

PAIA MANUAL

This manual was prepared in accordance with sections 14 and 51 of the Promotion of Access to Information Act No 2 of 2000 (PAIA) and to address requirements of the Protection of Personal Information Act No 4 of 2013 (POPIA)

DIVISION: CORPORATE SERVICES

PROCEDURES MANUAL NO:

EFFECTIVE DATE: 01 JANUARY 2022

LAST AMENDED:

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1. Definition of Terms

Term	Definition
Consent	<p>Consent means: any voluntary, specific and informed expression of will in terms of which permission is given for the processing of personal information.</p> <p>(a) It is important to note that consent means <u>specific consent</u>. Therefore, a general consent will not suffice and a specific consent for each instance in which the personal information will be dealt with, must be obtained</p> <p>(b) The consent must have provided for exactly what personal information is required, why it is required, how it will be dealt with, and where it will be stored.</p> <p>(c) It must also provide for whether the information will be shared or not</p>
Data Subject	Data subject means: person to whom personal information relates
Electronic Communication	Electronic Communication includes : text, voice, sound and image messages and includes the message being stored prior to the recipient retrieving it. Mediums such as Facebook, LinkedIn, and Twitter would be included in addition to e-mail, Internet, and the Intranet.
Information Officer	Information Officer is the person appointed by the Responsible Party to manage PAIA
Deputy Information Officer	Deputy Information Officer is an employee to whom the Information Officer has delegated their powers and duties in terms of PAIA.
Operator	Operator is any person acting under a mandate or under contract of a Responsible Party who has a duty not to disclose personal information. The operator must maintain the integrity and confidentiality of information collected.
Personal Information	<p>Personal information means:</p> <p>(a) Information relating to both an identifiable, living, natural person, and where applicable, an identifiable juristic person or legal entity. The focus is on the nature of the information rather than whether it is readily obtainable or not.</p> <p>(b) It includes both “personal” and “private” information.</p> <p>(c) Information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;</p> <p>(d) Information relating to the education or the medical, financial, criminal or employment history of the person;</p>

	<p>(e) Any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;</p> <p>(f) The biometric information of the person;</p> <p>(g) The personal opinions, views or preferences of the person;</p> <p>(h) Correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;</p> <p>(i) The views or opinions of another individual about the person; and</p> <p>(j) The name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person;”</p>
Promotion of Access to Information No. 2 of 2000	The Act of parliament which is enforced by the Information Regulator and gives effect to the constitutional right to access to information subject to justifiable limitations.
Protection of Personal Information Act No 4 of 2013	The Act of parliament which became enforceable from 1 July 2021 which gives effect to the constitutional right to privacy, by safeguarding personal information when processed by a responsible party, subject to justifiable limitations.
Processing	<p>“Processing” means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including –</p> <p>(a) the collection, receipt, recording, organization, collation, storage, updating or modification, retrievable, alteration, consultation or use;</p> <p>(b) dissemination by means of transmission, distribution or making available in any other form; or</p> <p>(c) merging, linking, as well as restriction, degradation, erasure or destruction of information.</p> <p>Not all processing activities are covered. POPI only covers the processing of personal information that is entered into a record by or on behalf of a Responsible Party that is domiciled in South Africa or, if not domiciled in South Africa, is using automated or non-automated means situated in South Africa.</p>
Record	Means any recorded information –

	<p>(a) regardless of form or medium, including any of the following:</p> <p>(i) writing on any material;</p> <p>(ii) information produced, recorded or stored by means of any tape-recorder, computer equipment, whether hardware or software of both, or other device, and any material subsequently derived from information so produced, recorded or stored;</p> <p>(iii) label, marking or other writing that identifies or describes anything of which it forms part, or to which it is attached by any means;</p> <p>(iv) book, map, plan, graph or drawing;</p> <p>(v) photograph, film, negative, tape or other device in which one or more visual images are embodied so as to be capable, with or without the aid of some other equipment of being reproduced</p> <p>(b) in the possession or under the control of a Responsible Party;</p> <p>(c) whether or not it was created by a Responsible Party; and</p> <p>(d) regardless of when it came into existence;"</p>
Responsible Party	The organisation which determines the purpose of and means for processing information.
Regulator	The person to be appointed to enforce the provisions of PAIA

2. Acronyms / Abbreviations

Abbreviation	Description
CEO	Chief Executive Officer
COO	Chief Operations Officer
DIO	Deputy Information Officer
IO	Information Officer
Minister	Minister of Justice and Correctional Services
NEMBA	National Environmental Management Biodiversity (NEMBA) Act No. 10 of 2004
PAIA	Promotion of Access to Information Act No. 2 of 2000
PFMA	Public Finance Management Act No. 1 of 1999 as Amended
PI	Personal Information
POPIA	Protection of Personal Information Act No. 4 of 2013
Regulator	Information Regulator

