

National Regulator for Compulsory Specifications (NRCS)

Manual

In terms of

Section 14 of

Promotion of Access to Information Act No.2 of 2000 (“PAIA”) read
with

Regulation 4(1)(c) of the Protection of Personal Information Act,
No. 4 of 2013 (“POPIA”)

protecting the consumer, protecting the environment

Section 14 Manual:

MANUAL ON ACCESS TO INFORMATION HELD BY THE NRCS COMPILED IN TERMS OF SECTION 14 OF THE PROMOTION OF ACCESS TO INFORMATION ACT, NO. 2 of 2000 ("PAIA") READ WITH REGULATION 4(1)(C) OF THE PROTECTION OF PERSONAL INFORMATION ACT, NO 4. OF 2013("POPIA")

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1 Dr Lategan Road, SABS Campus, Groenkloof, Pretoria

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Copies of this publication can be obtained from 1 Dr Lategan Road, the NRCS Head Office:
SABS Campus, Pretoria

 Telephone number: +27 12 482 8700

Email address: paia.info@nrcs.org.za

URL: www.nrcs.org.za



1. INTRODUCTION

This PAIA Manual is prepared in accordance with Section 14 of the Promotion of Access to Information Act, 2000 for NRCS. The Promotion of Access to Information Act, 2 of 2000 (“the Act”) was enacted on 3 February 2000, to give effect to the provisions of Section 32 of the South African Constitution, which provides that any person has a right to gain access to information held by a public or private body, when that information is required for the exercise or protection of any rights. In terms of the Act, a private body includes any former or existing juristic person.

The purpose of the Act is to foster a culture of transparency and accountability in both the public and private sectors by affording any person the right of access to information to enable them to exercise and protect all of their rights to the full extent required.

The purpose of this manual is to set out the procedures to be followed and criteria that have to be met for anyone (the requester) to request access to records in the possession or under the control of NRCS and its operations.

2. LIST OF ACRONYMS AND ABBREVIATIONS

2.1 CEO- Chief Executive Officer

2.2 IO - Information Officer

2.3 DIO - Deputy Information Officer

2.4 Minister- Minister of Justice and Correctional Services;

2.5 PAIA - Promotion of Access to Information Act No. 2 of 2000(as Amended);

2.6 PFMA - Public Finance Management Act No.1 of 1999 as Amended;

2.7 POPIA - Protection of Personal Information Act No.4 of 2013;

2.8 Regulator - Information Regulator.

5. USEFUL TERMS EXPLAINED IN AN EASILY COMPREHENSIBLE FORM AND MANNER

Term	Description
Access Fee	The requester to the body from which you are requesting the information, to cover the costs of finding and copying the records you require, pays this access fee. What can be charged is prescribed by regulation.
Administrator	Is an organ of state or any natural or juristic person taking administrative action.
Administrative	Is any decision taken, or any failure to take a decision, by Action? (a) an organ of state, when: (i) exercising a power in terms of the Constitution or a provincial constitution; or (ii) exercising a public power or performing a public function in terms of any legislation; or (b) a natural or juristic person, other than an organ of state, when exercising a public power of performing a public function in terms of an empowering provision. which adversely affects the rights of any person and which has a direct, external legal effect.
Authorised Person	The authorised person is the person who is making a request on behalf of someone else, and who has been properly authorised in writing to do so.
Automatically Available records	These are records that a public or private body will provide to a requester without them needing to file a request. These records are listed in a 'voluntary disclosure notice', which should be made public.
Data Subject	Is the person to whom personal information relates.
Days	Unless specified as a 'working day' in a section in PAIA , a day is considered to be a calendar day. To calculate time period, the day on which the request is received is excluded, and every day thereafter is included including weekends and public holidays until the final day is counted. If the final day for responding to a request falls on a Sunday or public holiday, the next day is counted as the final day.
Deemed Refusal	If not response is received to a request within the prescribed time, this is defined as a 'deemed refusal'.
Form A	This form is prescribed by regulation and should be used to request access to information held by a public or private body.
Form 4	This form is prescribed by regulation and should be used when appealing a decision made by a public body in relation to a request for access to information.
Guide	This Guide, made in pursuance of section 10 of PAIA , as amended which seeks to assist a person who wishes to exercise any right contemplated in PAIA and the Protection of Personal Information Act, 2013.
Information Officer	The Information Officer is the person authorised to handle PAIA requests
Deputy Information Officer	The Deputy Information Officer is the person designed or delegated by the Information Officer of a public body to assist the requester with their information request, and to whom the Information Officer can delegate other PAIA powers to. NB: Whilst only a public body can designate or delegate a Deputy Information Officer(s), in terms of Section 17(1) of PAIA , the Protection of Personal Information Act 2013 (" POPIA ") extends the power to designate a Deputy Information Officer to the private body in terms of section 56(1) thereof.

