



**The Protection and Access to Information Manual
in terms of Section 51 of the
Promotion of Access to Information Act 2 of 2000**

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1. INTRODUCTION

This manual has been prepared in accordance with Section 51 of the Promotion of Access to Information Act, No. 2 of 2000 and section 23 of the Protection of Personal Information Act 4 of 2013.

Section 32(1)(a) of the Constitution of the Republic of South Africa of 1996 (hereinafter referred to as 'the Constitution') provides that everyone has a right of access to any information held by the state and any information held by another person that is required for the exercise or protection of any rights.

The Promotion of Access to Information Act 2 of 2000 (hereinafter referred to as 'PAIA') is the national legislation which was enacted to give effect to the constitutional right of access to information. PAIA came into operation on 9 March 2001, with the exception of sections 10, 14, 15 and 51, which came into operation on 15 February 2002.

The Protection of Personal Information Act 4 of 2013 (hereinafter referred to as 'POPIA') was enacted to give right to the Constitutional right to privacy and to promote the protection of personal information processed by public and privacy bodies. POPIA was signed into law on 19 November 2013 and will be fully enforceable from 1 July 2021.

2. PURPOSE

This manual is compiled not only to comply with the provisions of PAIA and POPIA, but is also intended to:

- foster a culture of transparency and accountability by giving effect to the right to information that is required for the exercise or protection of any right, and
- actively promote a society in which the people of South Africa have effective access to information to enable them to exercise and protect their rights more fully.

3. SCOPE

This manual will enable you to know what types of information we have and how you can request access to this information.

This manual applies to the following companies:

| Company Name | Registration Number |
|-----------------------------------|---------------------|
| SALT Employee Benefits (Pty) Ltd. | 1994/000446/07 |

4. GLOSSARY OF ABBREVIATIONS AND DEFINITIONS

This section includes definitions for all terms used within this policy, including acronyms where applicable.

| Term | Acronym | Definition |
|--------------------------------|----------------|--|
| SALT EB | SALT EB | SALT Employee Benefits (Pty) Ltd. |
| CLIENT | -- | Any natural (i.e. an individual) or juristic (e.g. a company, fund, or other legally recognized entity) person that receives products or services from SALT EB. |
| DATA PROTECTION OFFICER | DPO | A person or persons acting on behalf of SALT EB and who is responsible for discharging the duties and responsibilities assigned to the Information Officer as prescribed in terms of PAIA and POPIA and includes a Deputy Information Officer as considered by these laws. |
| EMPLOYEE | -- | Includes all permanent staff members, temporary staff, and third party contractors (independent or brokered) who work for SALT EB. |
| OTHER Requester | -- | Any requester other than a personal requester. |
| PERSONAL REQUESTER | -- | A requester who is seeking to access a record. containing personal information about themselves |
| REQUESTER | -- | Any person making a request for access to a record that is under the control of SALT EB. |
| THIRD PARTY | -- | Any natural or juristic person other than the requester, or, such party acting on behalf of the requester, or SALT EB itself. |

5. CONTACT DETAILS

The Information Officer: Willem Eduard Strydom

Postal address: PO Box 3119, Halfway House, 1685

Physical address: Central Park Office, No 400 16th Road, Randjespark, Block Q,
Midrand, 1685

Phone number: 011 544 8300

Email: popia@salteb.co.za

GENERAL INFORMATION

| | |
|------------------------------|---|
| Name of private body: | SALT Employee Benefits (Pty) Ltd |
| Registration number: | 1994/000446/07 |
| Postal address: | PO Box 3119, Halfway House, 1685 |
| Physical address: | Central Park Office, No 400 16th Road, Randjespark, Block Q, Midrand, 1685 |
| Tel: | 011 544 8300 |
| Website: | https://www.salteb.co.za |
| Email address: | popia@salteb.co.za |

6. FURTHER GUIDANCE

PAIA grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights, specifically around access to personal information rights as described in POPIA. If a public body lodges a request, the public body must be acting in the public interest.