3. Introduction to the PAIA manual

- 3.1. The Promotion of Access to Information Act, 2 of 2000 (PAIA) was enacted on 3 February 2000, giving effect to the constitutional right in terms of section 32 of the Bill of Rights contained in the Constitution of the Republic of South Africa 108 of 1996 (Constitution) of access to any information held by the state and any information that is held by another person and that is required for the exercise or protection of any rights.
- 3.2. The South African National Biodiversity Institute (SANBI) Promotion of Access to Information Manual ("Manual") is published in terms of Sections 14 and 51 of the Promotion of Access to Information Act, No 2 of 2000 ("PAIA") and sections 23 - 25 of the Protection of Personal Information Act No.4 of 2014 ("POPIA").
- 3.3. Section 51 of PAIA creates a legal right to access records (as defined in section 1 of PAIA) of a public body, however this right may be negated in circumstances as set out under Chapter 4 of Part 3 of PAIA. In addition, in compliance with POPIA a responsible party who processes personal information must notify the person to whom personal information relates ("Data Subject") of the manner in which the Data Subject can access their personal information held by the responsible

4. Purpose

This PAIA Manual is useful for both SANBI and the public to:

- 4.1. Check the nature of the records which may already be available at South African National Biodiversity Institute (SANBI), without the need for submitting a formal PAIA request;
- 4.2. Have an understanding of how to make a request for access to a record of the South African National Biodiversity Institute (SANBI);
- 4.3. Access all the relevant contact details of the persons who will assist the public with the records they intend to access;
- 4.4. Understand all the remedies available from the South African National Biodiversity Institute (SANBI) regarding request for access to the records, before approaching the Regulator or the Courts;
- 4.5. The description of the services available to members of the public from the South African National Biodiversity Institute (SANBI), and how to gain access to those services;
- 4.6. A description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 4.7. If SANBI, as a responsible party will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- 4.8. Know under what circumstances the South African National Biodiversity Institute (SANBI) may transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- 4.9. Know whether the South African National Biodiversity Institute (SANBI) has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

