



THATEGO SELAHLE  
& ASSOCIATES INC

## PAIA MANUAL

PREPARED IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO  
INFORMATION ACT 2 OF 2000, AS AMENDED

|                             |                                           |
|-----------------------------|-------------------------------------------|
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## **TABLE OF CONTENTS**

|                                                                              |               |
|------------------------------------------------------------------------------|---------------|
| <b>1. DEFINITIONS &amp; INTERPRETATION</b>                                   | <b>- 1 -</b>  |
| <b>2. PURPOSE OF THIS MANUAL</b>                                             | <b>- 3 -</b>  |
| <b>3. THE OFFICE OF THE INFORMATION OFFICER</b>                              | <b>- 3 -</b>  |
| <b>4. ACCESS TO THE REGULATOR'S GUIDE</b>                                    | <b>- 4 -</b>  |
| <b>5. RECORDS HELD BY TSA</b>                                                | <b>- 5 -</b>  |
| 5.1. Records that are automatically available:                               | - 5 -         |
| 5.2. Records held by TSA in accordance with other legislation:               | - 5 -         |
| 5.3. Description of subjects the categories of records held on each subject: | - 6 -         |
| <b>6. REQUEST OF ACCESS TO A RECORD ITO PAIA</b>                             | <b>- 7 -</b>  |
| <b>7. OUTCOME OF REQUEST ITO PAIA</b>                                        | <b>- 8 -</b>  |
| <b>8. PAYMENT OF FEES</b>                                                    | <b>- 9 -</b>  |
| <b>9. APPLICABLE TIME-PERIODS</b>                                            | <b>- 9 -</b>  |
| <b>10. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS</b>                          | <b>- 10 -</b> |
| <b>11. REMEDIES FOR REFUSAL</b>                                              | <b>- 11 -</b> |
| <b>12. POPIA COMPLIANCE</b>                                                  | <b>- 12 -</b> |
| <b>13. AVAILABILITY OF THIS MANUAL</b>                                       | <b>- 14 -</b> |
| <b>14. COMPLAINTS &amp; ESCALATIONS</b>                                      | <b>- 14 -</b> |
| <b>15. UPDATING OF THIS MANUAL</b>                                           | <b>- 14 -</b> |

### **INTELLECTUAL PROPERTY NOTICE**

PLEASE TAKE NOTE THAT THIS DOCUMENT IS THE INTELLECTUAL PROPERTY OF THATEGO SELAHLE & ASSOCIATES INC, AND IT MAY NOT BE REPRODUCED OR DISTRIBUTED WITHOUT THE PRIOR WRITTEN CONSENT OF THE MANAGING DIRECTOR. ANY UNAUTHORISED COPYING, ALTERATION OR DISTRIBUTION OF THIS DOCUMENT IS STRICTLY PROHIBITED AND ANY INFRINGEMENT OF OUR RIGHTS IN THIS DOCUMENT SHALL INCUR THE FULL WEIGHT OF ANY APPLICABLE PENALTY IN LAW.

Please address any and all queries to the compliance officer whose contact information is provided herein.



# 1. DEFINITIONS & INTERPRETATION

The following expressions shall bear the meanings assigned to them below and cognate expressions bear corresponding meanings -

- 1.1. "**Client**" shall mean a natural or juristic person, trust, partnership and any other legally recognised entity which engages the legal services of TSA;
- 1.2. "**Consent**" shall mean any voluntary, specific, and informed expression of will in terms of which permission is given for the performance of any act;
- 1.3. "**Data subject**" shall mean a person to whom personal information relates;
- 1.4. "**Employee**" shall mean any person who works for or provides services to or on behalf of the Firm, and who is for all intents and purposes is regarded as an employee of the firm in accordance with labour law;
- 1.5. "**Fees**" shall mean the fees payable to private bodies in terms of Government Notice No. R.757 in Government Gazette 45057 of 27 August 2021;
- 1.6. "**Information Officer**" shall mean the designated Information Officer as described in this Manual;
- 1.7. "**Manual**" shall mean this document together with all of its annexures, as amended from time to time, and published in terms of Section 51 of PAIA;
- 1.8. "**Personal information**" shall mean information relating to an identifiable natural or juristic person or trust or partnership, and as is applicable and relevant, includes but is not limited to:
  - i. information relating to the race, gender, sex, pregnancy, marital status, national, ethnic, or social origin, colour, sexual orientation, age, physical or mental health, wellbeing, disability, religion, conscience, belief, culture, language, and birth of the person;
  - ii. information relating to the education or the medical, financial, criminal or employment history of the person or information relating to financial transactions in which the person has been involved;
  - iii. any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier, or other particular assigned to the person;
  - iv. the fingerprints, blood type or biometric information of the person;
  - v. the personal views opinions, views, or preferences of the person as limited in the Act;
  - vi. correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
  - vii. the views or opinions of another individual about the person; and
  - viii. the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person;



