

## **UMALUSI PAIA MANUAL**

**Promotion of Access to Information (PAIA) Manual, 2021  
compiled in terms of section 14 of the Promotion of Access  
to Information Act, 2000 (as amended) for Umalusi**

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## **1. Preamble**

Section 32 of the Constitution of the Republic of South Africa, 1996 (the Constitution) grants everyone the right to access any information held by the state or by another person, and that is required for the exercise or protection of any right.

The Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (PAIA), in realisation of these constitutional rights, specifically–

- charges all public bodies responsible for facilitating public access to information/record(s) under their custody.
- provides a framework and procedures for the public to exercise their constitutional right to information as swiftly, inexpensively, and effortlessly as reasonably possible.
- stipulates mechanisms that governmental bodies must put in place to facilitate access to such information by members of the public; and
- outlines conditions under which restricted access applies, including those relating to personal, commercial, financial, technical, or scientific information about a third party; information that may affect court or police proceedings,

There are undoubtedly limitations to public realisation of the rights as stipulated in section 36 of the Constitution and sections 33 to 45 of the PAIA Act.

In compliance with the statutory requirements of the PAIA and to contribute to the promotion of transparency, accountability and effective governance, Umalusi has produced a manual to facilitate public access to information/record(s) under its custody.

This manual will serve as an effective platform/tool for providing the public with relevant information to enable them to exercise their right to access information under Umalusi's custody.

## **2. List of acronyms and abbreviations**

- 1.1 PAIA – Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)
- 1.2 POPIA – Protection of Personal Information Act, 2013 (Act No. 4 of 2013)
- 1.3 NQF – National Qualifications Framework
- 1.4 NSC – National Senior Certificate
- 1.5 SAQA – South African Qualifications Authority
- 1.6 QCTO – Quality Council for Trades and Occupations
- 1.7 CHE – Council on Higher Education
- 1.8 GFET – General and Further Education and Training
- 1.9 NLRD – National Learners' Records Database
- 1.10CFO – Chief Financial Officer

## **3. Introduction**

- 3.1 This manual has been compiled by Umalusi, the Council for Quality Assurance in General and Further Education and Training, in compliance with Section 14 of the Promotion of Access to Information Act, 2000 (PAIA), as amended. Under this provision, every public body must prepare and publish a manual in at least three official languages outlining how public members may access information held by that body.
- 3.2The manual reflects the most recent updates, including the 2021 PAIA Regulations (Government Notice No. 45057 of 27 August 2021). It is aligned with the obligations set out under PAIA and the Protection of Personal Information Act, 2013 (POPIA), as applicable in 2025. Umalusi is committed to upholding the constitutional right of access to information and promoting transparency, accountability, and openness in its public functions.
- 3.3This document provides a comprehensive guide on how to access records held by Umalusi, the procedures to be followed, applicable fees, and internal remedies available in case of a refusal. It also includes updated contact information and relevant resources, including links to the South African Human Rights Commission and the Information Regulator, which publish the PAIA Guide and other compliance tools.

## **4. Status of Umalusi**

Umalusi is a statutory body established under the General and Further Education and Training Quality Assurance Act, 2001 (Act No. 58 of 2001). It functions as the Quality Council and is

responsible for developing and managing a sub-framework of qualifications for general and further education and training within the broader National Qualifications Framework (NQF). As a Schedule 3A public entity in terms of the Public Finance Management Act, 1999 (Act No. 1 of 1999) as amended, Umalusi operates independently while remaining accountable to the state for the responsible use of public resources and fulfilling its mandate. It is subject to oversight and reporting obligations. The Promotion of Access to Information Act, 2000 (PAIA), Umalusi qualifies as a public body and must comply with all information access provisions. This includes publishing a Section 14 PAIA Manual and submitting annual reports to the Information Regulator.

Umalusi is also a responsible party under the Protection of Personal Information Act, 2013 (POPIA). Therefore, it is obligatory to manage personal information lawfully and securely. This includes appointing an Information Officer and Deputy Information Officers, registering with the Information Regulator, and implementing appropriate data protection and information security measures.

By complying with these legislative frameworks, Umalusi affirms its commitment to transparency, accountability, and the public's right to access information in support of quality assurance in education.