5. Overview of SANBI

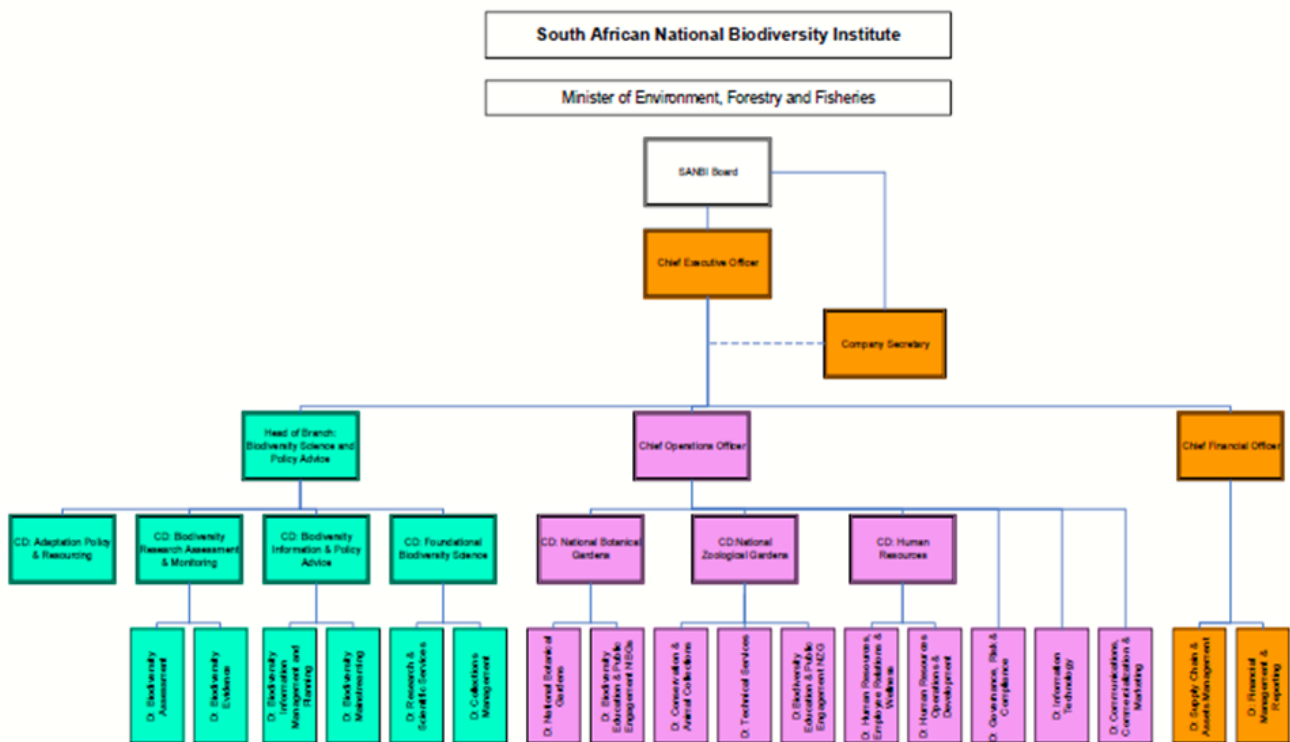
5.1. Mandate

The South African National Biodiversity Institute (SANBI) was established as a juristic person in terms of Section 10(1) of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004). SANBI is a public entity in terms of Section 38(1) (m) of the Public Finance Management Act, 1999 (Act No. 1 of 1999), as amended. It is classified as a schedule 3A entity, i.e. one that will receive substantial support from the National Revenue Fund.

SANBI has a broad mandate that is primarily derived from NEMBA, but also from other legislation and processes over the past decade. The mandate is to explore, reveal, celebrate and champion biodiversity for the benefit and enjoyment of all South Africans, which includes managing the National Botanical and Zoological Gardens as ‘windows’ to South Africa’s biodiversity for enjoyment and education.

5.2. Structure

SANBI’s structure is a reflection of the Institute’s responsibilities as outlined in NEMBA. The organogram shown below mirrors SANBI’s mandated functions:



5.3. Function

SANBI’s core activities involve research, conservation, sustainable use, biodiversity information systems, education, garden development, horticulture, ecosystems rehabilitation and bioregional planning programmes and policies.

6. Details of the Information Officer and Deputy Information Officer

Information Officer	Mr Shonisani Munzhedzi (CEO) Telephone: (012) 843 5000 E-mail: S.Munzhedzi@sanbi.org.za
Deputy Information Officer	Mr Elliot Mashile (COO) Telephone: (012) 843 5278 E-mail: E.Mashile@sanbi.org.za
Email address	info@sanbi.org.za
Fax	(012) 804 3211
Postal address	Private Bag X101, Pretoria, 0001
Street address	2 Cussonia Avenue, Brummeria, Pretoria, 0001
Website	www.sanbi.org

7. Obtaining access to records held by SANBI

7.1. Preliminary steps

- (a) The requester should consider whether the record being requested relates to information about SANBI or information SANBI is most likely to hold or have under its control. Requests for records that are most likely to be held or be under the control of another body should be directed to that body. Requests to SANBI for records that it might not possibly hold or have under its control may have the result in preventing SANBI from responding timeously to requests made because such requests will generally have to be referred to the appropriate body in possession or control of such information.
- (b) The requester is advised to review the information available on the SANBI website at www.sanbi.org.za in order to determine if the request ought to be addressed to SANBI in the first instance in order to avoid delays associated with the information concerned being in the possession or control of a body or entity other than SANBI.
- (c) SANBI reserves the right to refuse a request for access to a record on any of the grounds for refusal enumerated in PAIA.

7.2. Completing the request form

- (a) If a requester is still satisfied that he/she still wish to make a request for records, he/she should complete Form A (Annexure 1) which must be accompanied by the requester's proof of payment. The Deputy Information Officer will reply within 30 days (60 days in certain circumstances) to inform the requester whether the request has been granted or not. Access to records will be granted in the format requested or in the format that the records exist, if the requested format is not available.
- (b) If the requester has not received an acknowledgement of receipt of the request within 14 days, the requester should contact the Deputy Information Officer for assistance.
- (c) Some important points to remember when completing the request form are as follows:

- (i) Each section of the form contains instructions that should be followed to improve the likelihood of the request being granted with minimal delay .
- (ii) Where a request is made for records on behalf of an organisation, it is strongly recommended that the organisation's public officer make or authorise the request.
- (iii) The request must be accompanied by a letter indicating the authority to request records on behalf of the organisation.
- (iv) If the requester is requesting records on behalf of another person, the requester should provide a copy of the mandate authorising him/her to act on behalf of that person.
- (v) The requester should provide a sufficiently detailed description of the records being requested to enable the Deputy Information Officer to identify them.
- (vi) If the requester is experiencing difficulties in completing the request form or have a disability that prevents you from completing it, contact the Deputy Information Officers for assistance. He/she will assist you in completing the form, as well as sending a written copy of the completed form where he/she has completed it on behalf of the requester.