Information Regulator	The Office of the Information Regulator has been established, in terms of section 39 of POPIA , to monitor and enforce compliance with both POPIA and PAIA . In this Guide the Office of the Information Regulator or the Information Regulator is referred to as the Regulator.
Internal Appeal	An internal appeal is the process for challenging a decision made in terms of a PAIA request to a public body, which must be completed before a challenge can be made to the Regulator or to a court having jurisdiction.
Private Body	A private body is a person, company or other kind of juristic entity that carries on trade, business or profession, including a political party.
Public Body	A private body means a government department or other functionary or institution, which is performing a public function. However, with regard to internal appeal, any reference to “public body” has been changed to “Government”, in order to avoid confusion in respect of public bodies in which appeal is not applicable.
Record	A record is any recorded information regardless of the form, including, for example, written documents, audio, digital and video materials. A record requested from a public or private body refers to a record that is in that body's possession regardless of whether that body created the record.
Regulations	PAIA allows the Minister to issue regulations that supplement the Act, which must be published in the Government Gazette, and covers issues like the forms to be used and fees that may be charged for certain processes.
Relevant Authority	PAIA uses the term the ‘relevant authority’ to define the person within a National, Provincial and Local Government to whom an internal appeal must be lodged, which is generally the political head of the body concerned (this function can be officially delegated).

3. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to-

3.1 Check the nature of the records, which may already be available at NRCS, without the need for submitting a formal PAIA request.

3.2 Understand how to make a request for access to a record of the NRCS; 3.3 Access all the relevant contact details of the persons who will assist the public with the records they intend to access.

3.4 Know all the remedies available from the NRCS regarding request for access to the records, before approaching the Regulator or the Courts;

3.5 The description of the services available to members of the public from the NRCS and how to gain access to those services.

3.6 A description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it.

3.7 If the body 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.

3.8 Know if the NRCS has planned to 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

3.9 Know whether the NRCS has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information that is to be processed.

4. ESTABLISHMENT OF THE NRCS

The National Regulator for Compulsory Specification (NRCS) was established on 1 September 2008, under the auspices of the National Regulator for Compulsory Specifications Act (NRCS Act) 2008, (Act 5 of 2008). It is defined as a Section 3A organization under the Public Finance Management Act.

The NRCS is primarily responsible for the administration of three Acts that reside under its jurisdiction, namely the NRCS Act 5 of 2008, the Legal Metrology Act No 9 of 2018 and the National Building Regulations Standards Act 103 of 1977. The NRCS also administers regulations that fall under the jurisdiction of other government departments, as per agreements.

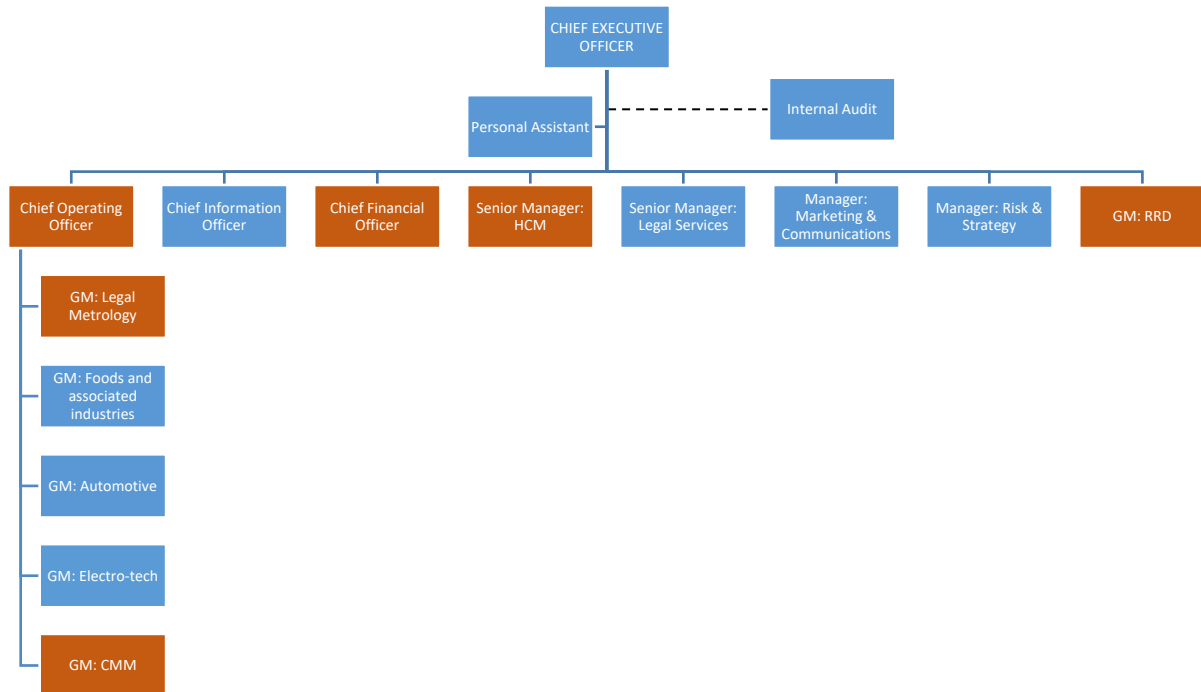
The NRCS has the following operational business units: Automotive, Legal Metrology, Chemical Mechanical & Material, Electro technical, Food and Associated Industries.