## **5. Structure of Umalusi**

Umalusi operates in accordance with the General and Further Education and Training Quality Assurance Act, 2001 (Act No. 58 of 2001) as amended and the National Qualifications Framework Act, 2008 (Act No. 67 of 2008) as amended. Its organisational structure consists of governance, oversight, and operational components designed to fulfil its legislative mandate effectively.

### **5.1 The Council**

The Umalusi Council is the organisation's accounting authority and is appointed by the Minister of Basic Education. The Council consists of:

- The Minister of Basic Education appoints a chairperson and other council members.
- The Chief Executive Officers (CEOs) of Umalusi, the South African Qualifications Authority

(SAQA), the Quality Council for Trades and Occupations (QCTO), and the Council on Higher Education (CHE), who serve by virtue of their offices.

The Council is responsible for policy determination, strategic direction oversight, and compliance with legal and governance standards outlined in the applicable legislation.

## **5.2    *The Executive Committee***

The Council establishes the Executive Committee, which is in line with the Council Charter and the terms of reference for the Executive Committee. This committee exercises delegated authority to oversee urgent or operational matters between full Council meetings.

## **5.3    *Audit and Risk Committee***

The Audit and Risk Committee is an extension of the Council and functions (roles and responsibilities) within its approved charter. Some of the committees' responsibilities are:

- Providing oversight of financial reporting and regulatory compliance.
- Monitoring the effectiveness of internal control systems and risk management processes.
- Facilitating coordination with internal and external audit functions.
- Supporting good governance and accountability within the organisation.

## **5.4    *Chief Executive Officer and Staff.***

The Minister of Basic Education appoints the Chief Executive Officer (CEO) upon recommendation of the Council. The CEO is reporting to the Council on all matters of the organisation, which include, in the main, the following:

- Implementing the Council's decisions and strategic direction.
- Managing day-to-day operations and staff.
- Accounting for the assets, finances, and performance of Umalusi.
- Implementation of the Umalusi legislative mandate

The CEO is supported by an executive management team and a professional staff complement within the following key units:

- Administration

- Qualifications and Research
- Quality Assurance and Monitoring

## **6. Mandate**

Umalusi is mandated by the General and Further Education and Training Quality Assurance Act, 2001 (Act No. 58 of 2001) as amended and the National Qualifications Framework Act, 2008 (Act No. 67 of 2008) as amended, to ensure quality assurance in the general and further education and training (GFET) sector. It is responsible for developing and managing a qualifications sub-framework within the broader National Qualifications Framework (NQF).

### **6.1 The core responsibilities of Umalusi include the following:**

#### **6.1.1 Constitutional Mandate**

Umalusi is the Quality Council for general and further education and training. It is obliged to embrace the provisions of Chapter 2 of the Constitution of the Republic of South Africa, 1996. In terms of section 29(1), everyone has a right to a basic education, including adult basic and further education and training. In relation to this section, Umalusi is obligated to ensure the quality assurance of the provision of education within the General and Further Education and Training Qualifications Sub-framework (GFETQSF) to citizens. This obligation is fulfilled to ensure the realisation of the requirements stipulated in section 29(3), which promotes the establishment of private education institutions that:

- a) do not discriminate on the basis of race;
- b) are registered with the state; and
- c) maintain standards that are not inferior to standards at comparable public education institutions.

#### **6.1.2 Legislative Mandate**

##### **National Qualifications Framework (NQF) Act (Act No. 67 of 2008)**

The NQF Act, 2008 provides for the establishment of Umalusi as a quality council that is responsible for the development and management of a sub-framework of qualifications at levels 1 - 4 of the National Qualifications Framework (NQF) and

related quality assurance processes. In terms of paragraph 27 of the NQF Act, Umalusi must do the following in respect of quality assurance:

- a) develop and implement policy for quality assurance;
- b) ensure the integrity and credibility of quality assurance; and
- c) ensure that quality assurance as is necessary for the sub-framework is undertaken.

