



CTLPA

CAPE TOWN LEGAL
PROFESSIONALS ASSOCIATION

ACCESS TO INFORMATION

PAIA Manual

Section 51 of the Promotion
of Access to Information Act

For adoption
9 October 2026

Contents

1 Purpose and application	3
2 Definitions and interpretation	3
3 Information Officer and contact particulars	4
4 Guidance and assistance	5
5 Records available without a PAIA request	6
6 Access under the Companies Act and other legislation	6
7 Subjects and categories of records	8
8 Requesting access under PAIA	9
9 Fees and charges	10
10 Decisions and time periods	11
11 Protection of records and partial access	11
12 Remedies and complaints	12
13 Purposes of processing personal information	13
14 Data subjects and information categories	13
15 Recipients and permitted disclosure	14
16 Transborder information flows	15
17 Security safeguards and retention	16
18 Rights relating to personal information	17
19 Availability and review of the manual	18
20 Prescribed forms and official guidance	18

1 Purpose and application

- 1.1 This manual is prepared under section 51 of the Promotion of Access to Information Act, 2 of 2000, for adoption by Cape Town Legal Professionals Association NPC, being the proposed non-profit company with members through which the work of the voluntary association established in 2019 is to continue, and will apply to records in the Company's possession or under its control upon its incorporation and adoption of the manual.
- 1.2 The manual explains the categories of records relating to the Company's governance, membership and activities, the procedures for requesting access, the rights available under other legislation and the manner in which personal information is to be processed and protected, having regard to the Company's public benefit objects and its work throughout the Western Cape, including the West Coast, Somerset West and Simon's Town.
- 1.3 Access may arise under the Companies Act, PAIA, POPIA or another applicable law, and the procedure to be followed depends on the right relied upon and the record concerned; membership of the Company is neither a general requirement for a PAIA request nor an entitlement to unrestricted access to every record held by the Company.
- 1.4 A record held by a service provider on the Company's behalf may fall within this manual, whereas a member's independent professional or employer records do not become Company records merely because that person belongs to CTLPA; records of the former voluntary association are included only to the extent that they are lawfully transferred to, held by or controlled by the Company.

2 Definitions and interpretation

- 2.1 **“Company”** or **“CTLPA”** means Cape Town Legal Professionals Association NPC, upon its incorporation, to which this manual relates.
- 2.2 **“Board”** means the Company's board of directors, and **“MOI”** means its Memorandum of Incorporation as amended from time to time.
- 2.3 **“Companies Act”** means the Companies Act, 71 of 2008, read with the regulations and amendments in force at the relevant time.
- 2.4 **“Member”** means a person admitted to membership under the MOI, including a voting or non-voting member, with the rights attaching to that class.

- 2.5 **“PAIA”** means the Promotion of Access to Information Act, 2 of 2000, and **“POPIA”** means the Protection of Personal Information Act, 4 of 2013, in each case read with the applicable regulations and amendments.
- 2.6 **“Information Officer”** means the head of the private body contemplated in PAIA and POPIA, including a person duly authorised to act in that capacity, whose contact particulars appear in section 3.
- 2.7 **“Regulator”** means the Information Regulator established under POPIA, which also exercises the powers assigned to it under PAIA.
- 2.8 **“Record”** means recorded information, in any form or medium, in the Company's possession or under its control, irrespective of who created it or when it came into existence.
- 2.9 **“Requester”** means a person seeking access to a Record, including a person acting with the necessary authority on behalf of another person.
- 2.10 **“Personal Information”** has the meaning assigned in POPIA and includes information relating to an identifiable living natural person and, where applicable, an identifiable existing juristic person, provided that PAIA's own definition governs wherever it is relevant to an access request or ground of refusal under that Act.
- 2.11 **“Data Subject”** means the person to whom Personal Information relates, and **“Processing”** includes its collection, use, storage, disclosure, alteration, restriction and disposal.
- 2.12 **“Operator”** means a person processing Personal Information for the Company under a contract or mandate, without coming under the Company's direct authority.
- 2.13 References to a statute include its applicable regulations and amendments in force, while periods stated in days are calculated under the legislation governing the particular request; a business day under the Companies Act excludes a Saturday, Sunday or public holiday.