The NRCS has its head office in Pretoria and regional offices in Western Cape- Cape Town, Eastern Cape- Port Elizabeth, Free State- Bloemfontein, and KwaZulu- Natal – Durban.

4.1. MANDATE

The core business function of the NRCS is to administer compulsory specifications and other technical regulations with the view to protect human health, safety, the environment and ensure fair trade in accordance with government policies and guidelines.

5. STRUCTURE OF THE NRCS



4.2 FUNCTIONS OF THE NRCS (OVERVIEW ON BUSINESS UNITS WITHIN THE NRCS)

The following operations form part of the NRCS business units:

4.2.1 Automotive Business Unit

It is responsible for the administration of compulsory specifications for motor vehicles and regulated motor vehicle replacement components.

4.2.2 Chemicals, Mechanical and Materials Business Unit

Chemicals, Mechanical & Materials is responsible for the administration of compulsory specifications in the interests of public safety and health, and for environmental protection in the Republic of South Africa within the scope of the following commodity, product and service sectors: Personal protective equipment; Shooting ranges and associated industries; Healthcare products; Environmental protection; Flame-producing devices; and Construction materials.

4.2.3 Electro technical Business Unit

It is responsible for regulating various categories of electrical and electronic products, which are covered by 17 compulsory specifications.

4.2.4 Food and Associated Industries Business Unit

The Food and Associated Industries Business Unit protects consumers by regulating Ready to Eat (RTE) Processed meat, canned meat and canned fish products, frozen fish products, smoked snoek fish, aquaculture live abalone, live including chilled Bivalve Molluscs. Meaning inspections/ monitoring take place harvesting, facilities, processing, final product and retail inspections.

4.2.5 Legal Metrology

The Legal Metrology business unit ensures that consumers receive quantity of goods, as declared by an importer, manufacturer or retailer on pre-packages.

5. CONTACT DETAILS AND INFORMATION OFFICER

KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF THE NRCS

In terms of the Act, the Chief Executive Officer, or equivalent officer, of a public body is designated as the Information Officer.

5.1. The NRCS Information Officer is Acting Chief Information Officer:

Full names: Mr Duncan Mutengwe

Telephone: 012 482- 8701/2

Email: Duncan.Mutengwe@nrccs.org.za

5.2. The NRCS has, in terms of section 17(1) of PAIA read with section 56 of POPIA, designated the persons below as Deputy Information Officer:

Name: Lekgolane Makeke

Telephone: 012 482 8927

Email: Lekgolane.makeke@nrccs.org.za

5.3 Access to information general contacts

Email: paia.info@nrccs.org.za

5.4 National / Head Office Postal Address:

Provide Postal Address: Private Bag X25, Brooklyn 0075

Physical Address: SABS Campus, 1 Dr Lategan Road, Groenkloof, Pretoria

Telephone: 012 482 8802

Website: www.nrccs.org.za

6. DESCRIPTION OF ALL REMEDIES AVAILABLE IN RESPECT OF AN ACT OR A FAILURE TO ACT BY THE NRCS

6.1 Internal Appeal

- 6.1.1 An appeal must be lodged in the prescribed **Form 4** within **60** days of receiving refusal letter from the NRCS.
- 6.1.2 Appeals that are received by the Deputy Information Officer must be forwarded immediately to the Information Officer who will as soon as possible attend to the matter with all team members for advice and decision.
- 6.1.3 If notice to a third party is required, within **30** days after notice is given to the appellant of the decision appealed against; or if notice to the appellant is not required, after the decision was taken the notice of appeal must be delivered or sent to the Information Officer of the NRCS at his/her address or electronic mail address.
- 6.1.3 It must identify the subject of the appeal and state the reasons for the appeal and may include any other relevant information known to the appellant.
- 6.1.4 An applicant lodging an appeal against the refusal of his or her request for access must pay the prescribed appeal fee. If the prescribed appeal fee is payable in respect of an appeal, the decision on the appeal may be deferred until the fee is paid.