**The General and Further Education and Training Quality Assurance (GENFETQA) Act (Act No. 58 of 2001), as amended in 2008**

The GENFETQA Act, as amended, assigns Umalusi responsibility for quality assurance of general and further education and training. Umalusi was established with the purpose of maintaining norms and standards in general and further education and training. Its mandate is confirmed as follows:

- a) developing and maintaining a sub-framework of qualifications for general and further education and training;
- b) quality assurance of all exit-point assessments of such qualifications;
- c) certification of learner achievements;
- d) quality assurance of private education institutions; and
- e) accreditation of private assessment bodies.

With respect to private provision, Umalusi is required to undertake the following accreditation responsibilities:

- a) develop policy, which must be regulated by the Minister, for the accreditation of private assessment bodies other than Departments of Education, and accredit assessment bodies accordingly;
- b) develop policy and criteria for the quality assurance of private education institutions;
- c) affirm, or withdraw, accreditation status of the private education institution concerned.

**6.1.3 Other Legislation**

- National Education Policy Act (NEPA) (Act No. 27 of 1996);
- The South African Schools Act (SASA) (Act No. 84 of 1996), as amended; and
- Continuing Education and Training (CET) Act (Act No. 16 of 2006), as amended.



#### **6.1.4 Institutional Policies and Strategies**

Umalusi's qualifications sub-framework must be read in conjunction with the following policy documents:

- The Policy for the General and Further Education and Training Qualifications Sub-framework;
- Guidelines on Strategy and Priorities for the NQF 2011/2012: Minister of Higher Education and Training;
- National policies governing existing qualifications (including their assessment) that are currently certified by Umalusi;
- Standards and Quality Assurance of the General and Further Education and Training Qualifications Sub-framework: Umalusi 2014;
- Policy documents and guidelines pertaining to the National Senior Certificate (NSC), Senior Certificate (amended) (SC(a)), General Education and Training Certificate (GETC), National Certificate (Vocational) (NC(V)), National Education Report 190/191 (NATED) (N1- N3) and the National Curriculum Statement (NCS); and any other qualifications on the General and Further Education and Training Qualifications Sub framework (GFETQSF), as applicable;
- Council policies and directives on the conduct, administration and management of the assessments for qualifications on the GFETQSF;
- The regulations pertaining to qualifications on the GFETQSF developed by the Department of Basic Education (DBE) and gazetted by the Minister on assessment and certification, including those promulgated by provincial legislatures and the policy framework that applies to all technical and vocational education and training (TVET) colleges declared or established by the Minister under the Continuing Education and Training Act, Act No. 16 of 2006;
- The Policy and Criteria for the development, registration and publication of qualifications for the GFETQSF;
- The Policy for the re-issue of National Certificates;
- The Recognition of Prior Learning (RPL) Policy;
- National Treasury Regulations; and
- Any other related legislation as appropriate to the various education and training sectors Umalusi is mandated to work with.

## **7. How to request access to a record of Umalusi.**

### **7.1 Submission Process**

Any person wishing to request access to a record held by Umalusi must do so in terms of the Promotion of Access to Information Act, 2000 (PAIA). A request must be made in writing using the prescribed Form 02, as provided in the 2021 PAIA Regulations issued by the Information Regulator.

The completed form must be submitted to the Umalusi Information Officer, along with any applicable request fee. The form should include sufficient information to identify the requester, the record(s) requested, and the way access is sought.

#### **Requests can be submitted via the following channels:**

##### **Postal Address:**

The Information Officer  
Umalusi Council for Quality Assurance in General and Further Education and Training  
Private Bag X1  
Queenswood  
0121

##### **Physical Address:**

37 General van Ryneveld Street  
Persequor Technopark  
Pretoria  
0121

**Email:** [info@umalusi.org.za](mailto:info@umalusi.org.za)

**Telephone:** +27 (0)12 349 1510

### **7.2 Information Required in the Request**

The request form must:

- 7.2.1 Provide adequate details to enable Umalusi to identify the requester and the specific record requested.
- 7.2.2 Indicate the preferred form of access (e.g. paper copy, electronic format, inspection).
- 7.2.3 Include the requester's contact details in South Africa (postal, fax, or email).

- 7.2.4 Identify the right the requester seeks to exercise or protect and explain why the record is needed for this purpose.
- 7.2.5 Specify if the requester wishes to be informed of the decision in a specific manner (e.g., email or phone call).
- 7.2.6 If the request is made on behalf of another person, provide proof of the authority or capacity to act on that person's behalf.

