

ACCESS TO INFORMATION MANUAL

ISSUED IN TERMS OF SECTION 51 OF

THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000

AND READ WITH

THE PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013

FOR:

STRATLAW (PTY) LTD

REGISTRATION NUMBER: 2014/203630/07

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I. PRELIMINARY

I.1. Approval

The signatures below certify that this Promotion of Access to Information Act (PAIA) Manual has been reviewed, accepted and that the signatories are aware of all the requirements contained herein and are committed to ensuring compliance therewith.

	Name	Signature	Position	Date
Approved by	Arno Jansen Van Vuuren		Managing Director	

I.2. Amended records

This PAIA Manual is reviewed to ensure its continuous compliance with the most recent legislation and procedures. A record of all revisions and/or amendments is given below:

Rev. no.	Issue Date	Revision Description	Prepared by	Reviewed by	Approved by
1					

I.3. Company proprietary information

The electronic version of this manual is the latest revision. It is the responsibility of the employees to ensure that any paper print-out of this manual is the most recent version. The printed version of this manual is uncontrolled and could be an old version thereof.

I.4. Personal information

In the event that an individual/legal entity ("receiving Party") requests information in terms of this PAIA manual, the Company and the receiving Party shall comply with any applicable data protection legislation regulating the processing of personal information, including the Protection of Personal Information Act 4 of 2013 (POPIA) and any regulations issued in terms of POPIA that may apply in relation to the processing of any personal information in connection with this manual.

Without deviating from the generality of the foregoing, the receiving Party agrees that it will:

- follow and adhere to the Company's instructions in connection to processing of the personal information of the Company's employees, customers and suppliers it receives in connection with its performance of this manual;

- process any personal information provided to it by the Company only with the knowledge or authorisation of the Company and only for the purpose for which the personal information was provided;
- restrict access to personal information to employees or agents who are properly authorised to process such personal information and who, by virtue of their office or contract are subject to appropriate confidentiality obligations;
- disclose any personal information provided to it by the Company to any third party without the prior written consent of the Company or unless required by law;
- implement and maintain reasonable, appropriate technical and organisational security measures to preserve the integrity and confidentiality of the personal information provided and to prevent any loss of damage to or unauthorised destruction of the personal information as well as unlawful access to or processing of the personal information;
- verify, upon request, that all security measures that are in place are effectively implemented;
- conduct regular assessments to identify all reasonably foreseeable internal and external risks to the personal information provided by the Company in its possession or control and update and align the security measures with the risks identified;
- not transfer or process personal information outside of South Africa to recipients that are not subject to adequate data protection laws unless the written consent of the Company is obtained and, where applicable, the necessary regulatory approval has been granted;
- only retain the personal information for as long as is reasonably necessary to perform the services in terms of this manual and shall return, delete or destroy such information after the lapse of the applicable retention period as prescribed by law, or within ten (10) days of a written request by the Company requesting the handing over of or deletion of such personal information, whichever occurs first, unless otherwise agreed to in writing upon between the parties; and
- In the event that the receiving Party has reasonable grounds to believe that the personal information provided to it by the Company has been accessed or acquired by any unauthorised person (a Data Breach), the receiving Party shall immediately notify the Company in writing of such Data Breach and shall provide the Company with all reasonable assistance in order to mitigate the effects of such Data Breach.

The receiving Party acknowledges that by requesting any Personal Information or records held by Company, the receiving Party indemnifies and holds the Company and/or any of its directors, officers or any other officials thereof respectively, harmless against any and all loss, damage, costs (including legal costs on an attorney and client basis), charges, penalties, fines and/or expenses which may be incurred or sustained by the Company and/or any one or more of the aforesaid persons as a result of the receiving Party having failed to comply with this clause and with any applicable data protection legislation.

I.5. Abbreviations

Abbreviation	Description
PAIA	Promotion of Access to Information
POPIA	Protection of Personal Information Act 4 of 2013

1. INTRODUCTION

This PAIA manual has been compiled in accordance with the provisions of PAIA, read with the provisions of POPIA.

Van Vuuren Coetzee Attorneys (the Company) is a private body as defined in PAIA, and this Manual contains the information specified in section 51 of PAIA, which is applicable to such a private body.

The Manual will be updated on a regular basis in accordance with the provisions of section 51(2) of PAIA.