- 1.9. **"PAIA"** or **"the Act"** shall mean the Promotion of Access to Information Act 2 of 2000, as amended from time to time including the regulations promulgated in terms of PAIA;
- 1.10. **"POPIA"** shall mean the Protection of Personal Information Act 4 of 2013, as amended from time to time including the regulations promulgated in terms of POPIA;
- 1.11. **"POPIA Regulations"** shall mean the regulations relating to the protection of personal information, published in terms of POPIA in GG 42110, GNR.1383 of 2018;
- 1.12. **"Processing"** shall mean any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including -
- i. The collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation, or use;
  - ii. dissemination by means of transmission, or distribution or making available in any other form; or
  - iii. merging, linking, as well as the restriction, degradation, erasure or destruction of information;
- 1.13. **"Record"** shall mean with reference to a public or private body, any recorded information regardless of its form or medium, which is in possession of the Firm regardless of whether that information was created by the Firm;
- 1.14. **"Regulator"** shall mean the Information Regulator of South Africa established in terms of Section 39 of POPIA;
- 1.15. **"Requester"** shall mean any person including but not limited to a public body or an official thereof, making a request for access to a record of the Firm; and
- 1.16. **"TSA"** **"Us"**, or **"we"** shall mean Thatego Selahle & Associates Inc (Registration number 2026/099576/21), a personal liability company offering legal services, incorporated in terms of the laws of the Republic of South Africa, and whose full and further details can be found on our website [www.tsaincorporated.co.za](http://www.tsaincorporated.co.za).
- 1.17. In this document, clause headings are for convenience and shall not be used in its interpretation unless the context clearly indicates a contrary intention. An expression which denotes -
- i. any gender includes the other genders;
  - ii. a natural person includes a juristic person, trust or private body and vice versa;
  - iii. the singular includes the plural and vice versa;



## 2. PURPOSE OF THIS MANUAL

- 2.1. This manual is prepared in terms of Section 51 of PAIA and is intended to assist the general public by informing them of the process by which they may obtain access to (certain types) of information.
- 2.2. This manual contains information relating to:-
  - 2.2.1. Various categories of records and personal information which are held by us, some of which are accessible in terms of PAIA or other statutes, some of which shall be available to the public without a formal request in terms of PAIA, and some categories which are not available to the public and are protected by statute;
  - 2.2.2. the process for obtaining access to information through a request in terms of PAIA;
  - 2.2.3. the contact information of the Compliance Officer – the individual who shall be responsible for overseeing the process as afore-mentioned;
  - 2.2.4. how members of the public can access and navigate the Regulator's guide in terms of PAIA;
  - 2.2.5. our reasons for recording and storing certain categories of records and personal information; and
  - 2.2.6. assuring you of the security measures which TSA has in place to safeguard the confidentiality, integrity and availability of the records we keep.

## 3. THE OFFICE OF THE INFORMATION OFFICER

- 3.1. The information officer is the individual who oversees compliance with POPIA and PAIA, who assists the general public with their requests, and protects personal information provided to TSA.
- 3.2. The information officer can be contacted as follows:
  - Information officer:** Thatego N Selahle (Managing Director)
  - Telephone no.:** (+27) 75 794 7306
  - Email:** [enquiries@tsaincorporated.co.za](mailto:enquiries@tsaincorporated.co.za).



## 4. ACCESS TO THE REGULATOR'S GUIDE

- 4.1. The Regulator has, in terms of Section 10(1) of PAIA produced a Guide on how to use PAIA (hereinafter referred to as "the **Guide**"). This Guide is written in an easy and simplified manner so as to assist the public to navigate the Act and make use of its processes to access certain information from private and public bodies as needed.
- 4.2. The Guide is available in 11 of the official languages of the Republic of South Africa, as well as in braille, and can be accessed at: <https://inforegulator.org.za/paia-guidelines/>.
- 4.3. The Guide contains an in-depth description of -
  - 4.3.1. the objects of PAIA and POPIA; and
  - 4.3.2. the contact information of the Information Officer and deputy information officer of every public body; and
  - 4.3.3. the manner and form of a request for access to:-
    - i. a record of a public body (ito Section 11 of the Act); and
    - ii. a record of a private body (ito Section 50 of the Act);
  - 4.3.4. the assistance available to the general public from the office of the Regulator under PAIA and POPIA;
  - 4.3.5. all remedies available in law regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA;
  - 4.3.6. the requirement that a public body (ito Section 14 of the Act) and a private body (ito Section 51 of the Act) compile a manual and offer insight therein to assist the general public in accordance with the Act;
  - 4.3.7. the requirement that a public body (ito Section 15 of the Act) and a private body (ito Section 52 of the Act) provide for the voluntary disclosure of categories of records held by that body; and
  - 4.3.8. the regulation of notices issued in terms of Sections 22 and 54 of the Act regarding fees to be paid in relation to requests for access.
- 4.4. The Guide (available in English & Sepedi) can be obtained upon request to the Information Officer; or from the website of the Regulator at <https://inforegulator.org.za/>.
- 4.5. Copies of this Manual can be obtained free of charge by downloading same from our website, or by directing an email to us at [enquiries@tsaincorporated.co.za](mailto:enquiries@tsaincorporated.co.za).