### **7.3 Umalusi Information Officer and Deputy Information Officers:**

- 7.3.1 The Chief Executive Officer is the Information Officer of Umalusi. The CEO has also appointed two Executive Managers and the Chief Financial Officer as Deputy Information Officers.

### **7.4 Fees Payable**

- A request fee of R100.00 is payable by all requesters, except those requesting access to records containing personal information about themselves.
- An access fee is charged depending on the format, number of pages, and time required to locate and prepare the record (see Schedule 2 for the current fee structure).
- A deposit may be required if the request involves a search exceeding six hours.  
Umalusi may withhold access to any record until the required fees are paid in full.  
Proof of payment must be submitted with the request or upon invoice.

### **7.5 Processing of Requests**

Umalusi will process the request within 30 calendar days of receipt of the completed form and payment of any applicable fees. If the request is complex or requires consultation with a third party, Umalusi may extend the processing period by a further 30 days. The requester will be informed in writing of any extension and its reasons.

The outcome of the request — whether access is granted or refused — will be communicated in writing. If access is denied, reasons and details of the requester's rights to appeal or lodge a complaint with the Information Regulator will be provided.

## **8. Records held by Umalusi**

Umalusi holds records in general subjects and categories, including the following:

- 8.1 Access to Information Manual (In terms of section 14 of the Promotion of Access to Information Act 2 of 2000).

### **8.2 Institutional records**

- 8.2.1 Minutes of the Umalusi Council and its Committees
- 8.2.2 Internal Umalusi correspondence
- 8.2.3 External Umalusi correspondence
- 8.2.4 Internal policies and procedures
- 8.2.5 External policies and procedures
- 8.2.6 Commercial contracts with third parties
- 8.2.7 Memoranda of Understanding with other statutory bodies
- 8.2.8 Records relating to quality assurance
- 8.2.9 Records relating to auditing of quality assurance mechanisms
- 8.2.10 Records relating to accreditation
- 8.2.11 Research reports, publications and newsletters

### **8.3 Financial records**

- 8.3.1 General accounting records
- 8.3.2 Annual budgets
- 8.3.3 Annual financial reports
- 8.3.4 Annual financial statements
- 8.3.5 Asset registers
- 8.3.6 Income tax records
- 8.3.7 Internal financial policies and procedures

### **8.4 Human Capital Records**

- 8.4.1 Staff employment contracts
- 8.4.2 Internal policies and procedures
- 8.4.3 Pension Fund Records
- 8.4.4 Medical aid records

#### 8.4.5 Personnel records

### 8.5 Statutory records

As a statutory body and an employer, Umalusi holds records required by a range of laws, including records required or provided for by the following laws:

8.5.1 Income Tax Act 58 of 1962

8.5.2 Labour Relations Act 66 of 1995

8.5.3 Basic Conditions of Employment Act 75 of 1997

8.5.4 Employment Equity Act 55 of 1998

8.5.5 Unemployment Insurance Act 63 of 2001

8.5.6 Compensation for Occupational Injuries and Diseases Act 130 of 1993; and

8.5.7 Public Finance Management Act 1 of 1999, etc.

### 9 Reservation of rights

Umalusi may refuse an application for access to a record –

9.2 if the request does not comply with the procedural requirements of the Information Act;

9.3 on any ground contemplated in Chapter 4 of Part 3 of that Act; or

9.4 for any other lawful reason.

### 10 Human Rights Commission Guide on how to use the Information Act

The Human Rights Commission has, in terms of section 10 of the Information Act, compiled a guide on how to use the Act. The guide contains information that will assist any person wishing to exercise a right contemplated by the Act, and is available in all of the official languages.

The guide is available for inspection, inter alia, at the offices of the Human Rights Commission:

29 Princess of Wales Terrace

Cnr York and St Andrews Streets

Parktown, Johannesburg

and on its website at [www.sahrc.org.za](http://www.sahrc.org.za).

## **11 Arrangements for public participation**

Umalusi facilitates public participation through structured stakeholder engagement processes. These include consultations, public comment periods, and advisory forums where education and training providers, assessment bodies, and other stakeholders can provide input on policies, qualifications, and quality assurance frameworks. While the Minister of Basic Education appoints members of the Umalusi Council, public input is actively sought where applicable to promote transparency, accountability, and informed decision-making in the education sector.