Requests in terms of PAIA or POPIA must be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of PAIA and may be amended from time to time.

Requesters are referred to the guide in terms of Section 10, compiled by the South African Human Rights Commission (SAHRC), which will contain information for the purposes of exercising constitutional rights. The guide is available from the SAHRC.

For further information, either of these regulatory bodies may be contacted using the details below:

| Address: | Forum 3, Braampark 33 Hoofd Street Braamfontein Johannesburg, 2017 | 33 Hoofd Street Forum III, 3rd Floor Braampark P.O. Box 31533 Braamfontein, Johannesburg, 2017 |
|----------------------|--|---|
| Phone number: | (011) 877 3600 | Mr Marks Thibela (CEO) Tel No. +27 10 023 |

7. RECORDS OF SALT EB

This section includes reference to the records that may be accessed by request from SALT EB.

7.1 Employee records – as described in section 8.2

7.2 Client-related records – as described in section 8.2

7.3 Records relating to SALT EB

| | Records | Subject | Availability |
|-------|-------------------------------|--|--------------|
| 7.3.1 | Public and investor relations | a. Investor corporate releases | 1 |
| | | b. Media releases | 1 |
| 7.3.2 | Financial matters | a. Financial statements | 1, 12 |
| | | b. Tax, VAT and PAYE records (company and employees) | 12 |
| | | c. Accounting and banking records | 12 |
| | | d. Invoices | 12 |
| | | e. Asset register | 12 |
| | | f. Management accounts | 1 |
| 7.3.3 | Company secretarial and legal | a. Statutory records not available at CIPC | 12 |
| | | b. Minutes and related meeting information | 12 |
| | | c. Records of executive, board and shareholder decisions taken and related documentation | 1, 12 |
| | | d. Documents of incorporation | 1 |
| | | e. Trademark information | 1 |
| | | f. General contract documentation | 6, 12 |
| 7.3.4 | Marketing division | a. Market information | 12, 13 |
| | | b. Public customer information | 1 |
| | | c. Performance and sales records | 12, 2 |
| | | d. Marketing strategies | 12 |

| | | | |
|--------------|------------------------|------------------------------|---------|
| | | e. Customer databases | 12 |
| | | f. Brand-related information | 12 |
| 7.3.5 | Human resources | a. Employee or staff records | 4, 5, 9 |

| | Records | Subject | Availability |
|--------------|-------------------------------|--|--------------|
| | | b. Employment contracts | 4, 5 |
| | | c. Policies and procedures | 4 |
| | | d. Health and safety records | 4, 5, 8 |
| | | e. Employment equity plan | 12 |
| | | f. Training / learning and development records | 12 |
| 7.3.6 | Information technology | a. Project plans | 12 |
| | | b. Policies and procedures | 12 |
| | | c. Disaster recovery | 12 |
| | | d. IT governance records | 12 |
| | | e. Licensing and procurement | 12 |

** These records include, but are not limited to, the records which pertain to SALT EB's own affairs.

Availability Key

| | | |
|-----------|----------------------|---|
| 1 | May be disclosed | Publicly accessible |
| 2 | May not be disclosed | Request after the commencement of legal proceedings (criminal or civil) – PAIA Section 7 |
| 3 | May be disclosed | Subject to copyright |
| 4 | Limited disclosure | Personal information that belongs to the requester of the information – PAIA Section 61 |
| 5 | May not be disclosed | Unreasonable disclosure |
| 6 | May not be disclosed | Likely to harm the commercial or financial interests of third party – PAIA Section 64(a)(b) |
| 7 | May not be disclosed | Likely to harm the company or third party in contract or other negotiations – PAIA Section 64(c) |
| 8 | May not be disclosed | Would breach a duty of confidence owed to a third party in terms of an agreement – PAIA Section 65 |
| 9 | May not be disclosed | Likely to compromise the safety of individuals or protection of property – PAIA Section 66 |
| 10 | May not be disclosed | Legally privileged document – PAIA Section 67 |
| 11 | May not be refused | Environmental testing; investigation which reveals public safety; environmental risks – PAIA Section 64(2) and Section 68(2) |