## 5. RECORDS HELD BY TSA

### 5.1. Records that are automatically available:

5.1.1. As at even date, no notices have been published by the Regulator on the categories of records automatically available without a person having to request access thereto in terms of PAIA, however we record the following:

| Category of record             | Description                                                                                                               | Availability         |
|--------------------------------|---------------------------------------------------------------------------------------------------------------------------|----------------------|
| Policy Documents (External)    | PAIA Manual<br>Terms & Conditions<br>Privacy Policy<br>Company profile & contact info<br>Marketing & promotional material | Website OR per email |
| Internal operational documents | Blank mandate & fee agreement                                                                                             | Per email            |

5.1.2. Where copies of such records are requested, TSA may charge a reasonable reproduction fee in accordance with the applicable regulations.

5.1.3. Nothing in this section shall be construed so as to prevent TSA from refusing access to any record where such access would result in the disclosure of confidential information, personal information, or information protected by law.

### 5.2. Records held by TSA in accordance with other legislation:

TSA is required to retain certain records in accordance with the prescripts of certain legislation. Access to such records We hold the following records, among others –

| Types of records held by TSA                                                                                                                                                                            | Applicable Legislation                                              |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| For each employee: name/occupation, hours worked, remuneration & deductions, leave requests, written particulars of employment, and any other prescribed information.<br><br>Various internal policies. | Basic Conditions of Employment Act 75 of 1997                       |
| B-BBEE certificates.                                                                                                                                                                                    | Broad-Based Black Economic Empowerment Act 53 of 2003               |
| Employee injury reports and compensation records.                                                                                                                                                       | Compensation for Occupational Injuries and Diseases Act 130 of 1993 |
| Memorandum of Incorporation (MOI), other incorporation documents, Beneficial ownership declaration, share register, notices, agendas and minutes of committee meetings, written resolutions.            | Companies Act 71 of 2008                                            |



|                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|
| All accounting records and annual financial statements, audit reports                                                                                                                                                                                                                                                                                                                                             |                                                     |
| Employment equity plans & reports.                                                                                                                                                                                                                                                                                                                                                                                | Employment Equity Act 55 of 1998                    |
| Client due-diligence (KYC) records: identities, addresses, legal status, beneficial ownership, source of funds, ongoing due-diligence/monitoring.                                                                                                                                                                                                                                                                 | Financial Intelligence Centre Act 38 of 2001        |
| Transaction records: nature, amount, parties, accounts, dates, identifying numbers; RMCP; STR/CTR/TPrR submissions & internal reports; training & compliance audit records.                                                                                                                                                                                                                                       |                                                     |
| PAYE records, all tax returns and supporting documents.                                                                                                                                                                                                                                                                                                                                                           | Income Tax Act 58 of 1962                           |
| Employment contracts/variations, disciplinary & grievance records, CCMA & Labour Court awards/settlements.                                                                                                                                                                                                                                                                                                        | Labour Relations Act 66 of 1995                     |
| Trust accounting & business accounting records: client/trust ledgers, bank statements, audit reports, EFT proofs of payment, fee notes, invoices, deposit slips, journals, reconciliations; Fee/Trust transfer authorities; cost estimates; annual membership fee records, registration information, Fidelity Fund Certificate, mandates and FICA/KYC files, correspondences with clients & others, client files. | Legal Practice Act 28 of 2014                       |
| Section 51 PAIA Manual.                                                                                                                                                                                                                                                                                                                                                                                           | Promotion of Access to Information Act 2 of 2000    |
| Records of PAIA requests (Form 2), fees/deposits, decision letters, third-party representations, and any disclosures made under PAIA.                                                                                                                                                                                                                                                                             |                                                     |
| Policies (privacy, security, data subject rights), PAIA/POPIA manual, operator agreements, consent/objection/withdrawal records, PAIA/POPIA request logs, breach logs & Regulator notifications.                                                                                                                                                                                                                  | Protection of Personal Information Act 4 of 2013    |
| Register per employee showing remuneration paid and the UIF contribution deducted/paid; including personal particulars, financial details and the employee's income tax reference number, proof of payments and payroll journals.                                                                                                                                                                                 | Unemployment Insurance Contributions Act 63 of 2001 |
| VAT201 returns and all working papers/reconciliations supporting each return.                                                                                                                                                                                                                                                                                                                                     | Value Added Tax Act 89 of 1991                      |
| Output tax: copies of all tax invoices issued (full/simplified), credit/debit notes, and evidence of the 21-day issue rule being met.                                                                                                                                                                                                                                                                             |                                                     |
| Input tax: valid tax invoices received                                                                                                                                                                                                                                                                                                                                                                            |                                                     |