3 Information Officer and contact particulars

- 3.1 Natalie Macdonald Spence is nominated to serve as the Company's Information Officer, with her authority to act as the head of the private body to be recorded in accordance with PAIA and her registration with the Regulator to be completed before she assumes the duties contemplated in section 55 of POPIA.
- 3.2 Requests and correspondence concerning this manual should be directed to the Information Officer through the CTLPA contact particulars below, with sufficient

information to identify the request and with confidential documents sent only through an appropriate agreed channel.

Nominated Information Officer

Natalie Macdonald Spence

Email

info@capetownlawyers.co.za

Postal address

Office 8, PineworX, Lonsdale Way, Pinelands, Cape Town, 7405

Principal physical address

Telephone

Fax if available

Website

capetownlawyers.co.za

- 3.3 Upon taking up office in accordance with clause 3.1, the Information Officer will be responsible for administering access requests, attending to the rights of Data Subjects, maintaining this manual and the Company's information compliance arrangements, furnishing any report required by the Regulator under section 83(4) of PAIA and cooperating with the Regulator, while any appointment of a Deputy Information Officer must be recorded with the appropriate authority and registration particulars.
- 3.4 A general website enquiry may be used to seek assistance with the procedure, but a person seeking a formal PAIA decision should submit the access request described in section 8 to the Information Officer; this does not restrict the separate Companies Act procedures in clauses 6.1 to 6.5 or the POPIA procedures in section 18.

4 Guidance and assistance

- 4.1 The Regulator's Guide prepared under section 10 of PAIA explains the right of access, the assistance available to Requesters, the procedures applicable to public and private bodies, fees and the remedies available where access is

refused, and includes guidance on requests for a person's own Personal Information under POPIA.

- 4.2 The Guide and the language versions published by the Regulator may be obtained through the [Regulator's PAIA guidance page](#), and the Information Officer will arrange for a copy in at least two official languages to be available for inspection at the Company's registered head office during normal office hours, as required by regulation 3 of the PAIA Regulations.
- 4.3 A person may request assistance in obtaining the Guide, including a copy in the manner contemplated by the prescribed Form 1, and inspection and the provision of that Guide will be free of charge; assistance with identifying the appropriate access procedure may also be requested from the Information Officer or the Regulator.

5 Records available without a PAIA request

- 5.1 The Company's public website material, published newsletters, public event notices, published research and legislative submissions, and documents expressly released for public use may be accessed through the channel in which they are published, without submitting a PAIA request or paying a PAIA request fee.
- 5.2 The adopted version of this manual will be available for free electronic access and inspection as described in section 19, while a document circulated only to Members or a defined group remains subject to the access arrangements applicable to that circulation and to any independent statutory right.
- 5.3 A public professional directory, where offered, will contain only the profile information approved for that purpose, and must be distinguished from the statutory members register and the Company's application, subscription, complaints and administrative records; rights of access to the statutory register are addressed in section 6.
- 5.4 Any separate notice or description of voluntarily available records issued under section 52 of PAIA and regulation 5 will identify the categories concerned and the manner of obtaining them, and will be maintained and made available as required by those provisions.

6 Access under the Companies Act and other legislation

- 6.1 Both voting and non-voting Members have the inspection and copying rights conferred by section 26(1) of the Companies Act, including access to the MOI and amendments, Company rules, the prescribed directors' records, reports to

annual meetings and annual financial statements, the member meeting and communication records described in that section, and the statutory members register.