## **12 Remedies available in respect of non-compliance by Umalusi**

- 12.1 Any requester or affected third party aggrieved by a decision of the Umalusi 's Information Officer to refuse or grant access to a record of Umalusi may appeal to the council within 15 days of receiving notice of the decision.
- 12.2 An appeal must –
  - 12.2.1 be in writing;
  - 12.2.2 be addressed to the Chairperson of the Executive Committee of Umalusi; and
  - 12.2.3 set out the grounds for the appeal.
- 12.3 Any requester or affected third party aggrieved by the decision of the Executive Committee of Umalusi on appeal may approach the relevant court for appropriate relief.

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## Appendix A: Request for access to a record Form 2

[Regulation 7]

**Note:**

1. The requester must attach proof of identity.
2. If requests are made on behalf of another person, proof of such authorization must be attached to this form.

**To:** The Information Officer


(Address)

E-mail address:

--

Mark with an "X"

☐

Request is made in my own name

☐

Request is made on behalf of another person.

Personal information			
Full Names			
Identity Number			
Capacity in which request is made (when made on behalf of another person)			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel. (B):		Facsimile:
	Cellular:		
Full names of person on whose behalf request is made (if applicable):			
Identity Number			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		

Particulars of record requested	
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.)	
Description of record or relevant part of the record:	
Reference number, if Available	
Any further particulars of record	
Type of record	
(Mark the applicable box with an "X")	
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	
Form of access	
(Mark the applicable box with an "X")	
Printed copy of record (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)	
Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)	
Transcription of soundtrack (written or printed document)	
Copy of record on flash drive (including virtual images and soundtracks)	
Copy of record on compact disc drive (including virtual images and soundtracks)	
Copy of record saved on cloud storage server	
Manner of access	
(Mark the applicable box with an "X")	
Personal inspection of record 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)	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format (including transcriptions)	
E-mail of information (including soundtracks if possible)	
Cloud share/file transfer	
Preferred language (Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)	



<b>Particulars of right to be exercised or protected</b>	
<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:	

<b>Fees</b>	
<p><i>a) A request fee must be paid before the request will be considered.</i></p> <p><i>b) You will be notified of the amount of the access fee to be paid.</i></p> <p><i>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.</i></p> <p><i>d) If you qualify for exemption of the payment of any fee, please state the reason for exemption</i></p>	
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:

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

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
**Signature of Requester / person on whose behalf request is made**

**For official use**

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

## Appendix B: Fees

### *Fees in Respect of Public Bodies*

Item	Description	Amount
1.	The request fee payable by every requester	R100.00
2.	Photocopy of A4-size page	R1.50 per page or part thereof.
3.	Printed copy of A4-size page	R1.50 per page or part thereof
4.	for a copy in a computer readable form on: (i) Flash drive (to be provided by requestor) (ii) Compact disc If provided by requestor If provided to requester	R40.00  R40.00 R60.00
5.	for a transcription of visual images per A4-size page	Service to be outsourced. Will depend on quotation from the Service Provider
6.	Copy of visual images	
7.	Transcription of an audio record, per A4-size Page	R24,00
8.	Copy of an audio record on: (i) Flash drive (to be provided by requestor) (ii) Compact disc If provided by requestor If provided to the requestor	R40,00  R40,00 R60,00
9.	To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation. To not exceed a total cost of	R100,00  R300,00
10.	Deposit: If search exceeds 6 hours	One-third of the amount per request calculated in terms of items 2 to 8.
11.	Postage, e-mail or any other electronic transfer	Actual expense, if any

**Appendix C: Internal Appeal Form 4**  
**[Regulation 9]**

**Reference Number:**

.....