2. CONTACT DETAILS

In terms of section 51(1)(a) of PAIA, the contact details of the Chief Executive Officer are as follows:

Name and Surname	Arno Jansen Van Vuuren
Postal address	Suite 208, Extension 025, Lynwoodrif, 0040
Physical address	89 Bouvardia Ave, Lynwood Ridge, Pretoria, Gauteng
Telephone number	012 346 1428
Email address	reception@stratlaw.co.za

In terms of section 51(1)(b) the following individuals have been appointed as the Company's Information Officer and/or Deputy Information Officer/s:

Designation	Name	Position in the company	Telephone no.	Email address
Information Officer	Arno Jansen Van Vuuren	Managing Director	(012) 346 1428	reception@stratlaw.co.za
Deputy Information Officer (if applicable)	Johann Hattingh	Corporate Compliance Consultant	(012) 346 1428	Johann.h@stratlaw.co.za

The Company's information is as follows:

Company name	Stratlaw (Pty) Ltd
Registration number	2014/203630/07
Postal address	Suite 208, Extension 025, Lynwoodrif, 0040
Physical address	89 Bouvardia Ave, Lynwood Ridge, Pretoria.
Telephone number	(012) 346 1428
Website	www.stratlaw.co.za
Head of the company	Arno Jansen Van Vuuren
Email address	reception@stratlaw.co.za

3. GUIDE IN TERMS OF SECTION 10 OF PAIA

The South African Human Rights Commission, has in terms of Section 10 of PAIA, compiled a guide containing information as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA.

Queries are to be directed to:

The South African Human Rights Commission

Postal address	Private Bag 2700, Houghton, 2041
Telephone number	+27 11 877 3600
Fax number	+27 11 403 0625
Website	www.sahrc.org.za
Email address	paia@sahrc.org.za

With effect from 1 July 2021, the enforcement of PAIA falls under the jurisdiction of the Information Regulator established in terms of POPIA.

The contact details for the Information Regulator are as follows:

The Information Regulator of South Africa

Postal address	P.O Box 31533, Braamfontein, Johannesburg, 2017
Physical address	33 Hoofd Street, Forum III, 3rd Floor Braampark
Telephone number	+27 10 023 5200 / +27 82 746 4173

Website	https://www.justice.gov.za/inforeg/index.html
Email address	inforeg@justice.gov.za / complaints.IR@justice.gov.za

4. ACCESS TO RECORDS

A request for access to records held by the Company in terms of section 52 of PAIA must be made on the form contained in the Regulations relating to the Promotion of Access to Information Act (Form E).

Subject to the provisions of PAIA, information may be inspected, collected, purchased or copied at the offices of the Company and, unless the records are available on the Company's website, an appointment to view the records will have to be made with the Information Officer or the Deputy Information Officer.

Certain records are available without having to be requested in terms of the request procedures as set out in PAIA and detailed in the PAIA Manual.

The following records of the Company are available without having to request access in terms of PAIA, but the records are not limited to:

Category	Description	Format	Maintained by	Stored at
Information in the public domain	BBBEE Affidavit	Hard copy and electronic version	Information Officer and Deputy Information Officer	89 Bouvardia Ave, Lynwood Ridge, Pretoria.

The following records of the company will require a request in terms of PAIA and/or POPIA and will not in all instances be provided to a requester. The records held under the various categories below 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 supporting the request and/or any refusal grounds (if applicable), but the records are not limited to:

Category	Description	Format	Maintained by	Stored at
Finance and administration	Bank account records; Books and records of account and financial statements; VAT and PAYE records; Tax return records; Asset registers; Remuneration Records and Policies;	Hard copy and electronic version	Head of the company	89 Bouvardia Ave, Lynwood Ridge, Pretoria.

	<p>Details of auditor;</p> <p>External auditor reports;</p> <p>Shareholders' register;</p> <p>Sales Records;</p> <p>Minutes of the meetings of the Company (non-confidential parts);</p> <p>Minutes of the meetings of committees/ subcommittees.</p>			
Management	<p>Internal correspondence;</p> <p>Resolutions and directives;</p> <p>Policies, procedures, and codes;</p> <p>Insurance Information;</p> <p>Internal audit records;</p> <p>Stock records;</p> <p>Travel management and arrangements.</p>	Hard copy and electronic version	Head of the company	89 Bouvardia Ave, Lynwood Ridge, Pretoria.
Human Capital Management	<p>Organisational information (organisational structure etc.);</p> <p>Personnel files;</p> <p>Attendance registers;</p> <p>Contracts, conditions of service and other agreements;</p> <p>Medical aid records;</p> <p>Employee leave records;</p> <p>Employee payments and benefits (statutory and contractual);</p> <p>Correspondence with or about employees;</p> <p>Skills requirements;</p> <p>Training Records;</p> <p>User Manuals;</p> <p>Records of disciplinary hearings and findings;</p> <p>Health and Safety records;</p>	Hard copy and electronic version	Head of the company	89 Bouvardia Ave, Lynwood Ridge, Pretoria.