- 6.2 Members may inspect those records without charge, while copying is subject to the applicable prescribed maximum charges; a person who is not a Member also has the direct rights to inspect and copy the statutory members register and directors register under section 26(2), with any inspection charge subject to the statutory maximum of R100 under section 26(6).
- 6.3 A direct request under the Companies Act may be submitted in the prescribed CoR 24 form, personally or through a representative authorised in writing, and the Company must provide the opportunity to inspect or copy within 14 business days in accordance with section 26 and regulation 24 of the Companies Regulations.
- 6.4 A person exercising a direct Companies Act right is not required to use PAIA Form 2 or establish the right contemplated in section 50 of PAIA, and any restriction or redaction must have an applicable legal basis rather than depend on a general assertion of confidentiality or a requirement that all Members first consent.
- 6.5 The statutory right concerns the records identified by the Companies Act and does not of itself extend to every Board minute, accounting entry, application document, complaint file or professional engagement record; any additional access right in the MOI remains subject to the mandatory protections contemplated in section 26(3).
- 6.6 POPIA provides separate rights concerning a Data Subject's Personal Information, including confirmation, access, correction and objection, as described in section 18 of this manual, and those rights must be considered according to their own requirements.
- 6.7 Financial, tax and donation records may be maintained or disclosed under the Income Tax Act, 58 of 1962, and the Tax Administration Act, 28 of 2011, while registration and reporting records under the Nonprofit Organisations Act, 71 of 1997, will arise if the relevant registration is obtained; references to those statutes do not represent that NPO, PBO or section 18A status has already been granted.
- 6.8 Where the Company employs personnel or undertakes an activity to which further legislation applies, relevant records may also arise under the Basic Conditions of Employment Act, 75 of 1997, the Labour Relations Act, 66 of 1995, applicable employment, unemployment insurance and compensation

legislation, and the Electronic Communications and Transactions Act, 25 of 2002; access depends on the entitlement and conditions in the relevant law, rather than on the fact that a statute is mentioned here.

7 Subjects and categories of records

- 7.1 The following categories describe records arising from the Company's constitution and contemplated activities, including records received or created as those activities commence; a particular request will be considered against the records actually held or controlled at the time, and the inclusion of a category does not represent that every possible record in it exists.
- 7.2 Corporate and governance records comprise incorporation documents, the MOI and amendments, Company rules, statutory registers and filings, beneficial ownership and control information where required, meeting notices, agendas, minutes, resolutions, elections, appointments, authorisations, declarations of interests and committee terms of reference.
- 7.3 Membership records comprise applications, proof of qualifications and professional standing where relevant, membership class and status, admission decisions, subscriptions and payment records, acceptance of the Code of Ethical Conduct, correspondence, participation records, directory preferences, resignations and records concerning the suspension or termination of membership.
- 7.4 Financial and funding records comprise budgets, accounting records, annual financial statements, review or audit reports where applicable, bank and payment records, invoices, contracts, grants, donations, sponsorships, donor restrictions, tax correspondence, statutory returns and any approvals or certificates subsequently obtained.
- 7.5 Programme and portfolio records comprise proposals, research, consultations, legislative submissions, public legal education, access to justice and assistance initiatives, referral arrangements, corporate social investment activities, committee work and reports on the use of funding and resources.
- 7.6 Publication, website and event records comprise approved content, newsletters, mailing preferences, directory entries, contributor permissions, event registrations, attendance, recordings and photographs where lawfully obtained, speaker and supplier arrangements, website enquiries and the technical records generated by the services actually used.
- 7.7 Complaints and proceedings records comprise complaints, responses, statements, documentary and other supporting material, correspondence,

procedural notices, hearing records, findings, sanctions, reviews and appeals, together with any lawful reports to professional bodies or authorities and any protected or privileged material held in connection with those matters.

- 7.8 Personnel, volunteer and supplier records comprise applications and agreements, authorisations, qualifications, roles, participation and performance records, remuneration or reimbursement particulars where relevant, invoices, insurance, confidentiality undertakings and the records reasonably required to administer the relationship.
- 7.9 Information governance records comprise this manual, privacy notices, consents and preferences, access requests and decisions, information assessments, Operator agreements, records of authorised access, retention and disposal records, security incident records, and correspondence with the Regulator or other competent authorities.

8 Requesting access under PAIA

- 8.1 A request under PAIA should be submitted to the Information Officer on [PAIA Form 2](#) or a form corresponding substantially with it, identifying the Record sought and the right to be exercised or protected, and explaining why access to that Record is required for the exercise or protection of that right.
- 8.2 The Requester should provide the identity and contact particulars required by the form, appropriate proof of identity, written authority where acting for another person, sufficient details to locate the Record, the preferred form and manner of access, and the address or other particulars to which the decision should be sent.
- 8.3 A request may be delivered by email, post or hand to the Information Officer using the contact particulars in section 3, and any uncertainty about the correct procedure, the description of the Record or a suitable secure delivery method should be raised with the Information Officer so that reasonable assistance can be provided.
- 8.4 Where illiteracy or a disability prevents a person from completing the written form, the Information Officer will assist in reducing the request to writing and provide the Requester with a copy, while considering reasonable arrangements for the form of access required by that person.
- 8.5 The Information Officer may seek the particulars reasonably required to identify the Record, establish a representative's authority or deal with the request, but will not require information unrelated to those purposes or treat the Company's own internal description of a Record as a prerequisite to identifying it.