### 5.3. Description of subjects the categories of records held on each subject:

| Subjects on which the firm holds records | Categories of records                                                                                                                                                   |
|------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Administrative records                   | General correspondence, operational documents, internal administrative records, service provider documents, agreements with suppliers, internal policies and procedures |
| Client and legal matter records          | Client identification records; FICA documentation; client instructions; pleadings and court documents;                                                                  |



|                                   |                                                                                                                                                                                                                                                                                                |
|-----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                   | legal opinions; correspondence; discovery documents; litigation records; contracts and agreements; case management records                                                                                                                                                                     |
| Compliance and regulatory records | Records relating to compliance with statutory obligations; regulatory correspondence; risk management frameworks; internal compliance reports; compliance policies                                                                                                                             |
| Corporate & Governance records    | Incorporation documents; memorandum of incorporation; shareholder records; director records; governance policies; strategic documents; internal policies and procedures; minutes of meetings                                                                                                   |
| Financial records                 | Accounting records; annual financial statements; banking records; bank statements; asset registers; invoices; payment records; tax records; VAT records; financial audit reports                                                                                                               |
| Human resources records           | Employment contracts; employee personal information; payroll records; leave records; disciplinary records; grievance records; training records; employment equity records, correspondence relating to employees, employment application information including CVs and supporting documentation |
| Income tax records                | IT policies and procedures; system documentation; hardware and software information; cybersecurity policies; electronic communications                                                                                                                                                         |
| Information technology records    | IT policies and procedures; system documentation; hardware and software information; cybersecurity policies; electronic communications                                                                                                                                                         |
| Marketing and business records    | Marketing materials; website content; promotional material; publications; client newsletters; business development records                                                                                                                                                                     |

- 5.4. The information set out in this section (5) may be subject to the grounds of refusal set out in PAIA. Access may also be restricted due to confidentiality obligations, legal professional privilege, protection of personal information, contractual restrictions or other relevant legislation.

## 6. REQUEST OF ACCESS TO A RECORD ITO PAIA

- 6.1. To request a record in terms of PAIA, the requestor must complete the prescribed form annexed to this manual as **Annexure A** and direct the duly completed form to the Information Officer using the information provided herein.
- 6.1.1. A request for access to records must be made using the prescribed request form for private bodies;
- 6.1.2. The request form must be submitted by email or by hand to the physical address of TSA (with proof of payment as provided for in this manual); and



- 6.1.3. The request form must be completed with sufficient information to enable the Information Officer to identify:
- i. the record(s) requested;
  - ii. the identity of the requester;
  - iii. the form of access required; and
  - iv. the postal address or email address of the requester within the Republic.
- 6.1.4. The requester must also provide sufficient detail regarding the right that he / she seeks to exercise or protect and explain why the requested record is required for that purpose.
- 6.2. Should the request be made on behalf of another person, the requestor must submit proof of the capacity in which the requestor is making the request, to the reasonable satisfaction of the Information Officer.
- 6.3. The Information Officer may also provide reasonable assistance in completing the form for any persons who require such assistance due to illiteracy, disability or any other legitimate reason.
- 6.4. Please be advised that the machinery of PAIA may not be used to circumvent discovery procedures, subpoena processes, or other mechanisms for obtaining documents in legal proceedings. Where a request for access to records relates to ongoing or contemplated litigation, TSA will require that the request be pursued through the appropriate procedural rules governing such proceedings.