7.3. Fees

- (a) PAIA sets out two (2) types of fees, namely, a request fee and an access fee, that are required to be paid prior to SANBI accessing the request for information. A personal requester, that is the requester who requests access to a record containing personal information, is not required to pay the request fee. Any other requester will be required to pay such fee, as stipulated in Annexure 2.
- (b) Where the cost of collecting any fee in respect of the search and preparation of a record for disclosure, exceeds the amount charged, such fee does not apply.
- (c) The access fee in respect of the search, preparation and disclosure of records does not apply to the personal record of a requester.
- (d) The request and access fees do not apply to a record requested by a maintenance officer or maintenance investigator for purposes of a maintenance investigation or enquiry in terms of the provisions of the Maintenance Act (Maintenance Act 99 of 1988) or the regulation made under Section 44 of that Act.
- (e) In terms of POPIA, a data subject has the right to request SANBI to confirm, free of charge, whether or not it holds personal information about the data subject.

7.4. Taking a decision on the request

- (a) The Deputy Information Officer is required to make a decision on the request within 30 days (60 days in certain circumstances) of receipt of the request, failing which the request is deemed to have been refused. The requester will be notified of the Deputy Information Officer's decision in the manner specified in your request form.
- (b) The requester will be given access to a record of information if he/she has complied with all procedural requirements in the Act relating to the request for access to that record, that is:
 - (i) The request is properly made on the prescribed form;
 - (ii) The requester has furnished proof of authority to act on another's behalf;
 - (iii) The record requested is sufficiently described to enable the Deputy Information Officer to identify it; and
 - (iv) The prescribed fees have been paid.

- (c) Access to the record can be refused on one or more grounds of refusal specified in the Act, which fall into the following categories:
 - (i) Mandatory protection of privacy of a third party who is a natural person;
 - (ii) Mandatory protection of certain records of SANBI;
 - (iii) Mandatory protection of commercial information of a third party;
 - (iv) Mandatory protection of certain confidential information and protection of certain other confidential information of a third party;
 - (v) Mandatory protection of safety of individuals and protection of property;
 - (vi) Mandatory protection of police dockets in bail proceedings and protection of law enforcement and legal proceedings;
 - (vii) Mandatory protection of records privileged from production in legal proceedings;
 - (viii) Defence, security and international relations of the Republic; economic interests and financial welfare of the Republic and commercial activities of public bodies;
 - (ix) Mandatory protection of research information of a third party and protection of research information of a public body; and
 - (x) Manifestly frivolous or vexatious requests or substantial and unreasonable diversion of resources.

8. Appealing a decision of refusal to access

- 8.1. Should a requester not be satisfied with the decision of the Deputy Information Officer or there is deemed refusal of a request, the requester is entitled to lodge an internal appeal in respect of that decision or deemed refusal.
- 8.2. The internal appeal must be noted in writing using the form annexed marked "Annexure 3" hereto (Form B).
- 8.3. The requester must set out the grounds for the appeal in respect of each record sought. The internal appeal must generally be lodged within sixty (60) days of the receipt of the Deputy Information Officer's decision, or the date of the deemed refusal.
- 8.4. The appeal must be lodged in person or by e-mail, facsimile or post with the Deputy Information Officer, whose particulars are detailed at paragraph 8 above. The Deputy Information Officer will then forward the requestor's appeal, together with the reasons for his decision, to SANBI's relevant authority for a decision.

9. Remedies available in the event of failure to act by SANBI

- 9.1. In the event of failure to act on a request by SANBI within 30 days, a requester can pursue any of the options below:
 - (a) Lodge an internal appeal with the Information Officer;
 - (b) Submit a complaint to the Information Regulator; and
 - (c) Approach a court of law for appropriate relief.
- 9.2. The process of lodging an appeal is described in Section 8.
- 9.3. In the event of a request being denied or where there is no response from SANBI within 30 days, the requester may send a complaint to the Information Regulator to the e-mail PAIAComplaints@inforegulator.org.za

10. Guide on how to use PAIA and how to obtain access to the guide

- 10.1. The Regulator has, in terms of section 10(1) of PAIA, updated and made available the revised Guide on how to use PAIA ("Guide"), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.

10.2. The Guide is available in each of the official languages and contains the following descriptions:

- (a) The objects of PAIA and POPIA
- (b) The postal and street address, phone and fax number and, if available, electronic mail address of the Information Officer of every public body and every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA and section 56 of POPIA
- (c) The manner and form of a request for access to a record of a public body contemplated in section 11 and access to a record of a private body contemplated in section 50;
- (d) The assistance available from the Information Officer of a public body in terms of PAIA and POPIA;
- (e) The assistance available from the Regulator in terms of PAIA and POPIA;
- (f) All remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging an internal appeal, a complaint to the Regulator; and an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;
- (g) The provisions of sections 14 and 51 requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
- (h) The provisions of sections 15 and 52 providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- (i) The notices issued in terms of sections 22 and 54 regarding fees to be paid in relation to requests for access; and
- (j) The regulations made in terms of section 92.