- 8.6 PAIA concerns access to existing Records and does not ordinarily require the Company to create a new opinion, explanation or analysis, although any identifiable existing Record relevant to the request will be considered under the applicable access provisions.

9 Fees and charges

- 9.1 A PAIA request to a private body attracts the prescribed request fee of R140 unless an applicable exemption provides otherwise, and the Information Officer will notify the Requester of that fee and any further access charges in the prescribed [PAIA Form 3](#) or a substantially corresponding notice before requiring payment.
- 9.2 The current private-body tariff provides R2 for each A4 photocopy or printed page or part thereof; R40 for an electronic or audio copy onto the Requester's flash drive or compact disc; R60 where a compact disc is supplied; and R24 for each A4 page of an audio transcription, while the cost of a visual transcription or copy is determined by the applicable outsourced quotation.
- 9.3 Search and preparation time is charged at R145 per hour or part thereof after the first hour, subject to the tariff's maximum of R435, while postage, email or another means of transfer attracts only the actual expense incurred, if any, and does not create an automatic charge for an electronic delivery that incurs no such expense.
- 9.4 Where the search for and preparation of the Record are expected to require more than six hours, the Information Officer must notify the Requester to pay a deposit of one-third of the estimated amount calculated under items 2 to 8 of Annexure B to the PAIA Regulations, with the amount, calculation and challenge procedure stated in the notice; the deposit must be refunded if access is refused.
- 9.5 Access may be made subject to payment of the lawful access fee, and a Requester may challenge a fee or deposit through the applicable PAIA remedies; the [Regulator's current fee schedule](#) and any tariff subsequently brought into force govern the amount that may lawfully be charged.
- 9.6 The PAIA tariff must be distinguished from the Companies Act charges described in section 6 and from the free confirmation, objection and correction or deletion procedures described in section 18, and an exemption applicable only to a public body will not be treated as a statutory exemption applicable to the Company.

10 Decisions and time periods

- 10.1 Subject to the statutory procedure for affected third parties, the Information Officer must decide a PAIA request as soon as reasonably possible and within 30 calendar days after receipt of the request or the particulars required under section 53(2), and must notify the Requester whether access is granted or refused and of the applicable fees, reasons and remedies.
- 10.2 The period may be extended once by no more than a further 30 days on the grounds permitted by section 57, including the volume or location of Records, necessary consultation, a combination of the statutory circumstances or the Requester's written consent, with notice of the duration, adequate reasons and challenge procedure given within the original period.
- 10.3 Where sections 71 to 73 apply to affected third-party information, reasonable steps must be taken to notify the third party within 21 days after receipt of the request, the third party has 21 days after being informed to make representations or give written consent, and the decision must be made within 30 days after every affected third party has been informed.
- 10.4 If access is granted under that third-party procedure, the affected person must receive the prescribed notice, reasons and remedies, and access will not be given until the 30-day period following the decision notice has expired or while a timely challenge prevents disclosure, as provided in section 73.
- 10.5 A failure to decide within the applicable statutory period is treated as a refusal under section 58, while a claim that a Record cannot be found or does not exist must be supported by the affidavit or affirmation contemplated in section 55, explaining the reasonable steps taken to locate it.
- 10.6 Where access is granted, the Company will provide the Record in the form reasonably required in accordance with section 60, subject to lawful fees and any relevant limitation, and will identify the arrangements for inspection, copying or secure delivery in the outcome notice.

11 Protection of records and partial access

- 11.1 A PAIA refusal must be based on the applicable provisions of sections 63 to 69 and their exceptions, which concern matters including third-party privacy, commercial and specified confidential information, safety and security, legal privilege, the Company's protected commercial information and research information.