## **7. OUTCOME OF REQUEST ITO PAIA**

- 7.1. The Information Officer shall notify the requester in writing (per email or per delivery to the requester's nominated postal address) whether the request has been:
- 7.1.1. Granted, in which case the notice will indicate:-
    - i. the access fee payable (if any);
    - ii. the form in which access will be provided; and
    - iii. the procedure for obtaining the record
  - 7.1.2. partially granted; or
  - 7.1.3. refused.
- 7.2. If the Information Officer is unable to locate a requested record because it has been lost or misplaced, or if the record does not exist, the Information Officer will notify the requester accordingly. Such notification will be made by way of an affidavit or



affirmation explaining that the record could not be found after a reasonable search. The record will be made available to the requester should the document later be located, and should the Information Officer determine that the request may be granted.

- 7.3. If a requested record contains information that cannot be disclosed in terms of PAIA, the Information Officer will, where reasonably possible, remove the protected information and grant access to the remainder of the record.
- 7.4. Should the request be refused, the notice will state adequate reasons for the refusal, including the provisions of the PAIA relied upon; and that the requester may lodge an application with a Court against the refusal of the request.

## **8. PAYMENT OF FEES**

- 8.1. PAIA provides for two types of fees, namely –
  - 8.1.1. a request fee, which pertains to a standard non-refundable administration fee, payable prior to the request being considered (“request fee”); and
  - 8.1.2. 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 (“access fee”).
- 8.2. Please note that the aforementioned application fee is payable immediately after the requester has been invoiced for same, and that the request shall not be honoured until such time that payment is received.
- 8.3. The access fee shall be payable immediately after the Client is notified of the success of his / her request, and upon being informed that the record is available for transmission.
- 8.4. TSA reserves the right to withhold a record until the requester has paid the fees as indicated in **Annexure C** to this Manual.

## **9. APPLICABLE TIME-PERIODS**

- 9.1. The requester will be supplied with confirmation of receipt of their request and shall receive an outcome to that request within 30 (thirty) days of receipt of the request & proof of payment of the applicable fees.
- 9.2. The Information Officer may extend this period for a further 30 (thirty) days in instances where the request made is for a large volume of documents, where TSA



must sort through a large volume of documents to obtain the requested records, where consultation with 3<sup>rd</sup> parties is required or that the records cannot reasonably be obtained within the initial period.

## **10. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS**

10.1. In terms of Chapter 4 (Sections 62 to 69) of PAIA, access granted to a record may be refused on one or more of the following grounds –

10.1.1. protection of privacy to a third party who is a natural person - personal information includes, but is not limited to:

- i. identity numbers;
- ii. contact details;
- iii. employment information;
- iv. financial information; and
- v. private correspondence;

10.1.2. protection of the commercial information of a third party including:

- i. trade secrets;
- ii. financial, commercial, scientific or technical information where disclosure could cause harm to the commercial interests of the third party; or
- iii. information supplied in confidence by a third party;

10.1.3. protection of certain confidential information of a third person (where such disclosure would otherwise constitute a breach of a duty of confidence);

10.1.4. protection of the safety of individuals and the protection of property (where such disclosure would otherwise endanger the life or safety of an individual or prejudice the security of property);

10.1.5. protection of records privileged from production and legal proceedings, including records such as:

- i. legal advice;
- ii. litigation strategy;
- iii. privileged correspondence between attorney and client;
- iv. information or records provided by a client to an attorney in the ordinary course of the attorney–client relationship, or for the purpose



- of obtaining legal advice, assistance, or representation in a legal matter.; and
- v. Records contained in a client file or litigation file containing information belonging to multiple parties, including the firm's client(s), opposing parties, witnesses, experts, and other third parties;
- 10.1.6. the commercial information and activities of TSA including:-
- i. trade secrets of TSA;
  - ii. financial, commercial, scientific or technical information which, if disclosed, could harm the commercial or other interests of TSA;
  - iii. information which, if disclosed, could place TSA at a disadvantage in contractual negotiations or commercial competition; and
  - iv. information which if could reasonably be expected to compromise the security of TSA, its systems, premises, personnel, or operations, or otherwise expose the firm to a risk of damage, loss, or unlawful interference;
- 10.1.7. the protection of research information of a third party; and
- 10.1.8. any other ground legally available on which to refuse access to the information requested.
- 10.2. Despite any provisions of PAIA, a request must be granted if the disclosure of the record would reveal evidence of substantial contravention of, or failure to comply with the law or imminent and serious public safety or environment risk, and the public interest in the disclosure of the record clearly outweighs the harm contemplated in terms of Section 70 of the Act.

## **11. REMEDIES FOR REFUSAL**

- 11.1. Kindly be advised that TSA does not have any internal appeal procedures in place.
- 11.2. Should the requester be dissatisfied with the Information Officer's decision to refuse access, that person may:
  - 11.2.1. Lodge a complaint with the Information Regulator (as below); or
  - 11.2.2. within 30 (thirty) days after notification of the refusal apply to a competent Court (presently only the High Court of South Africa, the Constitutional Court or any other court with jurisdiction) for the appropriate relief.