6.2 Process to complain to Information Regulator

You may complain about any of the following:

- 6.2.1 data subject who are alleging the interference of the protection of their personal information
- 6.2.2 responsible parties who are aggrieved /not satisfied by the decision of the adjudicator on the or request.
- 6.2.3 any person with sufficient personal interest in the subject matter of the complaint referred to in section 73 of the Act.
- 6.2.4 the access fee that we charge
- 6.2.5 the way in which access is granted
- 6.2.6 The contact details of the Information Regulator are as below:

Physical Address:

JD House, 27 Stiemens Street
Braamfontein
Johannesburg
2001

Postal address:

P.O. Box 31533
Braamfontein
Johannesburg
2017

Telephone: 010 023 5200

Website: www.inforegulator.org.za

6.3 Process for approaching to court within jurisdiction for appropriate relief

6.3.1 A requester or third party, who is not satisfied with the decision taken by the NRCS relating to a request for access to records held by the NRCS (including the reasons regarding the fees of access) may, within 180 (hundred and eighty days) apply to the High Court, or any other Court having jurisdiction, for relief.

7. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

7.1. 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.

7.2. The Guide is available in each of the official languages.

7.3. The aforesaid Guide contains the description of.

7.3.1. The objects of PAIA and POPIA.

7.3.2 The postal and street address, phone and fax number and, if available, electronic mail address of;

7.3.2.1. The Information Officer, and

7.3.2.2. Deputy Information Officer of NRCS designated in terms of section 17(1) of PAIA and section 56 of POPIA.

7.3.3. The manner and form of a request for:

7.3.3.1. access to a record of a NRCS contemplated in section 11 and;

7.3.3.2. access to a record of a public body in terms of section 50

7.3.4 The assistance available from the Information Officer in terms of PAIA and POPIA;

7.3.5 The assistance available from the Regulator in terms of PAIA and POPIA.

7.3.6. 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;

7.3.6.1. an internal appeal.

7.3.6.2 a complaint to the Regulator; and

7.3.6.3. 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 public body.

7.3.7 the provisions of sections 14 and 15 requiring a public body and private body to compile a manual, and how to obtain access to a manual;

7.3.6.5 the of sections 15 and 52 providing for the voluntary disclosure of categories of records by a public body and private body, respectively.

7.3.6.6 the notices issued in terms of sections 22 and 54 regarding fees to be paid in relation to requests for access; and

7.3.6.7 the regulations made in terms of section 92

8. DESCRIPTIVE OF SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD BY THE NRCS

8.1 The NRCS holds a large volume of records that are listed in categories below. These will require requesters to follow a given procedure in requesting such records.

SUBJECT	RECORDS HELD
ADMINISTRATION	
Business Units strategy	<ul style="list-style-type: none"> • Strategic planning and monitoring • Communication and marketing • Annual performance plans • Annual reports • Business plans • Operations support
Human Resource Management	<ul style="list-style-type: none"> • Workplace skills plan • Personal development plans • Training reports • Disciplinary and grievances • Records of grievance • Audit queries • Monthly reports • Submissions • Organizational structure • Advertisements of posts • Applications of employment • Shortlisting and interviews • Letters of appointment • HR plan and policies • Employment equity plan • Performance agreements • Records of job descriptions • Financial disclosures • Records of job evaluations • Health and Occupational Safety
Case records	<ul style="list-style-type: none"> • Personnel files

SUBJECT	RECORDS HELD
	<ul style="list-style-type: none"> • Leave files • Housing subsidy files • Tool of trade files • Injury on duty files • Salary files • Bursary files
ICT	<ul style="list-style-type: none"> • IT Strategy • Equipment's registers • Policies • Network • Information System Reports • Information System Audit

Communications	<ul style="list-style-type: none"> • Communications strategy • Media Reports • Internal Newsletters • Internal Campaign • Promotional Material
Finance	<ul style="list-style-type: none"> • The annual report of the NRCS which includes financial statements of the budget including the audit and management reports • Estimates of National Expenditure: the Finance Minister of the Republic of South Africa tables this budget annually in Parliament. It can be accessed and reviewed from the National Treasury on: www.treasury.gov.za • General: Financial expenditure information on various projects undertaken by the NRCS. • Budget statements • Budget submissions • Expenditure reports • Financial delegations • Annual financial statements • Audit queries • Records of revenue received • Bank statements • Tax compliance • Travel approvals • S & T claims • Records on Financial levies
Supply Chain Management	<ul style="list-style-type: none"> • SCM monthly reports • Bids/Tender documents • Audit queries • Assets management policy • Assets monthly reports • Contracts and agreements
SUBJECT	RECORDS HELD
Operational Business Units	<ul style="list-style-type: none"> • Client's information i.e. addresses, telephone numbers, business profiles. • Applications granted • Approvals for LOA's, RCC's, Authorization Certificates and Sales Permits and Type Approval Certificates. • Technical records on commodities regulated • E-Natis numbers including regulatory specification • Directives issued due to noncompliance • Compulsory Specifications (VC's) • Records on ports of entry • Records of confiscated products or commodities due to non-compliance • Records on building regulations

9. CATEGORIES OF RECORDS OF THE NRCS WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

The following categories of records that are held by the NRCS are automatically available to requesters without having to request access to such records according to the Act:

