



# Government Gazette

**REPUBLIC OF SOUTH AFRICA**

*Regulation Gazette*

No. 7024

Vol. 428

Pretoria

9

March

2001

**No. 22125**



**AIDS HELPLINE: 0800-123-22 Prevention is the cure**

---

**GOVERNMENT NOTICE  
GOEWERMENTSKENNISGEWING**

---

**DEPARTMENT OF JUSTICE  
DEPARTEMENT VAN JUSTISIE**

No. R. 223

9 March 2001

**PROMOTION OF ACCESS TO INFORMATION ACT, 2000  
REGULATIONS RELATING TO THE PROMOTION OF ACCESS TO  
INFORMATION**

The Minister for Justice and Constitutional Development has, under section 92 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000), made the regulations in the Schedule.

**SCHEDULE**

**Definition**

1. In these Regulations any word or expression to which a meaning has been assigned in the Act shall bear that meaning and, unless the context otherwise indicates -

"the Act" means the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000).

**Form of request**

2. A request for access to a record, as contemplated in section 18(1) of the Act, must be made in the form of Form A of the Annexure.

**Fees for records of public body**

3.(1) The fee for reproduction, referred to in section 15(3) of the Act, is as follows:

	R
(a) For every photocopy of an A4-size page or part thereof	0,60
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,40

(c)	For a copy in a computer-readable form on -	
	(i) stiffy disc	5,00
	(ii) compact disc	40,00
(d)	(i) For a transcription of visual images, for an A4-size page or part thereof	22,00
	(ii) For a copy of visual images	60,00
(e)	(i) For a transcription of an audio record, for an A4-size page or part thereof	12,00
	(ii) For a copy of an audio record	17,00

(2) The request fee payable by every requester, other than a personal requester referred to in section 22(1) of the Act, is R 35,00.

(3) The access fees payable by a requester referred to in section 22(7) of the Act, unless exempted under section 22(8) of the Act, are as follows:

	R
(a) For every photocopy of an A4-size page or part thereof	0,60
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,40
(c) For a copy in a computer-readable form on -	
(i) stiffy disc	5,00
(ii) compact disc	40,00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof	22,00
(ii) For a copy of visual images	60,00
(e) (i) For a transcription of an audio record, for an A4-size page or part thereof	12,00
(ii) For a copy of an audio record	17,00
(f) To search for the record for disclosure, R 15,00 for each hour or part of an hour, excluding the first hour, reasonably required for such search.	

(4) The actual postal fee is payable when a copy of a record must be posted to a requester.

- (5) For purposes of section 22(2) of the Act the following applies:
- (a) Six hours as the hours to be exceeded before a deposit is payable; and
  - (b) one third of the access fee is payable as a deposit by the requester.

#### Form of request

4. A request for access to a record, as contemplated in section 53(1) of the Act, must be made in the form of Form B of the Annexure.

#### Fees for records of private body

5.(1) The fee for reproduction referred to in section 52(3) of the Act, is as follows:

	R
(a) For every photocopy of an A4-size page or part thereof	1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c) For a copy in a computer-readable form on -	
(i) stiffy disc	7,50
(ii) compact disc	70,00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof	40,00
(ii) For a copy of visual images	60,00
(e) (i) For a transcription of an audio record, for an A4-size page or part thereof	20,00
(ii) For a copy of an audio record	30,00

(2) The request fee payable by a requester, other than a personal requester, referred to in section 54(1) of the Act is R 50,00.

(3) The access fees payable by a requester referred to in section 54(7) of the Act, unless exempted under section 54(8) of the Act, are as follows:

	R
(a) For every photocopy of an A4-size page or part thereof	1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c) For a copy in a computer-readable form on -	
(i) stiffy disc	7,50
(ii) compact disc	70,00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof	40,00
(ii) For a copy of visual images	60,00
(e) (i) For a transcription of an audio record, for an A4-size page or part thereof	20,00
(ii) For a copy of an audio record	30,00
(f) To search for the record for disclosure, R 30,00 for each hour or part of an hour reasonably required for such search.	

(4) The actual postal fee is payable when a copy of a record must be posted to a requester.

(5) For purposes of section 54(2) of the Act the following applies:

- (a) Six hours as the hours to be exceeded before a deposit is payable; and
- (b) one third of the access fee is payable as a deposit by the requester.

#### **Notice of internal appeal**

6. Notice of an internal appeal, as contemplated in section 75(1) of the Act, must be lodged in the form of Form C of the Annexure.

#### **Appeal fees**

7. The appeal fee payable in respect of the lodging of an internal appeal by a requester against the refusal of his or her request for access, as contemplated in section 75(3)(a) of the Act, is R 50,00 .

**Value - added tax**

8. Public and private bodies registered under the Value-Added Tax Act, 1991 (Act No. 89 of 1991), as vendors may add value added tax to all fees prescribed in terms of these regulations.