- 11.2 The fact that a Record concerns a Member, a complaint, a donation or a legal issue does not determine the outcome without applying the relevant statutory test, and the Company will consider the particular information, any necessary third-party procedure and the extent to which access can lawfully be given.
- 11.3 Under section 59, information that may lawfully be disclosed must be separated from protected information where reasonably possible, so that an exemption affecting part of a Record does not result in the unnecessary withholding of the remainder.
- 11.4 Section 70 requires disclosure notwithstanding the refusal provisions specified in that section where the Record would disclose material tending to establish a substantial contravention of or failure to comply with the law, or an imminent and serious public safety or environmental risk, and the public interest in disclosure clearly outweighs the harm contemplated by the applicable protection.
- 11.5 The Company will respect legal professional privilege where it lawfully arises, without representing that all communications with the Company are privileged or that membership creates an attorney and client relationship, and any refusal will identify the statutory basis and the remedies available without disclosing the protected content itself.

12 Remedies and complaints

- 12.1 The statutory internal appeal procedure under section 74 of PAIA does not apply to the Company as a private body, and a Requester or affected third party may lodge a complaint with the Regulator under section 77A, while any application to court for relief under section 78 remains subject to section 78(1), including the applicable requirements concerning exhaustion of remedies, and to the procedures and time limits governing the decision concerned.
- 12.2 A PAIA complaint may be made using [PAIA Form 5](#) or a substantially corresponding form, ordinarily within 180 days of the decision or deemed refusal, while court proceedings under section 78 are also subject to the applicable 180-day period and statutory requirements; any application for condonation must be made where the relevant period has expired.
- 12.3 An affected third party wishing to prevent disclosure must take account of the separate 30-day period in section 73(3) and (4), described in clause 10.4, and the effect of a timely challenge, and should not assume that the general 180-day period will itself prevent the Record from being released.
- 12.4 A request that the Information Officer reconsider a concern may assist in resolving it, but does not suspend a statutory period or make a complaint to the

Company a prerequisite to approaching the Regulator or seeking court relief in accordance with clause 12.1, and the Information Officer will provide the relevant notice and decision records required for a lawful challenge.

- 12.5 The Regulator may be contacted at Woodmead North Office Park, 54 Maxwell Drive, Woodmead, Johannesburg, 2191, on 010 023 5200 or toll-free 0800 017 160, with PAIA complaints directed to PAIAComplaints@inforegulator.org.za, POPIA complaints to POPIAComplaints@inforegulator.org.za and general enquiries to enquiries@inforegulator.org.za; its [contact page](#) provides current contact arrangements.

13 Purposes of processing personal information

- 13.1 The Company will process Personal Information to assess membership applications and relevant qualifications or professional standing, maintain membership and governance records, administer subscriptions and meetings, coordinate voluntary service and portfolios, arrange events and publications, respond to enquiries and discharge its contractual, financial and statutory responsibilities.
- 13.2 Processing may also be required to administer lawful public benefit initiatives, assess eligibility for assistance, arrange referrals, conduct research and public consultations, account for grants and donations, and investigate ethical complaints or other proceedings, in each case only to the extent justified by the activity and the applicable legal requirements.
- 13.3 The Company will identify an appropriate lawful basis for the Processing, collect information reasonably required for the identified purpose, provide the notifications required by section 18 of POPIA and assess any proposed further use against the original purpose and the law, rather than treating a membership application or consent form as unrestricted authority to process information.

14 Data subjects and information categories

- 14.1 For applicants and Members, relevant information includes identity and contact particulars, legal qualifications and admission or enrolment status where applicable, employment or professional affiliation, membership category, documents and other particulars supplied in support of an application, subscriptions, correspondence, participation records and approved directory information, with the extent of collection determined by the membership requirements and the purpose concerned.