9.1 AUTOMATICALLY AVAILABLE AND VOLUNTARY DISCLOSURE AND ACCESS TO CERTAIN RECORDS.

DESCRIPTION OF CATEGORIES OF RECORDS AUTOMATICALLY AVAILABLE IN TERMS OF SECTION 15 (1) OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000 (ACT 2 OF 2000)

FOR INSPECTION IN TERMS OF SECTION 15 (1) (A) (i)

These records are available for free inspection and copying at NRCS Head office also available online on <http://www.nrcs.org.za>

1. NRCS Strategic Plans
2. NRCS Annual Reports
3. Tender/Bid Documents
4. Legislation Administered by the NRCS
5. Vacancies
6. National Regulator Statements Compulsory Specifications,
7. Media Statement
8. Policy documents
9. VC's (Compulsory Specifications)
10. PAIA Manual
11. Speeches and presentations
12. Records of Regulated commodities and products

10. SERVICES AVAILABLE TO MEMBERS OF THE PUBLIC FROM THE NRCS AND HOW TO GAIN ACCESS TO THOSE SERVICES

10.1 Powers, Duties and Functions

a) Protecting the Consumer

NRCS protects the consumer by enforcing Compulsory Specifications and Technical Regulations that set minimum standards for:

- Food and associated products
- Vehicles,
- Regulated vehicle components

- Tyres and vehicle components
- Electrical products and components
- Building and construction materials
- Chemicals and health related equipment
- Floatation devices
- Swimming aids
- Personal Protective equipment
- Firearms and shooting ranges
- Plastic carrier bags
- Flame producing devices
- Gambling equipment
- Pre-Packages
- Measuring Instrument used for prescribed purposes
- Measure for prescribed purposes

b) Protecting the environment

NRCS protects the environment by enforcing compulsory specifications for:

- Plastic bags
- Energy efficiency and labelling of electrical appliances and vehicles

c) Supporting the industry

- Protecting South African industry from unfair trade

d) Ensure compliance to Imports and Exports

- NRCS approves products that meet with the requirements of applicable compulsory specifications. Letters of Authority, Letters of Compliance, Health Guarantees, and Type Approvals are issued to manufacturers and importers as soon as the requirements have been met, in order that the products can be imported, or offered for sale or exported.

e) Support to the Government

- NRCS administers compulsory specifications, Building specifications on behalf of the Minister of Trade, Industry and Competition.

f) Market Surveillance

Market surveillance inspections are conducted to monitor compliance with the compulsory specifications and regulations and to ensure that products granted with the approval comply with the respective requirements. NRCS inspectors maintain constant surveillance on focusing on high-risk areas to remove non-compliant over

regulated products and services in the market, to protect consumers/industry through inspections and audits to protect consumers and the industries.

11. PUBLIC PARTICIPATION IN THE EXERCISE OF POWERS BY THE NRCS

- 11.1 In the NRCS, draft requirements and technical regulations is published for general comment from all stakeholders and the public at large, in specific policy initiatives, policy may be discussed in meetings with stakeholders.
- 11.2 Notice of such meetings or hearings will always be given prior to the meeting or hearing.

8. PROCESSING OF PERSONAL INFORMATION

- 12.1 Section 23 of POPIA provides the data subject with the right of access to personal information held by the responsible party, including information about the identity of all third parties, or categories of third parties, who have, or have had, access to the information.
- 12.2 This means that whilst access to a record containing personal information about a requester is excluded from PAIA in terms Section 11(2) thereof, data subject may request.
 - a) access to his/her personal information and be provided within a reasonable time, in a reasonable manner and format, in a form that is generally understandable; and NRCS may require a fee to be able to respond to the request contemplated in 8.1 and/or
 - b) identity of all third parties, and/or categories of third parties, who have, or have had, access to the information.
 - c) Correction, deletion or destroying of a record of personal information about the data subject in its possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully. A request contemplated in this must be made on **Form 2**, attached hereto
 - d) the record of his/her personal information that the responsible party is no longer authorised to retain to be destroyed or deleted.
 - e) A data subject may object at any time, to the processing of his or her personal information as contemplated in section 11(3)(a) of POPIA. The objection contemplated in section 11(3)(a) of POPIA must be made on **Form 1**, attached hereto,
- 12.3 A responsible party may refuse to disclose any personal information requested, in accordance with the grounds for refusal of access to records.

12.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto.

Categories of Data Subjects	Personal Information that may be processed
Natural Persons	Names and surname; contact details (contact number(s), fax number, email address); Residential, postal or business address; Unique Identifier/Identity Number and confidential correspondence.
Juristic Persons	Names of contact persons; Name of legal entity; physical and postal address; contact details (contact number(s), fax number, email address); registration number; financial, commercial, scientific or technical information and trade secrets.
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,

12.3 THE RECIPIENTS OR CATEGORIES OF RECIPIENTS TO WHOM THE PERSONAL INFORMATION MAY BE SUPPLIED

Category of personal information	Recipients or Categories of Recipients
Identity number and names, for Criminal checks	South African Police Services
Qualifications, for qualification Verifications	South African Qualifications Authority
Credit and payment history, for credit Information	Credit Bureaus

13. PLANNED TRANSBORDER FLOWS OF PERSONAL INFORMATION

- 13.1 NRCS may need to transfer your personal information to another country for processing or storage on undisclosed location for security reasons.
- 13.2 NRCS will ensure that anyone to whom we pass your personal information agrees to treat your information with similar protection as provided for in POPIA.