10.3. Members of the public can inspect or make copies of the Guide from the offices of the public or private bodies, including the office of the Regulator, during normal working hours. The Guide can also be obtained upon request to the Information Office or from the website of the Regulator <https://www.justice.gov.za/inforeg>

11. Categories of records held by SANBI

11.1. Records which are available without a person requesting access

Category	Type of document	Available on website
Tender documents	<ul style="list-style-type: none"> • Advertised tenders and quotations • Standard bidding documents • Closed / past opportunities 	X
Governance and Strategy documents	<ul style="list-style-type: none"> • Annual Reports • Press releases • Organisation profile • Strategy documents • Annual Performance Plans • Board of Directors and Management team • Mandate of SANBI • History of SANBI • SANBI partners and associates 	X
Employment opportunities	<ul style="list-style-type: none"> • Job opportunities • Student and intern programmes 	X
Biodiversity information	<ul style="list-style-type: none"> • Community initiatives • Biodiversity databases • Biodiversity heritage library 	X

11.2. Records which may be available on request

Category	Type of document
Human Resources records	<ul style="list-style-type: none"> • Employment contracts • Employment Equity Plan • Medical Aid records • Pension Fund records • Disciplinary proceedings records • Salary records • SETA records • Disciplinary code • Leave records • Training records • Training Manuals • Recruitment and selection records
Financial records	<ul style="list-style-type: none"> • Annual Financial Statements • Accounting Records • Banking Records • Bank Statements • Paid Cheques • Electronic banking records • Rental Agreements • Invoices • Skills Development Levies • UIF records • PAYE Records; • Documents issued to employees for income tax purposes • Records of payments made to SARS on behalf of employees • All other statutory compliance documents
Legal records	<ul style="list-style-type: none"> • Agreements and contracts • Legal opinions • Litigation documents
Company records	<ul style="list-style-type: none"> • Memorandum of Incorporation • Minutes of Board of Directors and sub-committee meetings • Records relating to the appointment of directors/ auditors/ company secretary/ public officer and other officers • Share Register and other statutory registers
Procurement service records	<ul style="list-style-type: none"> • Tender invitation records • Tender submissions • Tender process documents • Procurement policy • Asset Register • Goods and services procurement records
Audit and Risk Management records	<ul style="list-style-type: none"> • Internal Audit reports; • Compliance reports; • Operational risk management reports; • Risk management policies • External Audit reports
Business Systems Management records	<ul style="list-style-type: none"> • Records of procurement of systems and software; • ICT Steering Committee meeting minutes;

	<ul style="list-style-type: none"> • Test data records; • Project Management records; and • System documentation
Biodiversity records	<ul style="list-style-type: none"> • Research reports

12. Services available to members of the public

- 12.1. SANBI has a network of National Botanical and Zoological Gardens, each with their associated tourism infrastructure and conservation estate. These Botanical and Zoological Gardens are accessible to the public.
- 12.2. SANBI provides biodiversity information to the general public and has links on its website to many databases and other resources developed by SANBI and its partners.
- 12.3. Through Environmental Education Centres located in the National Botanical Gardens, skills development, education and awareness programmes are facilitated with schools and communities to increase knowledge about biodiversity.
- 12.4. SANBI also hosts students and interns under its various work programme as a means to grow capacity in the biodiversity sector in South Africa.

13. Processing of personal information

13.1. Purpose of Processing

SANBI processes Personal Information for purposes related to its functions or activities, or for any other purposes contemplated in POPIA inter alia for:

- (i) General business administration purposes such as processing of Personal Information for payroll processes, recruitment purposes, pension, medical aid, disciplinary action, training etc;
- (ii) Contractual obligations with suppliers and service providers;
- (iii) Purposes of criminal and/or civil legal proceedings;
- (iv) Statistical or research purposes with regard to biodiversity activities;
- (v) Complying with obligations imposed by law;
- (vi) Communicating with Data Subjects by email, letter, telephone, SMS; and
- (vii) Verifying and updating information at its disposal.

13.2. Categories of Data Subjects

- (a) SANBI generally processes personal information relating to, but not limited to:

Categories of Data Subjects	Personal Information that may be processed by SANBI
Natural Persons	Names, physical and postal addresses, date of birth, tax related information, ID numbers, confidential correspondence, identifying numbers, email addresses, telephone numbers, medical information, criminal or employment history, biometric information, personal opinions, information relating to race, gender, sex, marital status, nationality of person, language, ethic, colour, disability of person, biometric information, information relating to education, Pension Fund records, Performance appraisals, disciplinary records, leave records,

Categories of Data Subjects	Personal Information that may be processed by SANBI
	training records, remuneration and salary records, medical aid records, deductions from salaries, banking and financial records
Juristic Persons	Names, contact details, physical and postal address, tax related information, identifying numbers, symbols, email addresses, telephone numbers, location information, unique identifiers, confidential correspondence, financial information, directors and shareholders details, legal opinions; information relating to education of service providers and/or taxpayers
Employees	Gender, pregnancy; marital status; Race age, language, educational information (qualifications); financial information; employment history; ID number; physical and postal address; contact details(contact number(s), fax number, email address); criminal behaviour; well-being and their relatives (family members) race, medical, gender, sex, nationality, ethnic or social origin, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language, biometric information of the person