- 14.2 For directors, office bearers, committee participants and volunteers, relevant information includes identity and contact particulars, eligibility and appointment records, qualifications, authorisations, declarations of interests, agreed responsibilities, attendance, participation and reimbursement records, while personnel information will be maintained where an employment or comparable relationship exists.
- 14.3 For subscribers, speakers and event participants, relevant information includes contact particulars, communication preferences, registrations, attendance, contributor permissions and the accessibility or logistical information reasonably required for the event, together with any photographs or recordings obtained and used on a lawful basis.
- 14.4 For applicants for assistance, beneficiaries and participants in public benefit initiatives, relevant information includes contact and representative particulars, eligibility information, referral records and the facts reasonably required for the particular assistance, with confidential professional information obtained only through an appropriate authorised process.
- 14.5 For complainants, respondents and witnesses, relevant information includes correspondence, statements, supporting material, procedural records, decisions and appeals, while financial supporters, suppliers and professional advisers may have contract, donation, invoicing, payment and applicable statutory reporting particulars recorded.
- 14.6 For website users and persons submitting enquiries, relevant information includes the contact particulars and message submitted, account or service preferences where an account is created, and the technical or usage information actually collected by the selected website arrangements, as explained in the relevant privacy notice.
- 14.7 Information concerning children, health, alleged criminal conduct or other categories receiving additional protection under POPIA will be processed only where the applicable requirements are satisfied, and any prior authorisation required by section 57 must be obtained before the relevant Processing commences; the Company's ethical code does not itself constitute a Regulator-approved POPIA code or confer an exemption.

15 Recipients and permitted disclosure

- 15.1 Personal Information may be made available to directors, office bearers, personnel and volunteers who require it for an authorised responsibility, and to appointed Operators providing hosting, communications, administration,

- payment, technical or other services, subject to appropriate access controls, confidentiality and the written arrangements required by POPIA.
- 15.2 Other recipients may include professional advisers, reviewers or auditors, insurers where relevant, persons delivering an authorised initiative, and courts, regulators, tax authorities or other competent bodies where disclosure is required or permitted by law, with the purpose and extent of each disclosure considered before it occurs.
- 15.3 Where a legal practitioner or another professional independently determines the purposes and means of Processing for a referral or professional engagement, that person's separate responsibilities and privacy arrangements must be identified, and the Company will not treat the professional as an Operator merely because a referral has been made.
- 15.4 A professional directory will contain only the profile and contact particulars approved for its stated audience, and material supplied in support of an application, financial details, declarations of interests and complaint files will be managed separately; the Company's directory arrangements remain distinct from the statutory disclosure rights applying to the members register.
- 15.5 The Company will distinguish necessary membership administration from promotional communications, fundraising appeals and other direct marketing, obtain and retain consent where required for unsolicited electronic direct marketing, and provide an effective means of objecting or withdrawing consent, without treating membership or a directory entry as consent to unrelated marketing.

16 Transborder information flows

- 16.1 The Company's contemplated website, membership, newsletter and collaboration arrangements may involve storage, backup, technical support or authorised access outside South Africa, and an international event, referral or contributor arrangement may also require a foreign recipient to receive limited information relevant to that activity.
- 16.2 Before implementing any such arrangement, the Information Officer will identify the countries, recipient categories, purposes and onward-transfer arrangements involved, assess the applicable protection and ensure that the transfer is permitted under section 72 of POPIA, including any separate requirement for prior authorisation concerning special Personal Information or children.
- 16.3 The existing Association's Careers service uses Resend for service emails involving Processing in the United States, as described in clauses [9.2](#) and [11.1](#)

of the Privacy Policy prepared for the Association, but that arrangement does not of itself appoint a provider for the proposed Company; before the Company assumes that service or adopts another foreign processing arrangement, its privacy disclosures and this section must identify the relevant actual or planned transfer and the protection applicable to it in accordance with section 72 of POPIA.