13.3 NRCS may transfer your information to other countries which do not have similar protection as provided for in POPIA, with your consent.

14. GENERAL DESCRIPTION OF INFORMATION SECURITY MEASURES TO BE IMPLEMENTED BY THE RESPONSIBLE PARTY TO ENSURE THE CONFIDENTIALITY, INTEGRITY AND AVAILABILITY OF THE INFORMATION

14.1 NRCS has precautionary measures to secure your personal information against the risk of loss, unlawful access, interference, modification, unauthorized destruction and disclosure such as the following:

- a) Physical security
- b) Network security controls
- c) Identifiable Usernames and Password controls
- d) Virus & malware protection system
- e) Software Security updates

15.1. PROCEDURE OF HANDLING REQUEST RECEIVED THROUGH THE PAIA

15.1. All PAIA requests are received by the Deputy Information Officer's office.

15.2 All requests for information or records under PAIA must comply with the following requirements:

15.3. The Requestor must complete **Form 2, attached hereto**; (Request for access to record of public body) and submit it by hand or email.

15.4 A fully completed request form must be electronically mailed, or hand delivered to the Deputy Information Officer. The contact details of the Deputy Information Officer are set out in paragraph **5** above.

Request and the access fee

15.5 The request and access fee shall be paid by the requester into the NRCS' bank account.

15.6 The banking details for the NRCS are as follows:

ABSA Bank

Account number: **4072161682**

Branch code: **632005**

Your reference: **294617 and your name and surname**

- 15.7 Proof of payment of the request fee (R100.00) must accompany the request
- 15.8 The completed form should provide details of the records requested. The requestor should always provide the following information:
- a) Indicate the name and identity of the requestor
 - b) Indicate the form of access required
 - c) Specify postal address or fax number in South Africa or an email address
 - d) Identify the right he/she wants to exercise or protect and give an explanation why the record is needed.
 - e) Indicate the form of reply to his/her request, other than a written reply, which he/she prefers, with the relevant particulars.
 - f) Give proof of the capacity in which he/she is acting, if requesting access on behalf of another. proof of the capacity in which the requester is making the request, if the request is made on behalf on another person, must accompany the request; and
 - g) the requester has consented thereto in writing.

Attendance of a request by Deputy Information Officer

- 15.9 The Deputy Information Officer will render reasonable assistance to a requester as may be necessary to enable that requester to comply with the request procedure set out in paragraph 15.1 above.
- 15.10 The Deputy Information Officer will also provide assistance to requesters who cannot read or write. Any such person can make an oral request to the Deputy Information Officer, who must fill in the request form for the said requester.
- 15.11 Except if the Deputy Information Officer must and has invoked the provisions of PAIA regarding third party notification and intervention or has extended the period within which to decide on a request, he will as soon as reasonably possible, but in any event within thirty (30) days after the request is received, decide whether to grant the request or not.
- 15.12 During the thirty (30) days referred to in paragraph 15.11 above or the extended period, the Deputy Information Officer will:
- 15.12.1. gather and consider the information or record requested.
 - 15.12.2. consult with relevant divisions of the NRCS as may be necessary and

desirable to decide upon the request under consideration.

15.12.3. solicit such other assistance as may be necessary to make an informed decision regarding the request under consideration.

15.12.4. if the request is granted, inform the requester in writing, of:

- a) the decision to give him access to the record sought; and
- b) the access fee payable to the NRCS by the requester in order to obtain the record sought. Once proof of payment of the access fee has been duly received by the NRCS, the Deputy Information Officer will release the information to the requester; and

15.13 if the request is declined, inform the requester of the decision to decline the request in writing and furnish the reasons for the decision.

15.14 By way of a written notice to the requester, the Deputy Information Officer may:

- a) extend the thirty (30) days' period within which to make the decision regarding the request (hereinafter referred to as the "original period"), for a further period of not more than thirty (30) days if:
 - i) the request is for a large number of records or requires a search through a large number of records of the NRCS, and compliance with the original period would unreasonably interfere with the activities of the NRCS.
 - b) the request requires a search for records in, or collection thereof from, an office of the NRCS not situated in Pretoria, being the city in which the Deputy Information Office is situated, and the search cannot reasonably be completed within the original period.
 - c) consultation among divisions of the NRCS or with another public body is necessary or desirable in order to decide upon the request and such consultation cannot reasonably be completed within the original period;

or

15.15 require the requester (other than a personal requester) to pay as a deposit of not more than one third of the access fee which would be payable if the request is granted - if in his opinion more than six hours would be required to search for and prepare the requested record for disclosure. If a deposit has been paid in respect of a request for access which is refused, the Deputy Information Officer will within a reasonable period ensure that the deposit is refunded to the requester.