| | | |
|-----------|----------------------|---|
| 12 | May not be disclosed | Commercial information of private body – PAIA Section 68 |
| 13 | May not be disclosed | Likely to prejudice research and development information of the company or a third party – PAIA Section 69 |
| 14 | May not be refused | Disclosure in public interest – PAIA Section 70 |

7.4 OTHER RECORDS

SALT EB may possess records pertaining to other parties, including without limitation Clients, contractors, suppliers, subsidiary or holding or sister companies, joint venture companies, and service providers. Alternatively, such other parties may possess records that can be said to belong to SALT EB.

Personnel, Client and other records relating to SALT EB which are held by another party, as opposed to the records held by SALT EB itself.

Records held by SALT EB pertaining to other parties, including without limitation, financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about the contractors or suppliers.

7.5 RECORDS AVAILABLE IN TERMS OF LEGISLATION

A requester may request access to information which is available in terms of other legislation. We hold records for the purposes of PAIA in terms of the following main laws, among others:

- Collective Investment Schemes Control Act 45 of 2002
- Constitution of the Republic of South Africa
- Consumer Protection Act 68 of 2008
- Divorce Act 70 of 1979

-
- Financial Advisory and Intermediary Services Act 37 of 2002

 - Financial Intelligence Centre 38 of 2001

 - Financial Sector Regulation Act 9 of 2017

 - Income Tax Act 58 of 1962

 - Insurance Act 18 of 2017

 - Long-Term Insurance Act 52 of 1998

 - National Credit Act 34 of 2005

 - Pension Funds Act 24 of 1956

 - Prescription Act 68 of 1969

 - Promotion of Access to information Act 2 of 2000

 - Protection of Personal Information Act 4 of 2013

 - Value Added Tax Act 89 of 1991

8. THE PROTECTION OF PERSONAL INFORMATION ACT

8.1 Why does SALT EB process personal information?

As a financial services provider, SALT EB uses personal information primarily for the purposes of providing corporate and employment benefits, retirements, asset management, insurance, discretionary investments, and wealth management solutions. This is done on behalf of our corporate Clients and their members, as well as our individual Clients. This processing also applies to personal information which is processed prior to contractual arrangements being concluded (e.g. new business, customer quotes, and general customer service activities).

Personal information is also used in our employment processes (recruitment, employee contracts, employment equity, corporate benefits, remuneration, disciplinary action, performance management, training, etc.) and our procurement processes (tenders, due diligence, risk management, onboarding, service level evaluations, etc.).

We may use elements of personal information in some of our standard business operations, including audits, market research, statistical analysis, product development, or other legitimate business purposes aligned with our business functions and activities.

SALT EB also processes personal information in order to comply with our legal obligations under any statutory or regulatory requirements, or for the purposes of law enforcement, investigations, court proceedings, financial crimes, market conduct, or other matters which may be required in the public interest.

8.2 What personal information does SALT EB process?

SALT EB processes information about the following categories of data subjects, including, but not limited to:

| Category of data subjects | Types of information processed |
|--|---|
| Individuals (Clients, members, investors, policy holders) | Name, surname, South African identity number or other identifying number (e.g. passport), date of birth, age, marital status, citizenship, telephone numbers, email address, physical and postal addresses, income tax number, financial information (e.g. remuneration, fund credits, benefits statements, investment portfolio details), banking information including account numbers, health information, FICA documentation. |
| Entities (corporate clients, funds) | Entity name, registration number, tax-related information, contact details for representatives, FICA documentation, trustee personal information (as for Individuals). |
| Advisers, brokers, consultants | License numbers, physical addresses, contact details, compliance officer details, fit and proper records. |
| Directors | Identity numbers, names, FICA documentation. |
| Trustees and Principal Officers | Identity numbers, names, employer, occupation, business address, residential address, copies of identity documentation, proof of residence, contact numbers, email addresses. |