17 Security safeguards and retention

- 17.1 The Company's planned information security arrangements will be proportionate to the sensitivity of the Records and the risks identified, and will include access according to responsibility, individual account controls, appropriate authentication, confidentiality undertakings, physical protection of paper records and suitable security for devices, storage and transmission.
- 17.2 The arrangements will also address backup and recovery, updates and security maintenance, the use of approved services, secure sharing, access reviews and the removal of access when a person's role ends, with more restricted handling for identity documents, financial information, complaints, protected disclosures and confidential professional material.
- 17.3 Operators must process information within the Company's lawful authority and the agreed purpose, with written obligations addressing confidentiality, the safeguards required under section 21 of POPIA, assistance with requests, notification of security compromises, and the return or lawful disposal of information when the service ends.
- 17.4 Records will be retained for the period required by law or reasonably justified by the purpose and any continuing legal obligation, with retention reviewed by category and disposal carried out securely once retention is no longer lawful or necessary; a Record subject to an access request, complaint, investigation or reasonably anticipated proceedings must not be destroyed in order to defeat the relevant process.
- 17.5 Where there are reasonable grounds to believe that an unauthorised person has accessed or acquired Personal Information, the Company will investigate and respond to the compromise, cooperate with affected Operators and make the notifications required by section 22 of POPIA, subject to its lawful exceptions and any permitted delay.
- 17.6 The Information Officer will maintain and continually improve the arrangements for compliance with information law, arrange appropriate assessments and awareness measures, and verify the controls applicable to an activity before

information is processed, including the additional requirements of any health-information regulations where the Company acts in a capacity to which those regulations apply.

18 Rights relating to personal information

- 18.1 On adequate proof of identity, a Data Subject may obtain confirmation without charge whether the Company holds Personal Information about that person, and may request a Record or description of the information, including information about third parties who have or have had access to it, in accordance with section 23 of POPIA and its applicable limitations and fee provisions.
- 18.2 A Data Subject may request the correction or deletion of information that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or unlawfully obtained, or the destruction or deletion of a Record that the Company is no longer authorised to retain, subject to section 24 and any continuing lawful retention requirement.
- 18.3 A Data Subject may object on the grounds and in the circumstances permitted by section 11 of POPIA and may exercise the applicable rights concerning direct marketing, with the Company recording the objection, considering its legal effect and communicating the action taken through the appropriate procedure.
- 18.4 The Regulator's POPIA Form 1 may be used for an objection and POPIA Form 2 for a correction or deletion request, but a substantially similar submission through an accessible and expedient channel will be accepted in accordance with the amended POPIA Regulations, including email, post, delivery, SMS, WhatsApp or telephone where the relevant channel is available.
- 18.5 Those objection and correction or deletion procedures are free of charge, and a telephone submission will be electronically recorded with the record or a transcription made available to the Data Subject on request without charge, while the Company will provide the written notification of the action taken as required by POPIA and the applicable Regulations.
- 18.6 If the Company declines a correction and cannot resolve the disagreement, it will deal with any request to attach an indication of that disagreement as contemplated in section 24, and will communicate any correction to persons previously supplied with the information where required by that section.
- 18.7 A concern about unlawful Processing may be raised with the Information Officer or submitted to the Regulator through the applicable [POPIA complaint procedure](#), with the nature of the complaint and available supporting information

identified; using the Company's assistance procedure does not remove a Data Subject's statutory remedies.

19 Availability and review of the manual

- 19.1 Upon adoption, this manual will be made available on the Company's website, at its principal place of business for inspection during normal business hours, to any person who requests a copy and to the Regulator on request, in accordance with section 51(3) of PAIA.
- 19.2 Electronic access and inspection will be free of charge, while a requested printed copy may attract a reasonable reproduction charge permitted by law, which must be distinguished from the fee payable for a substantive PAIA access request.
- 19.3 The Information Officer will review the manual regularly and at least annually, with earlier amendment where the Company's contact particulars, activities, Records, information arrangements or applicable law materially change, and the version made available to the public must reflect the current arrangements.

20 Prescribed forms and official guidance

- 20.1 The [PAIA forms page](#) provides the current access-request Form 2, outcome and fees Form 3, complaint Form 5 and forms for obtaining the Regulator's Guide, which must be distinguished from forms bearing the same numbers under POPIA.
- 20.2 The [POPIA forms page](#) provides the objection, correction or deletion and personal-information complaint forms, while the [Information Regulator's eServices Portal](#) provides the current registration and electronic services made available by the Regulator.
- 20.3 Direct access to Company records may be requested using [CIPC CoR 24](#), and the [Companies Act](#) and [Companies Regulations](#) should be read with amendments actually in force at the time of the request.
- 20.4 The applicable legislation is available through the Department of Justice's [PAIA legislation page](#) and [POPIA legislation page](#), together with the Regulator's [PAIA Guide](#), and the Information Officer will assist a person who cannot obtain a required form or guidance document electronically.