## 12. POPIA COMPLIANCE

- 12.1. From time to time, as you engage our website of our service, TSA will process your personal information for the purposes that you provided your information to us, or as per the terms and conditions of our website.
- 12.2. TSA takes all reasonable measures to safeguard the personal information of clients, employees, enquirers, service providers and all other persons who provide their personal information to us in accordance with the Conditions for Lawful Processing set out in Chapter 3 of POPIA which prescribes the minimum conditions for the lawful processing of personal information.
- 12.3. We will only process your personal information for the purposes of:
- 12.3.1. Responding to any queries which TSA may receive;
  - 12.3.2. Providing legal services to clients;
  - 12.3.3. managing and administering legal matters;
  - 12.3.4. Complying with statutory and regulatory obligations, including Financial Intelligence Centre Act (FICA) requirements;
  - 12.3.5. Managing relationships with employees, contractors, suppliers, and service providers;
  - 12.3.6. Maintaining internal records and operational systems;
  - 12.3.7. Managing financial and accounting processes;
  - 12.3.8. Conducting internal risk management and compliance processes; and
  - 12.3.9. Communicating with clients, service providers, and other stakeholders.

| Data subject      | Personal information we may process                                                                                                                                                                                                              |
|-------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Clients           | Names, identity numbers, contact details, financial information, FICA Verification Information, legal matter information, correspondence                                                                                                         |
| Employees         | Identity details, employment records, payroll information, training records, disciplinary records, tax records, employment applications, CVs and supporting information                                                                          |
| Service Providers | Names, contact details, business registration details, banking information, invoices, statements, terms of engagement / SLAs                                                                                                                     |
| Third parties     | Personal details, litigation information, correspondence, documents (including diagrams, photographs, video recordings and/or audio recordings) relevant to the litigation and/or furnished by clients with the intent of obtaining legal advice |
| Website users     | Contact information submitted through website enquiries on our Contact Us page, or by Whatsapp                                                                                                                                                   |



12.4. Recipients of personal information

12.4.1. TSA may disclose personal information to the following categories of recipients only in instances where same is necessary and lawful:

- i. regulatory authorities and government bodies;
- ii. courts, tribunals, and dispute resolution bodies as is applicable;
- iii. legal counsel and other legal professionals attending to your matter;
- iv. accountants, auditors, and professional advisers;
- v. service providers; and
- vi. financial institutions and 3<sup>rd</sup> party payment service providers

12.5. Cross-border transfers of personal information

12.5.1. Your personal information may be transferred outside of the Republic of South Africa only as and when it is deemed necessary for the provision of our services or where such personal information is stored on electronic systems hosted outside the country (most notably Google).

12.5.2. TSA ensures, in such instances, to only transmit your personal information to entities that share our high standard of data security, and we will take reasonable steps to ensure that the recipient of the information protects your data in accordance with the requirements of POPIA.

12.6. TSA has several technical and organisational measures in place to protect your personal information against loss or damage; unauthorised access; unlawful processing; and unauthorised disclosure.

12.7. TSA has implemented controls to ensure that access to your records and information:

- 12.7.1. is only available to authorised individuals;
- 12.7.2. is password protected and that there are appropriate authentication measures, where necessary;
- 12.7.3. is stored securely whether in physical form or electronically;
- 12.7.4. is processed in accordance with internal policies governing access to personal information;
- 12.7.5. is protected through contractual confidentiality and non-disclosure provisions; and
- 12.7.6. is protected through ongoing monitoring of security risks.

12.8. Please be advised that at all times, you have the right to:



- 12.8.1. be notified that your personal information is being collected;
- 12.8.2. request access to personal information held about you;
- 12.8.3. request the correction or deletion of inaccurate or incomplete personal information which we may have on record pertaining to you; and to
- 12.8.4. object to the processing of personal information in certain circumstances (such as for purposes of direct marketing).

## **13. AVAILABILITY OF THIS MANUAL**

- 13.1. This manual is available in electronic and hard copies in English. The hard copies are available at the head office of TSA and the electronic version is available on our website or by email per request.