	Employee declaration in terms of the EEA.			
Relationships with third parties	Service level agreements with suppliers; Contract details of suppliers; Tender and bid documentation; Service level agreements; Client and Supplier Registries; Licences and general conditions for conducting business.	Hard copy and electronic version	Head of the company	89 Bouvardia Ave, Lynwood Ridge, Pretoria.
Information Technology	Computer software; Support and maintenance agreements; Licensing agreements; Licenses.	Hard copy and electronic version	Head of the company	89 Bouvardia Ave, Lynwood Ridge, Pretoria.
Property	Asset registers; Records regarding insurance in respect of movable or immovable property.	Hard copy and electronic version	Head of the company	89 Bouvardia Ave, Lynwood Ridge, Pretoria.
Legal	None.	Hard copy and electronic version	Head of the company	89 Bouvardia Ave, Lynwood Ridge, Pretoria.

Where applicable to the Company's operation, the Company also retains records and documents in terms of the below listed legislation (section 51(1)(d)). Unless disclosure is prohibited in terms of legislation, regulations, contractual agreements or otherwise, records that are required to be made available in terms of these Acts shall be made available for inspection by the interested parties in terms of the requirements and conditions of the Act.

A request to access must be done in accordance with the provisions of the respective Act.

Name of the Act	Act no. and year
Basic Conditions of Employment Act	75 of 1995
Labour Relations Act	66 of 1995
Occupational Health and Safety Act	85 of 1993

COVID 19 Workplace Guidelines	No. 43400
Income Tax Act	58 of 1962
The Companies Act	71 of 2008
Protection of Personal Information Act	4 of 2013
Promotion of Access to Information Act	3 of 2000
Financial Intelligence Centre Act	38 of 2001
Electronic Communications and Transactions Act	25 of 2002
The Constitution of South Africa	108 of 1996

4.1. For purposes of POPIA

For the purposes of facilitating a request for personal information, the information below includes information regarding the purpose of the processing of personal information by the Company, a description of the categories of data subjects and of the information or categories of information relating to data subjects held by the Company.

In terms of POPIA, a requester to whom certain personal information relates may make a request to the Company to confirm, free of charge, whether it holds personal information about that particular requester.

A requester may make a request to the Company to provide the records or a description of the personal information about the requester, which is held by it, including information regarding the identity of third parties, or categories of third parties, who have, or have had, access to the personal 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.

The Company has the following data subjects and categories of personal information relating to the said data subjects:

Data subjects	Categories of information
Employees	Personal Information
Clients	Personal Information
Suppliers	Personal Information

The information of the data subjects is used for the following processing purposes:

Data subjects	Broad description of the processing purpose
Employees	Completion of Employment Agreements, finalising payroll, and UIF& PAYE payments. Issuing of payslips.
Clients	Telephone numbers, Vat numbers, physical/postal addresses. Email addresses, owners or director's ID's, company registration numbers etc.
Suppliers	Telephone numbers, Vat numbers, physical/postal addresses. Email addresses, owners or director's ID's, company registration numbers etc.

The following are likely recipients or categories of recipients to whom personal information may be supplied:

Data subjects	Broad description of the processing purpose
Employees	Human Resource or person responsible for HR in the company
Clients	Salesperson, Director, Receptionist
Suppliers	Salesperson, Director, Receptionist

The following security measures are in place to protect personal information:

Technical Measures	Organisational Measures
PC and laptop login	Company computers and laptops are left and locked in the office
Data access	Only authorised personnel have access to personal information
Backups and Archives	Stored on a server protected by password and firewall
Email	Emails are stored on Office 365, protected by password, user authentication on the computer/laptop which is further protected by Bitdefender and anti-virus
Database access	Access to the database requires a password. Only authorised personnel are allowed to access the database
Financial and planning data	It remains in the Sage Accounting system located on our server, which requires a password for access
Access control	Security Gate and an alarm

The following transborder flows of Personal Information is planned by the company:

Area	Type of Information	Processing Purpose
N/A	N/A	N/A

5. REQUEST PROCEDURE IN TERMS OF PAIA

5.1. Form of Request (section 53 of PAIA)

- 5.1.1. A request for access to records held by the Company in terms of section 53 of PAIA must be made on the form contained in the Regulations regarding the Promotion of Access to Information Act (Form C). A copy of the form is attached as Schedule A to the Manual. The request must be made to the Information Officer and/or Deputy Information Officer of the Company at the address, or e-mail address specified in the Manual.
- 5.1.2. The requester must provide sufficient detail on the prescribed form to enable the Information Officer and/or Deputy Information Officer of the Company to identify the record and the identity of the requester. If a request is made on behalf of another person or entity, the requester must submit details and proof of the capacity in which the requester is making the request, which must be reasonably satisfactory to the Information Officer and/or Deputy Information Officer. The requester is also required to indicate which form of access to the relevant records is required, and to provide her/his/its contact details in South Africa.
- 5.1.3. For the purposes of Form C, the requester must comply with all the procedural requirements in PAIA relating to a request for access to the relevant records.
- 5.1.4. 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 Company's possession but cannot be found, or it does not exist, then the Information Officer and/or Deputy Information Officer will, by way of an affidavit or affirmation, notify the requester that it is not possible to give access to that record.
- 5.1.5. The Company is required to inform a requester in writing of its decision in relation to a request. If the requester wishes to be informed of the Company'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 Company to inform the requester in the preferred manner.
- 5.1.6. The Company 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.

5.2. Fees in terms of section 54 of PAIA

- 5.2.1. A requester who seeks access to records containing personal information about her/him/it, is not required to pay a request fee. Requesters who earn less than R14,712.00 per year (if single) and R27,192.00 per year (if married or in a life partnership), do not have to pay access fees. In all other instances, a request fee at the prescribed rate is payable.

5.2.2. The fees for reproduction of information that is automatically available from the Company (a section 52 request), are as follows:

	Description	Price
(a)	For every photocopy of an A4-size page or part thereof	R1.01
(b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R0.75
(c)	For a copy in a computer-readable form on:	
	(i) Compact disk	R70.00
(d)	For a transcription of visual images, for an A4-size page or part thereof	R40.00
	(ii) For a copy of visual images	R60.00
(e)	(i) For a transcription of an audio record, for an A4-size page or part thereof	R20.00
	(ii) For a copy of an audio record	R30.00

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

	Description	Price
(a)	For every photocopy of an A4-size page or part thereof	R1.01
(b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R0.75
(c)	For a copy in a computer-readable form on:	
	(i) Compact disk	R70.00
(d)	For a transcription of visual images, for an A4-size page or part thereof	R40.00
	(ii) For a copy of visual images	R60.00
(e)	(i) For a transcription of an audio record, for an A4-size page or part thereof	R20.00
	(ii) For a copy of an audio record	R30.00

5.2.4. The request fee may be paid at the time a request is made, alternatively the person authorised to deal with such requests on the Company's behalf may notify the requester that she/he/it will need to pay the request fee before processing the request any further. A requester may apply to the court to be exempted from the requirement to pay the request fee.

- 5.2.5. Where a request for access to a record or records held by the Company 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 Company is entitled to withhold a record until the required access fees have been paid.
- 5.2.6. Persons who are requesting access to their personal information are exempt from paying a request fee but they are still required to pay the access fee and reproduction fee, if applicable.
- 5.2.7. In addition to the above, if the search for and preparation of the record or records requested takes more than 6 hours, the Company may charge R30.00 for each hour or part thereof which is required for the search for and preparation of the records. The requester may make an application to the court to be exempted from the requirement to pay this deposit. If a deposit is made and access to the records requested is subsequently refused, the deposit will be repaid to the requester.

5.3. Refusal of Access to Information

- 5.3.1. A private body is entitled to refuse a request for information, and must, subject to certain provisions, refuse a request of access on the following grounds:
 - 5.3.1.1. Mandatory protection of privacy of a third party who is a natural person. (Section 34(1)).
 - 5.3.1.2. Mandatory protection of certain records of the South African Revenue Service (SARS) (Section 35(1)).
 - 5.3.1.3. Mandatory protection of commercial information of third party (Section 36(1)), which includes:
 - 5.3.1.3.1. trade secrets of a third party;
 - 5.3.1.3.2. financial, commercial, scientific or technical information other than trade secrets of a third party, of which the disclosure could likely cause harm to the commercial or financial interests of that third party; or
 - 5.3.1.3.3. information supplied in confidence by a third party and the disclosure could put that third party at a disadvantage in contractual or other negotiations, or prejudice that third party in commercial competition.
 - 5.3.1.4. Mandatory protection of certain confidential information of a third party (Section 37(1)(a)).
 - 5.3.1.5. Mandatory protection of safety of individuals and protection of property (Section 38(a)).
 - 5.3.1.6. Mandatory protection of police dockets in bail proceedings, and protection of law enforcement and legal proceedings (Section 39(1)(a)).