| Category of data subjects | Types of information processed |
|---|---|
| Employees, potential employees, new recruitments | Name, surname, South African identity number or other identifying number, contact details, physical and postal address, date of birth, age, marital status, race, disability, information, employment history, criminal background checks, fingerprints, CVs, education history, banking details, income tax reference number, remuneration and benefit information, health information, details related to employee performance, disciplinary procedure information. |
| Consultants / contractors | This will be dependent on the nature of the services provided to SALT EB but may include any of the details in the categories for Employees and/or Service providers. |
| Service providers, including outsourced or hosted services, auditors, etc. | Company registration details, identity numbers, BEE certificates, tax clearance, income tax and VAT registration details, payment information including bank account numbers, invoices, contractual agreements, addresses, contact details. |

8.3 Who are the recipients of personal information?

- Personal information may be shared by various SALT EB Group entities for the purposes of providing the products and services to corporate clients, their members, individual clients and our own employees.
- We also provide some personal information to third parties to fulfil our contractual obligations, or for any other legal obligations we might have.
- Brokers, advisors, consultants, intermediaries and other administrators.
- Retirement funds and their trustees and Principal Officers.
- Medical aid companies.

-
- Insurers.

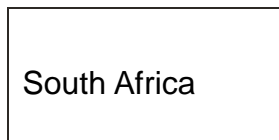
 - Recruitment organisations may collect personal information on our behalf.

 - Regulators and law enforcement agencies

 - The South African Revenue Service (SARS)

8.4 Planned transborder flows of information

SALT EB has operations or transfers personal information to the following countries:



As a result, personal information of clients and members, employees or other data subjects may be transferred into the Republic of South Africa for processing, following which it is transferred back to the country of origin. All operations are required to abide by the SALT EB Privacy Policy, and other procedures and guidelines for privacy and data protection, including any statutory or regulatory requirements in these jurisdictions.

We also make use of hosted services provided by third parties. These operations may be hosted in various countries resulting in the transfer of personal information. In general, we try to ensure that these service providers are located in jurisdictions with strong data protection legislation, such as the European Union or the United Kingdom. Where this is not possible, data protection requirements are enforced by means of contractual agreement.

8.5 INFORMATION SECURITY

SALT EB strives to uphold strong global practices and standards as it pertains to information security, and we have adequate directives in place to ensure that the following areas of information security are managed:

- Identity and access management
- Physical and environmental security controls
- Network security
- Protection from viruses and other malware
- Patch management
- Secure remote working
- Acceptable usage of IT equipment and mobile devices
- Encryption of laptops and blocking of USB ports
- IT disaster recovery and backup procedures
- Training and awareness initiatives
- Cyber Security Incident Response

-
- Active monitoring and review of the IT and business environment.

9. ACCESS TO RECORDS AND PROCEDURE

Records held by SALT EB may be accessed by the Requester only once the prerequisite requirements for access have been met.

9.1 Who may request information?

Any person who requires information for the exercise or protection of any rights may request information from a private body. Section 50 of PAIA states that a Requester must be given access to any record of a private body if:

- that record is required for the exercise or protection of any rights,
- that person complies with the procedural requirements in PAIA relating to a request for access to that record, and
- access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4, Part 3 of PAIA.

9.2 Two types of requesters

Personal Requester

SALT EB will voluntarily provide the requested information or give access to any record about the Requester's personal information without the Requester having to pay an access fee. However, the prescribed fee for reproduction of the information requested will be charged.

Other Requester

This Requester (other than a Personal Requester) is entitled to request access to information on third party or parties. However, SALT EB is not obliged to voluntarily grant access, and such a request may be denied. The Requester must fulfil the prerequisite requirements for access in terms of PAIA and POPIA, including the payment of a request and access fee.

