includes an application to a relevant Magistrate's Court.

## **Annexure 1: Prescribed fees**

### **PAYMENT OF FEES**

Payment details can be obtained from the authorized individual of Attooh Consulting Services. Payment can be made by direct deposit into the nominated bank account of Attooh Consulting Services. Proof of payment must be attached to the Access Request Form along with the other required documentation.

The following fees are (or may be) payable:

- Request fee
- Access fee
- Reproduction fee

#### **Request fee**

The requester must pay an initial request fee as indicated by the return of request in by Attooh Consulting Services in terms of Form 3. The prescribed fee is set out below in Annexure 1.

#### **Access fee**

If the request for access is successful, an access fee must be paid prior to the release of the records by Attooh Consulting Services. This fee is for the search, reproduction and/or preparation of the record(s). The access fee will be calculated based on the prescribed fees set out below in this annexure.

#### **Reproduction fee**

This fee applies to documents or records that are voluntarily disclosed. This is for reproduction, copying and transcribing the relevant documents or records. The reproduction fee will be calculated based on the prescribed fees set out below in this annexure.

#### **Deposit**

If the search for, and the preparation of, the record for disclosure would, in the opinion of the authorized individual of Attooh Consulting Services, require more than 6 hours, the requester may be required to pay as a deposit one third of the access fee (the fee which will be payable if the request is granted).

If a deposit has been paid in respect of a request for access which is subsequently refused, then the authorized individual of Attooh Consulting Services must refund the deposit in full to the requester.

The requester must pay the prescribed fee before any processing, or any further processing, can take place.

Attooh Consulting Services reserves the right to waive the fees payable subject to the type and categories of information requested as well as the effort required to provide access to the requested information. The requester may lodge a complaint with the Information Regulator or an application with a court against the tender or payment of the request and access fees or deposit if Attooh Consulting Services declines the requester's request to waive the fees.

Where Attooh Consulting Services receives a request for access to information held on a person other than the requester and the authorized individual of Attooh Consulting Services, upon receipt of the request, is of the opinion that the preparation of the required record of disclosure will take more than 6 hours, a deposit is payable by the requester.

The amount of the deposit is equal to one third of the amount of the applicable access fee.

**Please note:** In terms of Regulation 8, value-added tax (VAT) must be added to all fees prescribed in terms of the Regulations.

| REPRODUCTION AND ACCESS FEES                                                                                                                                                                                                                                                                                                        |                                                                          |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|
| Where Attooh Consulting Services has voluntarily provided the Information Regulator with a list of categories of records that will automatically be made available to any person requesting access thereto, the only charge that may be levied for obtaining such records will be a fee for reproduction of the record in question. |                                                                          |
| Applicable fees for reproduction (Excluding VAT)                                                                                                                                                                                                                                                                                    | Amount in rand                                                           |
| For every photocopy of an A4-size page or part thereof                                                                                                                                                                                                                                                                              | R2,00                                                                    |
| For every printed copy of an A4-size page or part thereof held on a computer or in electronic or computer-readable form                                                                                                                                                                                                             | R2,00                                                                    |
| For a copy in a computer-readable form on compact disc                                                                                                                                                                                                                                                                              |                                                                          |
| - If provided by the requestor                                                                                                                                                                                                                                                                                                      | R40,00                                                                   |
| - If provided to the requestor=                                                                                                                                                                                                                                                                                                     | R60,00                                                                   |
| For a copy in a computer-readable form on flash drive (provided by the requestor)                                                                                                                                                                                                                                                   | R40,00                                                                   |
| A transcription of visual images for an A4-size page or part thereof                                                                                                                                                                                                                                                                | Service to be outsourced. Will depend on quotation from service provider |
| For a copy of visual images                                                                                                                                                                                                                                                                                                         | Service to be outsourced. Will depend on quotation from service provider |
| A transcription of an audio record, for an A4-size page or part thereof                                                                                                                                                                                                                                                             | R24,00                                                                   |
| For a copy of an audio record on flash drive (provided by requestor)                                                                                                                                                                                                                                                                | R40,00                                                                   |
| For a copy of an audio record on compact disc or other storage means                                                                                                                                                                                                                                                                |                                                                          |
| - If provided by requestor                                                                                                                                                                                                                                                                                                          | R40,00                                                                   |
| - If provided to requestor                                                                                                                                                                                                                                                                                                          | R60,00                                                                   |