**Commencement**

9. These regulations shall come into operation on 9 March 2001.

**ANNEXURE**

**FORM A**

**REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY**

(Section 18(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))

**[Regulation 2]**

<b>FOR DEPARTMENTAL USE</b>	
	Reference number: _____
Request received by _____ (state rank, name and surname of information officer/deputy information officer) on _____ (date) at _____ (place).	
Request fee (if any): R .....	
Deposit (if any): R .....	
Access fee: R .....	
_____ SIGNATURE OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER	

**A. Particulars of public body**

The Information Officer/Deputy Information Officer:

---



---



---

**B. Particulars of person requesting access to the record**

- (a) *The particulars of the person who requests access to the record must be recorded below.*
- (b) *Furnish an address and/or fax number in the Republic to which information must be sent.*
- (c) *Proof of the capacity in which the request is made, if applicable, must be attached.*

Full names and surname: \_\_\_\_\_

Identity number: \_\_\_\_\_

Postal address: \_\_\_\_\_

\_\_\_\_\_

Fax number: \_\_\_\_\_

Telephone number: \_\_\_\_\_ E-mail address: \_\_\_\_\_

Capacity in which request is made, when made on behalf of another person: \_\_\_\_\_

\_\_\_\_\_

**C. Particulars of person on whose behalf request is made**

*This section must be completed only if a request for information is made on behalf of another person.*

Full names and surname: \_\_\_\_\_

Identity number: \_\_\_\_\_

**D. Particulars of record**

- (a) *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.*
- (b) *If the provided space is inadequate please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.*

1. Description of record or relevant part of the record: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
2. Reference number, if available: \_\_\_\_\_
3. Any further particulars of record: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**E. Fees**

- (a) *A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.*
- (b) *You will be notified of the amount required to be paid as the request fee.*
- (c) *The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.*
- (d) *If you qualify for exemption of the payment of any fee, please state the reason therefor.*

Reason for exemption from payment of fees: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**F. Form of access to record**

*If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.*

Disability: _____	Form in which record is required: _____
_____	_____
_____	_____

Mark the appropriate box with an "X".

**NOTES:**

- (a) Your indication as to the required form of access depends on the form in which the record is available.
- (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
- (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

**1. If the record is in written or printed form -**

<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record
--------------------------	-----------------	--------------------------	----------------------

**2. If record consists of visual images -**

(this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)

<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images*	<input type="checkbox"/>	transcription of the images*
--------------------------	-----------------	--------------------------	---------------------	--------------------------	------------------------------

**3. If record consists of recorded words or information which can be reproduced in sound -**

<input type="checkbox"/>	listen to the soundtrack (audio cassette)	<input type="checkbox"/>	transcription of soundtrack* (written or printed document)
--------------------------	--	--------------------------	---

<b>4. If record is held on computer or in an electronic or machine-readable form -</b>						
	printed copy of record*		printed copy of information derived from the record*		copy in computer readable form* (stiffy or compact disc)	
*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?					YES	NO
<b>A postal fee is payable.</b>						
<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>						
In which language would you prefer the record? _____						

**G. Notice of decision regarding request for access**

*You will be notified in writing whether your request has been approved/denied. If you wish to be informed thereof in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.*

How would you prefer to be informed of the decision regarding your request for access to the record? \_\_\_\_\_

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

\_\_\_\_\_  
SIGNATURE OF REQUESTER / PERSON ON  
WHOSE BEHALF REQUEST IS MADE

**FORM B**

**REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY**

(Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))

**[Regulation 4]**

**A. Particulars of private body**

The Head:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**B. Particulars of person requesting access to the record**

- |  |
|--|
| <p>(a) <i>The particulars of the person who requests access to the record must be recorded below.</i></p> <p>(b) <i>Furnish an address and/or fax number in the Republic to which information must be sent.</i></p> <p>(c) <i>Proof of the capacity in which the request is made, if applicable, must be attached.</i></p> |
|--|

Full names and surname: \_\_\_\_\_

\_\_\_\_\_

Identity number: \_\_\_\_\_

Postal address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Fax number: \_\_\_\_\_

Telephone number: \_\_\_\_\_ E-mail address: \_\_\_\_\_

Capacity in which request is made, when made on behalf of another person: \_\_\_\_\_

\_\_\_\_\_

**C. Particulars of person on whose behalf request is made**

*This section must be completed only if a request for information is made on behalf of another person.*

Full names and surname: \_\_\_\_\_

Identity number: \_\_\_\_\_

**D. Particulars of record**

- (a) *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.*
- (b) *If the provided space is inadequate please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.*

1. Description of record or relevant part of the record: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2. Reference number, if available: \_\_\_\_\_

3. Any further particulars of record: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**E. Fees**

- (a) *A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.*
- (b) *You will be notified of the amount required to be paid as the request fee.*
- (c) *The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.*
- (d) *If you qualify for exemption of the payment of any fee, please state the reason therefor.*

Reason for exemption from payment of fees: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**F. Form of access to record**

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability: _____ _____ _____	Form in which record is required: _____ _____ _____
-------------------------------------	---

Mark the appropriate box with an "X".

**NOTES:**

- (a) *Your indication as to the required form of access depends on the form in which the record is available.*
- (b) *Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.*
- (c) *The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.*

<b>1. If the record is in written or printed form -</b>			
	copy of record*		inspection of record
<b>2. If record consists of visual images -</b> (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)			
	view the images		copy of the images* transcription of the images*
<b>3. If record consists of recorded words or information which can be reproduced in sound -</b>			
	listen to the soundtrack (audio cassette)		transcription of soundtrack* (written or printed document)
<b>4. If record is held on computer or in an electronic or machine-readable form -</b>			
	printed copy of record*		printed copy of information derived from the record* copy in computer readable form* (stiffy or compact disc)
*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? A postal fee is payable.			YES NO

**G. Particulars of right to be exercised or protected**

*If the provided space is inadequate please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.*

1. Indicate which right is to be exercised or protected: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_