(b) SANBI may process the Personal Information of the following categories of Data Subjects, which includes current, past and prospective Data Subjects:

- (i) Employees;
- (ii) Job applicants;
- (iii) Leases of SANBI premises;
- (iv) Suppliers and service providers;
- (v) Individuals captured by CCTV;
- (vi) Access control registers; and
- (vii) Visitors to any premises of SANBI such as parks and restaurants

13.3. Categories of recipients to whom the personal information may be supplied

- (a) Regulatory bodies, statutory bodies and other organs of State;
- (b) Law enforcement agencies;
- (c) Employees of SANBI;
- (d) Family and representatives of the person whose personal information SANBI is processing;
- (e) Suppliers and service providers to whom SANBI has a written contractual relationship with
- (f) requiring them to have access to Personal Information;
- (g) Anyone making a successful application for access in terms of the Promotion of Access to Information Act No. 4 of 2000;
- (h) Research and academic institutions;
- (i) Employment and recruitment agencies;
- (j) Medical aid schemes;
- (k) Insurance service providers;
- (l) Pension fund administrators;
- (m) Trade unions;
- (n) Psychometric assessment reports

13.4. Planned transborder flows of personal information

SANBI may transmit Personal Information across the borders of the Republic of South Africa to:

- (i) Suppliers and service providers in accordance with written agreements concluded between SANBI and the relevant suppliers and service providers;

- (ii) Donors and funders of SANBI's programmes; and
- (iii) International research partners.

Personal Information may be stored in data servers hosted outside the Republic of South Africa which may not necessarily have adequate data protection laws.

Communications over the internet (such as emails) are not secure unless they have been encrypted. A data subject's communications may go through a number of countries before being delivered – as this is the nature of the internet, SANBI cannot accept responsibility for any unauthorised access to personal information that is beyond the Institute's control.

13.5. Description of Information Security Measures

SANBI deploys up to date technology to safeguard confidentiality and ensure integrity of Personal Information under its control. SANBI information security measures includes:

- (i) Firewalls;
- (ii) Encryptions;
- (iii) Logical access control;
- (iv) Non-Disclosure Agreements (NDAs) for employees, services providers and third parties SANBI may share information with;
- (v) Physical access control;
- (vi) Secure hardware and software; and
- (vii) Confidentiality and data privacy clauses in agreements concluded with suppliers and service providers.

14. Availability of Manual

14.1. This Manual is made available in the following three official languages:

- 14.1.1. English
- 14.1.2. Afrikaans
- 14.1.3. Xhosa

14.2. A copy of this Manual or the updated version thereof, is also available as follows:

- 14.2.1. On the organisational website, www.sanbi.org.za;
- 14.2.2. At the head office for public inspection during normal business hours;
- 14.2.3. To any person upon request and upon the payment of a reasonable prescribed fee; and
- 14.2.4. To the Information Regulator upon request.

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

15. Updating of the Manual

SANBI will, if necessary, update and publish this Manual annually.

Issued by



S. Munzhedzi
Chief Executive Officer

Annexure 1 - Request For Access To Record of SANBI

FORM A

REQUEST FOR ACCESS TO RECORD OF SANBI

(Section 18(1) of the Promotion of Access to Information Act (Act. No. 2 of 2000))

[Regulation 6]

A. Particulars of SANBI

Attention: The Information Officer / Deputy Information Officer

Information Officer	
Deputy Information Officer	
Email address	

B. Particulars of person requesting access to the record.

- (a) The particulars of the person who requests access to the records must be given below.
- (b) The address and/or fax number in the Republic to which the information is to be sent must be given.
- (c) Proof of the capacity in which the request is made, if applicable, must be attached.

Full Names and Surname: _____

Identity number: _____

Postal Address: _____

Fax Number: _____

Telephone Number: _____

Email Address _____

Capacity in which the request is made, when made on behalf of another person:

C. Particulars of person on whose behalf request is made

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

Full names and surname: _____

Identity number: _____

D. Particulars of record

- | | |
|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (a) | Provide full particulars of the records to which access is requested, including the reference number if that is known to the requester, to enable the record to be located. |
| (b) | If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios. |

Description of record or relevant part of the records:

Reference number, if available: _____

Any further particulars of record: _____

E. FEES

- (a) A request for access to a record, other than a record containing personal information about the requester, will be processed only after a request fee has been paid.
- (b) The requester will be notified of the amount required to be paid as the request fee.
- (c) The **fee payable for access** to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.
- (d) If the requester qualifies for an exemption for payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

F. Form of access to record

Where a form of disability may prevent a person to read, view or listen to the records in the form of access provided for in 1 to 4 below, state the requester's disability and indicate in which form the record is required.