10. FORM OF REQUEST

To facilitate the processing of a request, the Requester should:

- Use the prescribed Form C, available on the website of the South African Human Rights Commission at www.sahrc.org.za (a copy is also included in C).
- Address the request to the Data Protection Officer.
- Provide sufficient details to enable SALT EB to identify:
 - The record or records requested
 - The identity of the Requester and such person acting on behalf of the Requester where applicable
 - The form of access required
 - The telephone number, postal address or fax number of the Requester in the Republic of South Africa
 - Whether the Requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof

- The right which the Requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

SALT EB will process the request within 30 days, unless the request contains considerations that are of such a nature that an extension of the 30-day time limit is necessitated.

Where an extension of the 30-day time limit is required, the Requester must be notified, together with reasons explaining why such extension is necessitated.

The Requester must be informed whether access granted or denied. If, in addition, a Requester who requires the reasons for the decision in any other manner must state the manner and the particulars so required.

If a request is made on behalf of another person, then the Requester must submit proof of the capacity in which the Requester is making the request to the reasonable satisfaction of the Data Protection Officer.

If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.

The Requester must pay the prescribed fee before any further processing can take place.

Third Parties

If the request pertains to a third party, the Data Protection Officer must take all reasonable steps to inform that third party of the request within 21 days of receipt of the request. The third party may within 21 days thereafter either make representation as to why the request should be refused, or grant written consent to disclosure. The third party must be advised of both the decision taken and of their right to appeal against the decision by way of application to court within 30 days after the notice.

11. FEES

PAIA provides for two types of fees, namely:

- A request fee, which will be a standard non-refundable administration fee, payable prior to the request being considered; and
- An access fee, payable when access is granted, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.

When the request is received, the Data Protection Officer must by notice require the Requester, excluding a Personal Requester, to pay the prescribed request fee (if any) before further processing of the request.

If the search for the record has been made and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the Data Protection Officer must notify the Requester to pay as a deposit the prescribed portion of the access fee which would be payable if the request is granted.

The Data Protection Officer must withhold a record until the Requester has paid the fees.

A Requester whose request for access to a record has been granted must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure, including making arrangements to make it available in the request form.

If a deposit has been paid for a request for access, which is refused, then the Data Protection Officer concerned must repay the deposit to the Requester.

Further details on prescribed fees are available in 'Annexure A: Fees' at the end of this manual.

11. DECISION

SALT EB will, within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect. The Data Protection Officer will take all reasonable steps to find a record that has been requested. If the record cannot be found or does not exist, the Data Protection Officer must notify the Requester by way of affidavit or affirmation that it is not possible to give access to the record. This is deemed to be a refusal of the request. If, however, the record is later found, the Requester must be given access if the request would otherwise have been granted.

The 30-day period with which SALT EB has to decide whether to grant or refuse the request, may be extended for a further period of not more than 30 days if the request is for a large number of information records, or the request requires a search for information held at another office of SALT EB and the information cannot reasonably be obtained within the original 30-day period. Should an extension be given, SALT EB will notify the Requester in writing and will also provide the procedure involved should the Requester wish to apply to court against the extension.

If a request is GRANTED: The notification must state the applicable access fee required to be paid, together with the procedure to be followed should the Requester wish to apply to court against such fee, and the form in which access will be given.

If a request is DECLINED: The notification must include adequate reasons for the decision, together with the relevant provisions of PAIA relied upon and provide the procedure to be followed should the Requester wish to apply to court against the decision.

The Data Protection Officer's failure to respond to the Requester within the 30-day period constitutes a deemed refusal of the request.

Section 59 of PAIA provides that the Data Protection Officer may redact a record and grant access only to that portion which the law does not prohibit access to.

If access is granted, access must be given in the form that is reasonably required by the Requester, or if the Requester has not identified a preference, in a form reasonably determined by the Data Protection Officer.