| <b>Request fees</b>                                                                                                                                                                                                                                                          |                                                                          |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|
| The request fee payable by every requester                                                                                                                                                                                                                                   | R140,00                                                                  |
| <b>Access fees</b>                                                                                                                                                                                                                                                           |                                                                          |
| An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of the Act, or an exclusion is determined by the Minister in terms of section 54(8). |                                                                          |
| <b>Applicable fees (Excluding VAT)</b>                                                                                                                                                                                                                                       |                                                                          |
| For every photocopy of an A4-size page or part thereof                                                                                                                                                                                                                       | R2,00                                                                    |
| For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form                                                                                                                                                       | R2,00                                                                    |
| <b>Applicable fees for a copy in a computer-readable form (Excluding VAT)</b>                                                                                                                                                                                                |                                                                          |
| For a copy in a computer-readable form on compact disc                                                                                                                                                                                                                       | R40,00                                                                   |
| - If provided by the requestor                                                                                                                                                                                                                                               |                                                                          |
| - If provided to the requestor=                                                                                                                                                                                                                                              | R60,00                                                                   |
| For a copy of an audio record on flash drive (provided by requestor)                                                                                                                                                                                                         | R40,00                                                                   |
| A transcription of visual images for an A4-size page or part thereof                                                                                                                                                                                                         | Service to be outsourced. Will depend on quotation from service provider |
| For a copy of visual images                                                                                                                                                                                                                                                  | Service to be outsourced. Will depend on quotation from service provider |
| A transcription of an audio record, for an A4-size page or part thereof                                                                                                                                                                                                      | R24,00                                                                   |
| For a copy of an audio record on flash drive (provided by requestor)                                                                                                                                                                                                         | R40,00                                                                   |
| To search for a record that must be disclosed (per hour or part of an hour, excluding the first hour, reasonably required for such search and preparation)                                                                                                                   | R145,00                                                                  |
| - To not exceed a total cost of                                                                                                                                                                                                                                              | R435,00                                                                  |
| Where a copy of a record needs to be posted the actual postal fee is payable.                                                                                                                                                                                                | TBC                                                                      |

# 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

|  |
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|  |
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|  |

(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<br>(when made on behalf of another person) |           |  |                                                         |  |
| 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 (if applicable):        |           |  |                                                         |  |

|                                                                                                                                                                                                                                                                                                                                                                                        |          |  |           |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|--|-----------|
| Identity Number                                                                                                                                                                                                                                                                                                                                                                        |          |  |           |
| Postal Address                                                                                                                                                                                                                                                                                                                                                                         |          |  |           |
| Street Address                                                                                                                                                                                                                                                                                                                                                                         |          |  |           |
| E-mail Address                                                                                                                                                                                                                                                                                                                                                                         |          |  |           |
| Contact Numbers                                                                                                                                                                                                                                                                                                                                                                        | Tel. (B) |  | Facsimile |
|                                                                                                                                                                                                                                                                                                                                                                                        | Cellular |  |           |
| <p align="center"><b>PARTICULARS OF RECORD REQUESTED</b></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 or relevant part of the record:                                                                                                                                                                                                                                                                                                                                  |          |  |           |
|                                                                                                                                                                                                                                                                                                                                                                                        |          |  |           |
|                                                                                                                                                                                                                                                                                                                                                                                        |          |  |           |
|                                                                                                                                                                                                                                                                                                                                                                                        |          |  |           |
| Reference number, if available                                                                                                                                                                                                                                                                                                                                                         |          |  |           |
| Any further particulars of record                                                                                                                                                                                                                                                                                                                                                      |          |  |           |
|                                                                                                                                                                                                                                                                                                                                                                                        |          |  |           |
|                                                                                                                                                                                                                                                                                                                                                                                        |          |  |           |
|                                                                                                                                                                                                                                                                                                                                                                                        |          |  |           |
| <p align="center"><b>TYPE OF RECORD</b><br/>(Mark the applicable box with an "X")</p>                                                                                                                                                                                                                                                                                                  |          |  |           |
| Record is in written or printed form                                                                                                                                                                                                                                                                                                                                                   |          |  |           |
| Record comprises virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)                                                                                                                                                                                                                                                        |          |  |           |
| 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                                                                                                                                                                                                                                                                                                             |          |  |           |

| <b>FORM OF ACCESS</b><br><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                                                                                                                         |  |

| <b>MANNER OF ACCESS</b><br><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<br><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>                                                                            |  |

| <b>PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED</b><br><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<br>(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:<br>(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]

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.

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:<br>( <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                                                                   |                       |       |
| <b>TOTAL:</b>                                         |                                                                                |                       |       |

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

☐

Yes

☐

No

| Hours of search | Amount of deposit<br>(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