Disability:	Form in which record is required

Mark the appropriate box with an X.

NOTES:

- (a) Compliance with the request for access in the specified form may depend on the form in which the record is available.
- (b) Access in the form requested may be refused in certain circumstances. In such case the requester will be informed if access will be granted in another form.
- (c) 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 written or in printed form:

	Copy of record*	Inspection of recorded
--	-----------------	------------------------

2. If the record consists of visual images – (This includes photographs, slide, video recordings, computer – generated images, sketches, etc.):

	view of images	copy of the images*	transcription of images*
--	----------------	---------------------	--------------------------

3. If the record consists of recorded words or information which can be reproduced in sound:

	Listen to the soundtrack (Audio cassette)	transcription of soundtrack* (Written or printed document)	
--	-------------------------------------------	------------------------------------------------------------	--

4. If record is held on computer or in an electronic or machine-readable form:

	Printed copy of record*	printed copy of information derived from the record*	copy in computer readable form*(stiffy or compact disc)
--	-------------------------	------------------------------------------------------	---------------------------------------------------------

*if the requester requested a copy or transcription of a record (above), does the requester wish the copy or transcription to be posted to the requester?

A postal fee is payable.

YES

NO

Note that if the record is not available in the language that the requester prefers, access may be granted in the language in which the record is available.

In which language would the requester prefer the record? _____

G. Notice of decision regarding request for access

The requester will be notified in writing whether the request has been approved/denied. If the requester wishes to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with the requester request.

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

Signed at _____ this ____ day of _____ 20__.

Signature of Requester/Person on whose behalf the request is made.

FOR SANBI USE

Reference number: _____

Request received by _____ (state rank, name and Surname of information officer/deputy information officer) on _____ (date) at _____ (place).

Request fee (if any): R _____

Deposit (if any): R _____

Access fee: R _____

SIGNATURE OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER

Annexure 2 – Fees in respect of public bodies

FEES IN RESPECT OF PUBLIC BODIES

Government Notice No. R. 187 in Government Gazette 23119 of 15 February 2002

Item	Description	Amount (R)
1	The fee for a copy of the manual as contemplated in 5 (c) is for every photocopy of an A4-size page or part thereof	R0.60
2	The fees for reproduction referred to in regulation 7 (1) are as follows:	
(a)	For every photocopy of an A4-size page or part thereof	R0.60
(b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form	R0.40
(c)	For a copy in a computer-readable form on – i. Stiffy disc ii. Compact disc	R5.00 R40.00
(d)	i. For a transcription of visual images, for an A4-size page or part thereof ii. For a copy of visual images	R22.00 R60.00
(e)	i. For a transcription of an audio record, for an A4-size page or part thereof ii. For a copy of an audio record	R12.00 R17.00
3	The request fee payable by every requester, other than a personal requester, referred to in regulation 7(2).	R35.00
4	The access fees payable by a requester referred to in regulation 7(3) are as follows:	R0.60
(1)(a)	For every photocopy of an A4-size page or part thereof	R0.40
(1)(b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	
(1)(c)	For a copy in computer-readable form on – i. Stiffy disc ii. Compact disc	R5.00 R40.00
(1)(d)	i. For a transcription of visual images, for an A4-size page or part thereof ii. For a copy of an audio record	R22.00 R60.00
(1)(e)	i. For a transcription of audio record, for an A4-size page or part thereof ii. For a copy of an audio record	R12.00 R17.00
(1)(f)	To search for and prepare the record for disclosure, for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation.	R15.00
(2)(a), (b)	For purposes of section 22(2) of PAIA, the following applies: a) Six hours as the hours to be exceeded before a deposit is payable; and b) One third of the access fee is payable as a deposit by the requester.	
3	The actual postage is payable when a copy of a record must be posted to a requester.	

Annexure 3 – Notice of Internal Appeal

FORM B

NOTICE OF INTERNAL APPEAL

**(Section 75 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))
[Regulation 8]**

STATE YOUR REFERENCE NUMBER:

A. Particulars of SANBI

Attention: The Information Officer / Deputy Information Officer

Information Officer	
Deputy Information Officer	
Email address	

B. Particulars of requester/third party who lodges the internal appeal

- | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>(a) The particulars of the person who lodge the internal appeal must be given below.
 (b) Furnish an address and/or fax number in the Republic to which the information must be sent.
 (c) Proof of the capacity in which appeal is lodged, if applicable, must be attached.
 (d) If the appellant is a third person and not the person who originally requested the information, the particulars of the requester must be given at C below.</p> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Full names and surname:

.....