Prescribed fees

15.16 There are two types of fees payable in terms of PAIA to obtain access to records

held by the NRCS, namely:

- a) a request fee, being a standard fee (R100.00) payable before further processing of a request; and
- b) an access fee, being a fee payable to cover the cost for the search, preparation and reproduction of a record for disclosure to a requester.

- 15.17 A schedule of amounts as may be payable as access fee is contained in the Regulations Regarding the Promotion of Access to Information, 2021 (published in Government Gazette 45057 of 27 August 2021).
- 15.18 Save to the extent provided for in section 23(3) of POPIA, a personal requester (being a requester who seeks access to a record containing personal information about that requester) is not required to pay both the request and access fee. Any other requester, who is not a personal requester, must pay the request and access fee, unless if the person is exempted from paying same.

Exempted and determinations for purpose of section 22(8)

- 15.19 The following persons are exempt from paying the access fee contemplated in section 22(6) of the Act:
- a) A single person whose annual income, after permissible deductions referred to in the Schedule to this notice are made, does not exceed **R 14,712.00** per annum.
 - b) Married persons or a person and his or her life partner whose annual income does not exceed **R 27,192.00** per annum.

16. AVAILABILITY OF THE MANUAL

This manual informs requesters of procedural and other requirements which a request must meet. Access and availability for inspection to this manual can be granted and obtained, free of charge, at the NRCS offices (See details under 'contact details').

This Manual is made available in the following official language-

16.1.1 the official language of the NRCS PAIA manual is English, isiZulu and Sepedi.

16.2 A copy of this Manual or the updated version thereof, is also available as follows-

16.2.1 on www.nrccs.org.za, if any, of the public body;

16.2.2 at the head office of the public body for public inspection during normal business hours

16.2.3 To any person upon request and upon the payment of a reasonable prescribed fee; and

16.2.4 To the Information Regulator upon request.

16.3 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.

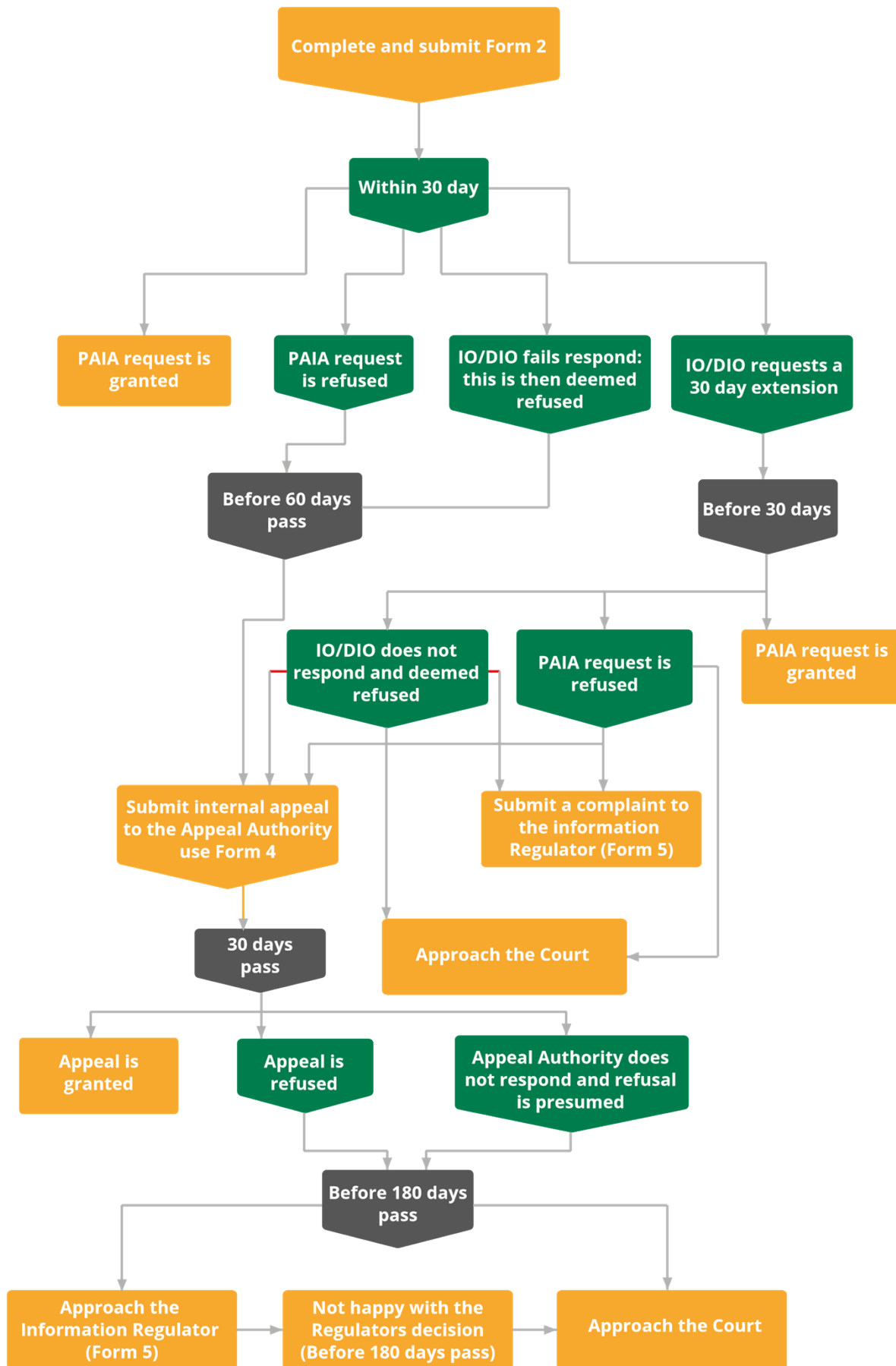
16.4 All interested parties may liaise with the Deputy Information Officer to obtain a copy of this PAIA Manual or to obtain clarity in respect of any aspect of the manual.