- 5.3.1.7. Mandatory protection of records privileged from production in legal proceedings (Section 40).
- 5.3.1.8. Mandatory protection of research information of third party, and protection of research information of public body (Section 43(1)), which includes:
 - 5.3.1.8.1. the third party;
 - 5.3.1.8.2. a person that is or will be carrying out the research on behalf of the third party; or
 - 5.3.1.8.3. the subject matter of the research;
 - 5.3.1.8.4. to serious disadvantage.

5.4. Remedies for Refusal to a Request for Information

5.4.1. Internal Remedy

The Company does not have an internal appeal procedure. As such, the decision made by the Information Officer and/or Deputy 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 and/or Deputy Information Officer.

5.4.2. External Remedy

Where a requester is not satisfied by a decision made by the Information Officer and/or the Deputy Information Officer of the Company, she/he/it may apply to court for relief within 180 days of receiving the decision that has caused the grievance. The application can be made to a Magistrate's Court or High Court.

6. OTHER INFORMATION AND NOTICES IN TERMS OF PAIA

Currently, the Regulations published in terms of PAIA, under Government Notice R187 in Government Gazette 23119 of 15 February 2002, set out, among other things, the fees which may be charged by private bodies for the reproduction of records (provided in the table above).

No new Regulations have since been published and the last amendments to the Regulations were made in 2007.

7. MANUAL AVAILABILITY

This manual is available for inspection free of charge at the offices of the Company at the address as set out in this Manual. Alternatively, an electronic copy can be found on the website of the Company.

REQUEST FOR ACCESS TO RECORDS OF A PRIVATE BODY

(Section 53(1) of the Promotion to Access to Information Act, 2000)

(Regulation 10)

A. PARTICULARS OF PRIVATE BODY

The Information Officer / Deputy Information Officer:

Stratlaw (Pty) Ltd

89 Bouvardia Ave

Lynwood Ridge

Pretoria

Tel: 012 346 1428

Email: reception@stratlaw.co.za; johann.h@stratlaw.co.za

B. PARTICULARS OF PERSON REQUESTING ACCESS TO THE RECORDS:

- the particulars of the person who requests access to the record must be given below.
- the address and / or fax number in the republic to which the information is to be sent must be given.
- proof of the capacity in which the request is made, if applicable, must be attached.

Full names and surname	
ID no.	
Postal address	
Telephone number	
Email address	
Capacity when made on behalf of another person	

C. PARTICULARS OF PERSON ON WHOSE BEHALF REQUEST IS MADE

This section must be completed only if a request for information is made on behalf of another person.

Full names and surname	
ID no.	

D. PARTICULARS OF RECORD

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. The requester must sign all the additional pages.

1. Description of record or relevant part of the record:

2. Reference number, if available:

3. Any further particulars of record:

E. FEES

- A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.
- You will be notified of the amount required to be paid as the request fee.

- 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.
- If you qualify for exemption of the payment fee, please state the reason for exemption:

(reason for exemption from payment of fees)

F. FORM OF ACCESS TO RECORD

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 below, state your disability and indicate in which form the record is required.

Disability		Form in which record is required	
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NOTES:

Mark the appropriate box below with an X.

- Compliance with your request in the specified form may depend on the form in which the record is available.
- Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
- The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

1. If the record is in written or printed form:					
Copy of the record*		Inspection of records			
2. If record consists of visual images (includes photographs, slides, video recordings, computer-generated images, sketches, etc.):					
View the images		Copy of the images*		Transcription of the images*	
3. If record consists of recorded words or information which can be reproduced in sound					
Listen to the soundtrack (audio cassette / recording)		Transcription of soundtrack* (written or printed document)			
4. If record consists of recorded words or information which can be reproduced in sound					

Printed copy of record*		Printed copy of information derived from the record*		Copy in computer readable form* (compact disk or memory stick)	
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* If you require a copy or transcription of record (above), do you wish the copy or transcription to be posted to you? (yes/no) _____ (postage is payable).

G. PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

If the provided space is inadequate, please continue on a separate page and attach it to this form. The requester must sign all the additional folios.

1. Indicate which right is to be exercised or protected:

2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

H. NOTICE OF DECISION REGARDING REQUEST FOR ACCESS

You will be notified in writing within 30 days whether your request has been approved / denied. Such period may, in certain circumstances, be extended in terms of PAIA. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

Email	
Telephonically	
Other (Specify)	

SIGNED **AT** _____ **this** _____ **day** **of**
_____ **20** _____.

**SIGNATURE OF THE REQUESTER/
PERSON ON WHOSE BEHALF REQUEST IS MADE**