## **14. COMPLAINTS & ESCALATIONS**

- 14.1. All complaints and queries relating to your requests in terms of PAIA must be directed to the office of the Information regulator who can be contacted as below:

**A:** Woodmead North Office Park, 54 Maxwell Drive, Woodmead, Johannesburg

**E:** [enquiries@inforegulator.org.za](mailto:enquiries@inforegulator.org.za) OR [PAIAComplaints@inforegulator.org.za](mailto:PAIAComplaints@inforegulator.org.za)

**T:** (+27) 10 023 5200 OR 0800 017 160 (toll free)

**W:** [www.inforegulator.org.za/](http://www.inforegulator.org.za/)

- 14.2. Kindly be advised that the Regulator will hear any and all matters relating to:-

- 14.2.1. the refusal of access to records;
- 14.2.2. the failure to respond to a request within the prescribed time period;
- 14.2.3. unreasonable fees being charged for access to records; and
- 14.2.4. any alleged infringement of PAIA or POPIA.

## **15. UPDATING OF THIS MANUAL**

- 15.1. This manual will be reviewed and updated, if necessary, on a periodic basis.

**- END -**



## ANNEXURE A - 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<br>(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 |  |           |
| <p align="center"><b>PARTICULARS OF RECORD REQUESTED</b></p> <p><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></p> |          |  |           |
| Description of record or relevant part of the record:                                                                                                                                                                                                                                                                                                                                  |          |  |           |
|                                                                                                                                                                                                                                                                                                                                                                                        |          |  |           |
|                                                                                                                                                                                                                                                                                                                                                                                        |          |  |           |
|                                                                                                                                                                                                                                                                                                                                                                                        |          |  |           |
|                                                                                                                                                                                                                                                                                                                                                                                        |          |  |           |
| Reference number, if available                                                                                                                                                                                                                                                                                                                                                         |          |  |           |
| Any further particulars of record                                                                                                                                                                                                                                                                                                                                                      |          |  |           |
|                                                                                                                                                                                                                                                                                                                                                                                        |          |  |           |
|                                                                                                                                                                                                                                                                                                                                                                                        |          |  |           |
|                                                                                                                                                                                                                                                                                                                                                                                        |          |  |           |
|                                                                                                                                                                                                                                                                                                                                                                                        |          |  |           |
| <p align="center"><b>TYPE OF RECORD</b></p> <p align="center"><i>(Mark the applicable box with an "X")</i></p>                                                                                                                                                                                                                                                                         |          |  |           |
| 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                                                                                                                                                                                                                                                                                                             |          |  |           |

| <b>FORM OF ACCESS</b><br><i>(Mark the applicable box with an "X")</i>                                                                                                |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 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                                                                                                                         |  |

| <b>MANNER OF ACCESS</b><br><i>(Mark the applicable box with an "X")</i>                                                                                                                                                                               |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 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<br><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>                                                                            |  |

| <b>PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED</b><br><i>If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.</i> |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| Indicate which right is to be exercised or protected                                                                                                                                                                     |  |
|                                                                                                                                                                                                                          |  |

|                                                                                                          |  |
|----------------------------------------------------------------------------------------------------------|--|
|                                                                                                          |  |
| Explain why the record requested is required for the exercise or protection of the aforementioned right: |  |
|                                                                                                          |  |
|                                                                                                          |  |

| FEES   |                                                                                                                                                                    |
|--------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| a)     | <i>A request fee must be paid before the request will be considered.</i>                                                                                           |
| b)     | <i>You will be notified of the amount of the access fee to be paid.</i>                                                                                            |
| c)     | <i>The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.</i> |
| d)     | <i>If you qualify for exemption of the payment of any fee, please state the reason for exemption</i>                                                               |
| 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:<br>(State Rank, Name And Surname of Information Officer) |  |
| Date received:                                                                |  |
| Access fees:                                                                  |  |
| Deposit (if any):                                                             |  |

\_\_\_\_\_  
**Signature of Information Officer**



## ANNEXURE B- FORM 3

### OUTCOME OF REQUEST AND OF FEES PAYABLE

[Regulation 8] Note:

- If your request is granted the—
  - amount of the deposit, (if any), is payable before your request is processed; and
  - requested record/portion of the record will only be released once proof of full payment is received.
- Please use the reference number hereunder in all future correspondence.

Reference number: \_\_\_\_\_

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Your request dated \_\_\_\_\_, refers.