Identity number:

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Postal address:

.....

Telephone number:

(.....)

Fax number:

(.....)

E-mail address:

.....

Capacity in which an internal appeal on behalf of another person is lodged:

C. Particulars of requester

This section must be completed ONLY if a third party (other than the requester) lodges the internal appeal.

Full names and surname:

Identity number:

--	--	--	--	--	--	--	--	--	--	--	--	--	--

D. The decision against which the internal appeal is lodged

Mark the decision against which the internal appeal is lodged with an X in the appropriate box:

	Refusal of request for access
	Decision regarding fees prescribed in terms of section 22 of the Act
	Decision regarding the extension of the period within which the request must be dealt with in terms of section 26(1) of the Act
	Decision in terms of section 29(3) of the Act to refuse access in the form requested by the requester
	Decision to grant request for access

E. Grounds for appeal

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

State the grounds on which the internal appeal is based:

.....
.....
.....
.....
.....

State any other information that may be relevant in considering the appeal:

.....
.....
.....
.....

F. Notice of decision on appeal

You will be notified in writing of the decision on your internal appeal. 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?

.....
.....
.....
.....
.....

Signed at this day of20.....

.....
SIGNATURE OF APPELLANT

FOR SANBI USE:

OFFICIAL RECORD OF INTERNAL APPEAL:

Appeal received on (date) by

..... (Name and surname of information officer/deputy information officer).

Appeal accompanied by the reasons for the information officer's/deputy information officer's decision and, where applicable, the particulars of any third party to whom or which the record relates, submitted by the information officer/deputy information officer on (date) to the relevant authority.

OUTCOME OF APPEAL:

DECISION OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER CONFIRMED/NEW DECISION
SUBSTITUTED

NEW DECISION:

.....
.....

DATE

RELEVANT AUTHORITY.....

RECEIVED BY THE INFORMATION OFFICER/DEPUTY INFORMATION OFFICER FROM THE

RELEVANT AUTHORITY ON (date):

Annexure 4 – Objection to processing Personal Information

FORM 1

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

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018
[\[Regulation 2\]](#)

Note:

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

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

C	REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f) <i>(Please provide detailed reasons for the objection)</i>

Signed at this day of20.....

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

Annexure 5 – Request For Correction or Deletion of Personal Information

FORM 2

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

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018

[\[Regulation 3\]](#)

Note:

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

Mark the appropriate box with an "x".

Request for:

Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.

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

A	DETAILS OF THE DATA SUBJECT
Name(s) and surname / registered name of data subject:	
Unique identifier/ Identity Number:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number/E-mail address:	

B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname / registered name of responsible party:	
Residential, postal or business address:	
Contact number(s):	
Fax number/ E-mail address:	
C	INFORMATION TO BE CORRECTED/DELETED/ DESTROYED/ DESTROYED
D	<p>REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(a) WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY; and or</p> <p>REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(b) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN.</p> <p><i>(Please provide detailed reasons for the request)</i></p>

Signed at this day of20.....

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

Annexure 6 – Complaint regarding interference with the protection of Personal Information

FORM 5

COMPLAINT REGARDING INTERFERENCE WITH THE PROTECTION OF PERSONAL INFORMATION/COMPLAINT REGARDING DETERMINATION OF AN ADJUDICATOR IN TERMS OF SECTION 74 OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018

[Regulation 7]

Note:

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

Mark the appropriate box with an "x".

Complaint regarding:

Alleged interference with the protection of personal information

Determination of an adjudicator.

PART I	ALLEGED INTERFERENCE WITH THE PROTECTION OF THE PERSONAL INFORMATION IN TERMS OF SECTION 74(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (Act No. 4 of 2013)
A	PARTICULARS OF COMPLAINANT
Name(s) and surname / registered name of data subject:	
Unique Identifier/Identity Number:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number/ E-mail address:	

B	PARTICULARS OF RESPONSIBLE PARTY INTERFERING WITH PERSONAL INFORMATION
Name(s) and surname/ Registered name of responsible party:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number/ E-mail address:	
C	REASONS FOR COMPLAINT <i>(Please provide detailed reasons for the complaint)</i>
PART II	COMPLAINT REGARDING DETERMINATION OF ADJUDICATOR IN TERMS OF SECTION 74(2) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)
A	PARTICULARS OF COMPLAINANT
Name(s) and surname/ registered name of data subject:	
Unique Identifier/ Identity Number:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number/ E-mail address:	
B	PARTICULARS OF ADJUDICATOR AND RESPONSIBLE PARTY

Name(s) and surname of adjudicator:	
Name(s) and surname of responsible party /registered name:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number/ E-mail address:	
C	REASONS FOR COMPLAINT <i>(Please provide detailed reasons for the grievance)</i>

Signed at this day of20.....

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