13. GROUNDS FOR REFUSAL

The main grounds for SALT EB to refuse a request for information relates to the:

- Mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person
- Mandatory protection of the commercial information of a third party, if the record contains:
 - trade secrets of that third party
 - the disclosure of financial, commercial, scientific or technical information which could likely cause harm to the financial or commercial interests of that third party
 - information disclosed in confidence by a third party to SALT EB, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition
- Mandatory protection of confidential information of third parties if it is protected in terms of any agreement
- Mandatory protection of the safety of individuals and the protection of property
- Mandatory protection of records which would be regarded as privileged in legal

proceedings

- The research information of SALT EB or a third party, if its disclosure would place the research at a serious disadvantage
- The commercial activities of SALT EB, which may include, without limitation:
 - trade secrets of SALT EB
 - the disclosure of financial, commercial, scientific or technical information which could likely cause harm to the financial or commercial interests of SALT EB.
 - information which, if disclosed could put SALT EB at a disadvantage in negotiations or commercial competition
 - a computer program which is owned by SALT EB, and which is protected by copyright
- Requests for information that are clearly not legitimate, trivial, or nuisance, or which involve an unreasonable diversion of resources must be refused.

Notwithstanding the above, disclosure is mandatory where it would reveal a contravention of or failure to comply with the law, or imminent and serious public safety or environmental risk and the public.

14. REMEDIES AVAILABLE WHEN AN INSTITUTION REFUSES A REQUEST FOR INFORMATION

14.1 Internal remedies

SALT EB does not have internal appeal procedures. For this reason, the decision made by the Data Protection Officer is final, and Requesters will have to exercise such external remedies at their disposal if the request for information is refused, and the Requester is not satisfied with the answer supplied by the Data Protection Officer.

14.2 EXTERNAL REMEDIES

A requester that is dissatisfied with the Data Protection Officer's refusal to disclose information may, within 30 days of notification of the decision, apply to a court for relief.

Likewise, a third party dissatisfied with the Data Protection Officer's decision to grant a request for information may, within 30 days of notification of the decision, apply to a court for relief.

For purposes of PAIA and POPIA, the courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status.

15. AVAILABILITY OF THE MANUAL

This manual of SALT EB will be available on the website of SALT EB at <https://www.salteb.co.za>

Copies of this manual can also be freely obtained at the SALT EB head offices, Central Park Office, No 400 16th Road, Randjespark, Block Q, Midrand, 1685

ANNEXURE A: FEES

Where a private body has voluntarily provided the Minister with a list of categories of records that will automatically be made available to any person requesting access thereto, the only charge that may be levied for obtaining such records will be a fee for reproduction of the record in question.

The applicable fees for reproduction as referred to above are:

| | |
|--|-----------------|
| For every photocopy of an A4-size page or part thereof. | R1.10 |
| For a copy in a computer-readable form on flash drive. | R75 |
| A transcription of visual images, for an A4-size page or part thereof. For a copy of visual images. A transcription of an audio record, for an A4-size page or part thereof. | R70 |
| For a copy of an audio record. | R60 |
| To search for a record that must be disclosed, or part of an hour reasonably required for such search. | R30/hour |

** Where a copy of a record needs to be posted, the actual postal fee is payable

Request fees

Where a request is made for access to information on a person other than that Requester, a request fee in the amount of R50.00 is payable up-front before SALT EB will further process the request received.

Access fees

An access fee is payable in all instances where access is granted, unless payment of an access fee is specially excluded in terms of PAIA or an exclusion is determined by the Minister in terms of Section 54 (8).

Deposits

Where SALT EB receives a request for access to information on a person other than that Requester and the Data Protection Officer upon receipt of the request is of the opinion that the preparation of the required record of disclosure will take more than six hours, a deposit is payable by the Requester.

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

Note: In terms of Regulation 8, value-added tax (VAT) must be added to all fees prescribed in terms of the regulations.