#### 1. You requested:

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| Personal inspection of information 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> ) is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you will be liable for the fees prescribed in Annexure B. |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|

OR

#### 2. You requested:

|                                                                                                                                                                                   |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| Printed copies of the information ( <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 information on flash drive ( <i>including virtual images and soundtracks</i> )                                                                                            |  |
| Copy of information on compact disc drive( <i>including virtual images and soundtracks</i> )                                                                                      |  |
| Copy of record saved on cloud storage server                                                                                                                                      |  |

#### 3. To be submitted:

|                                                                                                                                                                               |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 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:<br>( <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> ) |  |



Kindly note that your request has been:

☐ Approved

☐ Denied, for the following reasons:

**4. Fees payable with regards to your request:**

| Item                                                  | Cost per A4-size page or part thereof/item                                     | Number of pages/items | Total |
|-------------------------------------------------------|--------------------------------------------------------------------------------|-----------------------|-------|
| Photocopy                                             |                                                                                |                       |       |
| Printed copy                                          |                                                                                |                       |       |
| For a copy in a computer-readable form on:            |                                                                                |                       |       |
| (i) Flash drive                                       | R40.00                                                                         |                       |       |
| • To be provided by requestor                         |                                                                                |                       |       |
| (ii) Compact disc                                     | R40.00                                                                         |                       |       |
| • If provided by requestor                            |                                                                                |                       |       |
| • If provided to the requestor                        | R60.00                                                                         |                       |       |
| For a transcription of visual images per A4-size page | Service to be outsourced. Will depend on the quotation of the service provider |                       |       |
| Copy of visual images                                 |                                                                                |                       |       |
| Transcription of an audio record, per A4-size         | R24.00                                                                         |                       |       |
| Copy of an audio record                               |                                                                                |                       |       |
| (i) Flash drive                                       | R40.00                                                                         |                       |       |
| • To be provided by requestor                         |                                                                                |                       |       |
| (ii) Compact disc                                     | R40.00                                                                         |                       |       |
| • If provided by requestor                            |                                                                                |                       |       |
| • If provided to the requestor                        | R60. 00                                                                        |                       |       |
| Postage, e-mail or any other electronic transfer:     | Actual costs                                                                   |                       |       |
| <b>TOTAL:</b>                                         |                                                                                |                       |       |

**5. Deposit payable (if search exceeds six hours):**

☐ Yes

☐ No



|                 |  |                                                                            |  |
|-----------------|--|----------------------------------------------------------------------------|--|
| Hours of search |  | Amount of deposit<br>(calculated on one third of total amount per request) |  |
|-----------------|--|----------------------------------------------------------------------------|--|

The amount must be paid into the following Bank account:

Name of Bank: \_\_\_\_\_

Name of account holder: \_\_\_\_\_

Type of account: \_\_\_\_\_

Account number: \_\_\_\_\_

Branch Code: \_\_\_\_\_

Reference Nr: \_\_\_\_\_

Submit proof of payment to: \_\_\_\_\_

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

\_\_\_\_\_  
*Information officer*



## ANNEXURE C

### PRESCRIBED FEES FOR PRIVATE BODIES

| ITEM | DESCRIPTION                                                                                                                                                                                                                                                              | AMOUNT                                                                                           |
|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| 1.   | Request fee payable by requester                                                                                                                                                                                                                                         | R140.00                                                                                          |
| 2.   | Photocopy or printed black & white copy for every A4 page                                                                                                                                                                                                                | R2.00 per page or part thereof                                                                   |
| 3.   | Printed copy of A4-sized page                                                                                                                                                                                                                                            | R2.00 per page or part thereof                                                                   |
| 4.   | For a copy in a computer-readable form on: <ul style="list-style-type: none"><li>a flash drive (provided by the requester)</li><li>a compact disc (CD) if the requester provides the CD to us</li><li>a compact disc (CD) if we give the CD to the requester</li></ul>   | R40.00<br>R40.00<br>R60.00                                                                       |
| 5.   | For a transcription of visual images, for an A4-size page or part of the page                                                                                                                                                                                            | This service will be outsourced. The fee will depend on the quotation from the service provider. |
| 6.   | For a copy of visual images                                                                                                                                                                                                                                              | This service will be outsourced. The fee will depend on the quotation from the service provider. |
| 7.   | For a transcription of an audio record, per A4-size page                                                                                                                                                                                                                 | R24.00                                                                                           |
| 8.   | For a copy of an audio record on a flash drive (provided by the requester)<br><br>For a copy of an audio record on compact disc (CD) if the requester provides the CD to us<br><br>For a copy of an audio record on compact disc (CD) if we give the CD to the requester | R40.00<br>R40.00<br>R60.00                                                                       |
| 9.   | For each hour or part of an hour (excluding the first hour) reasonably required to search for, and prepare the record for disclosure<br><br>The search and preparation fee cannot exceed                                                                                 | R145.00<br>R435.00                                                                               |
| 10.  | Deposit: if the search exceeds 6 hours                                                                                                                                                                                                                                   | One-third of the amount per request. It is calculated in terms of items 2 to 8 above.            |
| 11.  | Postage, email or any other electronic transfer                                                                                                                                                                                                                          | Actual expense, if any.                                                                          |