17. REVIEW OF THE MANUAL

The NRCS will, if necessary, update and publish this Manual on annual basis.

18. DIAGRAM OF PAIA REQUEST PROCESS

Please refer to the step-by step process chart flow, on the processes to be followed when exercise the right of access to information.



FORM 2

REQUEST FOR ACCESS TO RECORD

[Regulation 7]

NOTE:

1. Proof of identity must be attached by the requester.
2. If requests made on behalf of another person, proof of such authorisation, must be attached to this form.

TO: The Information Officer

(Address)

E-mail address:

--

Fax number:

--

Mark with an "X"

☐ Request is made in my own name ☐ Request is made on behalf of another person.

PERSONAL INFORMATION

Full Names			
Identity Number			
Capacity in which request is made (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				
<i>Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i>				
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 (<i>this includes photographs, slides, video recordings, computer-generated images, sketches, etc</i>)				
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 <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i>	
Written or printed transcription of virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	
Transcription of soundtrack <i>(written or printed document)</i>	
Copy of record on flash drive <i>(including virtual images and soundtracks)</i>	
Copy of record on compact disc drive <i>(including virtual images and soundtracks)</i>	
Copy of record saved on cloud storage server	

MANNER OF ACCESS

(Mark the applicable box with an "X")

Personal inspection of record at registered address of public/private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i>	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language <i>(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)</i>	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

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

Indicate which right is to be exercised or protected	
Explain why the record requested is required for the exercise or protection of the aforementioned right:	

FEES

- | | |
|----|---|
| a) | A request fee must be paid before the request will be considered. |
| b) | You will be notified of the amount of the access fee to be paid. |
| 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 you qualify for exemption of the payment of any fee, please state the reason for exemption |

Reason	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

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

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):	

Signature of Information Officer

PAIA INTERNAL APPEAL FORM

FORM 4

[Regulation 9]

Reference Number:

PARTICULARS OF PUBLIC BODY			
Name of Public Body			
Name and Surname of Information Officer:			
PARTICULARS OF COMPLAINANT WHO LODGES THE INTERNAL APPEAL			
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>			
PARTICULARS OF PERSON ON WHOSE BEHALF THE INTERNAL APPEAL IS LODGED <i>(If lodged by a third party)</i>			
Full Names			
Identity Number			
Postal Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
E-Mail Address			

DECISION AGAINST WHICH THE INTERNAL APPEAL IS LODGED <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	
GROUND FOR APPEAL <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 <i>(Please specify)</i>

Signed at _____ this _____ day of _____ 20 _____

Signature of Appellant/Third party

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	
OUTCOME OF APPEAL						
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 (if not confirmed)			
	No					

Signed at _____ this _____ day of _____ 20 _____

Relevant Authority

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, 2017
[Regulation 3(2)]

Note:

1. *Affidavits or other documentary evidence in support of the request must 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.*

Reference Number....

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
Surname:	
Full names:	
Identity number:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number:	
E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name and surname of responsible party <i>(if the responsible party is a natural person)</i> :	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number:	
E-mail address:	

Name of public or private body (if the responsible party is not a natural person):	
Business address:	
	Code ()
Contact number(s):	
Fax number:	
E-mail address:	
C	REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT/*DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY. (Please provide detailed reasons for the request)

* Delete whichever is not applicable

Signed at this day of20.....

.....
Signature of Data subject

FORM 1**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

Issued by

D. Mutengwe



Acting Chief Executive Officer