<b>Particulars of Public Body</b>			
Name of Public Body			
Name and Surname of Information Officer:			
<b>Particulars of complainant who lodges the Internal Appeal</b>			
Full Names			
Identity Number			
Postal Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
E-Mail Address			
Is the internal appeal lodged on behalf of another person?		Yes	No
If answer is "yes", capacity in which an internal appeal on behalf of another person is lodged: <i>(Proof of the capacity in which appeal is lodged, if applicable, must be attached.)</i>			
<b>Particulars of person on whose behalf the internal appeal is lodged (If lodged by a third party)</b>			
Full Names			
Identity Number			
Postal Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
E-Mail Address			

<b>Decision against which the internal appeal is lodged</b> <i>(mark the appropriate box with an "X")</i>	
Refusal of request for access	
Decision regarding fees prescribed in terms of section 22 of the Act	
Decision regarding the extension of the period within which the request must be dealt with in terms of section 26(1) of the Act	
Decision in terms of section 29(3) of the Act to refuse access in the form requested by the requester	
Decision to grant request for access	
<b>Grounds for appeal</b> <i>(If the provided space is inadequate, please continue on a separate page and attach it to this form. all the additional pages must be signed)</i>	

State the grounds on which the internal appeal is based:	
State any other information that may be relevant in considering the appeal:	

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

Postal address	Facsimile	Electronic communication (Please specify)

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_

**Signature of Appellant/Third party**

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**For official use**  
**Official record of internal appeal**

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

Request for access granted. Confirmed?	Yes		New decision ( <i>if not confirmed</i> )	
	No			

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_

***Relevant Authority***

## Appendix D: Complaint Form Form 5

[Regulation 10]

### Note:

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

- h. Court Order or Court documents relevant to your complaint, if any.
- 7. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.

<b>Capacity of person/party lodging a complaint</b> <b>(Mark with an "X")</b>
--

- ☐ Complainant Personally  
☐ Representative of Complainant  
☐ **Third Party**

PREREQUISITES			
Did you submit request (PAIA form) for access to record of a public/private body?	Yes		No
Has 30 days lapsed from the date on which you submitted your PAIA form?	Yes		No
Did you exhaust all the internal appeal procedure against a decision of the Information officer of a public body?	Yes		No
Have you applied to Court for appropriate relief regarding this matter?	Yes		No
For Information Regulator's use only			
Received by: (Full names)			
Position			
Signature			
Complaint accepted	Yes		No
Reference Number			
Date stamp			

Postal address	Facsimile	Other electronic communication (Please specify)
Part A - Personal Information of Complainant		
Full Names		
Identity Number		
Postal Address		
Street Address		
E-Mail Address		
Contact numbers	Tel. (B)	Facsimile
	Cellular	
Part B - Representative Information (Complete only if you will be represented. A Power of Attorney must be attached if complainant is represented, failing which the complaint will be rejected)		
Full Names of Representative		



Nature of representation			
Identity Number / Registration Number			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimil e
	Cellul ar		

<b>Part C - Third Party Information</b> (Please attach letter of authorisation)			
Type of Body	Private	<input type="checkbox"/>	Public
Name of Public / Private Body			
Registration Number (if any)			
Name, Surname and Title of person authorised to lodge a complaint			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel. (B):	<input type="checkbox"/>	Facsimile
	Cellular	<input type="checkbox"/>	

<b>Part D - Body against which the complaint is lodged</b>			
Type of body	Private	<input type="checkbox"/>	Public
Name of public / private body			
Registration number (if any)			
Name, surname and title of person you dealt with at the public or private body to try to resolve your complaint or request for access to information			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel. (B):	<input type="checkbox"/>	Facsimile
	Cellular	<input type="checkbox"/>	
Reference Number given (if any)			

<b>Part E - Complaint</b> Tell us about the steps you have taken to try to resolve your complaint (Complaints should first be submitted directly to the public or private body for response and possible resolution)			
Date on which request for access to records submitted.			
Please specify the nature of the right(s) to be exercised or protected, if a complaint is against a private body.			
Have you attempted to resolve the matter with the organisation?	Yes	<input type="checkbox"/>	No
If yes, when did you receive it? (Please attach the letter to this application.)			

Did you appeal against a decision of the information officer of the public body?		Yes		N O	
If yes, when did you lodge an appeal?					
Have you applied to Court for appropriate relief regarding this matter?		Yes		N O	
If yes, please indicate when was the matter adjudicated by the Court? Please attach Court Order, if there is any.					

<b>Part F - Detailed type of access to records</b> (Please select one or more of the following to describe your complaint to the Information Regulator)		
Unsuccessful appeal (Section 77A(2)(a) or section 77A(3)(a) of PAIA)	<i>I have appealed against the decision of the public body and the appeal is unsuccessful.</i>	
Unsuccessful application for condonation (Sections 77A(2)(b) and 75(2) of PAIA)	<i>I filed my appeal against the decision of the public body late and applied for condonation. The condonation application was dismissed.</i>	
Refusal of a request for access (Section 77A(2)(c)(i) or 77A(2)(d)(i) or 77A(3)(b) of PAIA)	<i>I requested access to information held by a body and that request was refused or partially refused.</i>	
The body requires me to pay a fee and I feel it is excessive (Sections 22 or 54 of PAIA)	<i>Tender or payment of the prescribed fee.</i>	
	<i>The tender or payment of a deposit.</i>	
Repayment of the deposit (Section 22(4) of PAIA) in respect of a request for access which is refused.	<i>The information officer refused to repay a deposit paid in respect of a request for access which is refused.</i>	
Disagree with time extension (Sections 26 or 57 of PAIA)	<i>The body decided to extend the time limit for responding to my request, and I disagree with the requested time limit extension or a time extension taken to respond to my access request.</i>	
Form of access denied (Section 29(3) or 60 (a) of PAIA)	<i>I requested access in a particular and reasonable form and such form of access was refused.</i>	
Deemed refusal (Section 27 or 58 of PAIA)	<i>It is more than 30 days since I made my request and I have not received a decision.</i>	
	<i>Extension period has expired and no response was received.</i>	
Inappropriate disclosure of a record (Mandatory grounds for refusal of access to record).	<i>Records (that are subject to the grounds for refusal of access) have inappropriately/unreasonably been disclosed.</i>	
No adequate reasons for the refusal of access (Section 56(3)(a) of PAIA)	<i>My request for access is refused, and no valid or adequate reasons for the refusal, were given, including the provisions of this Act which were relied upon for the refusal.</i>	

Partial access to record (Section 28(2) or 59(2) of PAIA)	<i>Access to only a part of the requested records was granted and I believe that more of the records should have been disclosed.</i>	
Fee waiver (Section 22(8) or 54(8) of PAIA)	<i>I am exempt from paying any fee and my request to waive the fees was refused.</i>	
Records that cannot be found or do not exist (Section 23 or 55 of PAIA)	<i>The Body indicated that some or all of the requested records do not exist and I believe that more records do exist.</i>	
Failure to disclose records	<i>The Body decided to grant me access to the requested records, but I have not received them.</i>	
No jurisdiction (exercise or protection of any rights) (Section 50(1)(a) of PAIA)	<i>The Body indicated that the requested records are excluded from PAIA and I disagree.</i>	
Frivolous or vexatious request (Section 45 of PAIA)	<i>The Body indicated that my request is manifestly frivolous or vexatious and I disagree.</i>	

Other (Please explain)	
<b>Part G - Expected Outcome</b>	
How do you think the Information Regulator can assist you? Describe the result or outcome that you seek.	

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

- ☐ I agree that the Information Regulator may use the information provided in my complaint to assist it in researching issues relating to the promotion of the right of access to information as well as the protection of the right to privacy in South Africa. I understand that the Information Regulator will never include my personal or other identifying information in any public report, and that my personal information is still protected by the Protection of Personal Information Act, 2013 (Act No. 4 of 2013). I understand that if I do not agree, the Information Regulator will still process my complaint.
- ☐ The information in this Complaint Form is true to the best of my knowledge and belief.
- ☐ I authorize the Information Regulator to collect my personal complaint information (such as the information about me in this complaint form) and use it to process my human rights complaint relating to the right of access to information and / or the protection of the right to privacy.
- ☐ I authorise anyone (such as an employer, service provider, witness) who has information needed to process my complaint to share it with the Information Regulator. The Information Regulator can obtain this information by talking to witnesses or asking for written records. Depending on the nature of the complaint, these records could include personnel files or employer data, medical or hospital records, and financial or taxpayer information.
- ☐ If any of my contact information changes during the complaint process, it is my responsibility to inform the Information Regulator; otherwise my complaint could experience a delay or even be closed.

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***Complainant/Representative/Authorised person of Third party***