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ELVEY GROUP

(A Private Body)

**Manual prepared in accordance with section 51 of the
Promotion of Access to Information Act 2 of 2000 in
respect of Elvey Group**

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1. RIGHT OF ACCESS TO INFORMATION

1.1 Introduction

- 1.1.1 The 1996 South African Constitution, by providing a statutory right of access on request to any record held by the state as well as access to records held by private bodies, entrenches the fundamental right to access to information.
- 1.1.2 The Promotion of Access to Information Act 2 of 2000 ("the Act"), which came into effect on 9 March 2001, seeks to advance the values of transparency and accountability in South Africa and provides the mechanism for requesters to exercise and protect their constitutional right to request access to a record.
- 1.1.3 The Act establishes the following statutory rights of requesters to any record of a private body if:
 - 1.1.3.1 That record is required for the exercise or protection of any of his or her legal rights.
 - 1.1.3.2 That requester complies with all the procedural requirements; and
 - 1.1.3.3 Access is not refused in terms of any ground referred to in the Act.
- 1.1.4 In terms of the Act private bodies are required to publish a manual to assist requesters who wish to request access to a record.

1.2 Definitions

- 1.2.1 "Elvey" means Elvey Group, a division of Hudaco Trading (Pty) Ltd (1984/005432/07), and includes the subsidiaries, Pentagon, Elvey Security and Global Communications.
- 1.2.2 "Customer" means a natural or juristic person who or which receives services and/or products from Elvey.
- 1.2.3 "Correspondence" means any written and/or electronic communication exchange between two or more parties.
- 1.2.4 "Data Subject" means any person who works for, or provides services to, or on behalf of Elvey, and receive or is entitled to receive remuneration.
- 1.2.5 "Employee" means any person who works for, or provides services to, or on behalf of Elvey, and receive or is entitled to receive remuneration.
- 1.2.6 "Information Officer" means Elvey's designated Information Officer described in Paragraph 1.5 of this manual.
- 1.2.7 "Deputy Information Officer(s)" means Elvey's designated Deputy Information Officer(s) described in paragraph 1.5 of this manual.
- 1.2.8 "Manual" means this manual, together with all annexures thereto as amended and made available on the website, www.elvey.co.za, and the offices of Elvey from time to time.
- 1.2.9 "PAIA" means the Promotion of Access to Information Act No. 2 of 2000, together with any regulations published thereunder.
- 1.2.10 "Personal Information" has the meaning ascribed thereto under POPIA and shall be deemed to mean any information relating to an identified or identifiable natural person.
- 1.2.11 "Processing" means any operation or activity or any set of operations, whether by automatic

means, concerning Personal Information, including:

- 1.2.11.1 The collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alterations, consultation or use.
- 1.2.11.2 Dissemination by means of transmission, distribution or making available in any other form by electronic communications or other means, or
- 1.2.11.3 Merging, linking, blocking, degradation, erasure, or destruction, for the purposes of this definition, "Process" has a corresponding meaning.
- 1.2.12 "Requester" means any person or entity (including any data subject) requesting access to a record that is under the control of Elvey, and
- 1.2.13 "Third-Party" means any independent contractor agent, consultant, sub-contractor, or other representative of Elvey.

1.3 Availability of the Elvey PAIA Manual and entry point requests

- 1.3.1 This document serves as the Elvey PAIA Manual ("the Manual") in accordance with the requirements of section 51 of the Act to facilitate access to records held by Elvey.
- 1.3.2 A copy of this Manual is available to any person of the public in a PDF ("Portable Document Format") version on the website of Elvey at www.elvey.co.za or on request from the Information Officer referred to in this Manual.
- 1.3.3 Elvey endorses the spirit of the Act and believes that this Manual will assist requesters in exercising their rights.
- 1.3.4 In summary the Manual provides information on the:
 - 1.3.4.1 Contact details of the Information Officer.
 - 1.3.4.2 Structure and functions of Elvey.
 - 1.3.4.3 Subjects and categories of records that are held by Elvey; and
 - 1.3.4.4 Procedure that needs to be followed and criteria that must be met by a requester to request access to a record.

1.4 Who may request access to information

- 1.4.1 The Act provides that a requester is only entitled to access a record if the record is required for the exercise or protection of a right.
- 1.4.2 Only requests for access to a record, where the requester has satisfied the Information Officer that the record is required to exercise or protect a right, will be considered.
- 1.4.3 A requester may act in different capacities in making a request for a record.
- 1.4.4 This will influence the amount to be charged when a request has been lodged.
- 1.4.5 Requesters may make a request as:
 - 1.4.5.1 A personal requester who requests a record about him/herself.
 - 1.4.5.2 An agent requester who requests a record on behalf of someone else with that person's consent and where it is required for the protection of that person's legal right.
 - 1.4.5.3 A third-party requester who requests a record about someone else with that person's

consent and where it is required for the protection of that person's legal right, and

1.4.5.4 A public body who may request a record if:

1.4.5.4.1 It fulfils the requirements of procedural compliance.

1.4.5.4.2 The record is required for the exercise or protections of a right; and

1.4.5.4.3 No grounds for refusal exist.

1.5 Contact details for Elvey Information Office Sec 51(1)a

1.5.1 The Chief Executive Officer of Hudaco Trading (Pty) Ltd, has delegated his powers to the Information Officer below in terms of the Act to handle all requests on Elvey's behalf and ensure that the requirements of the Act are administered in a fair, objective and unbiased manner.

Contact Number: 011 401 6700

Email: compliance@elveygroup.com

Physical Address: 27 Greenstone Place, Greenstone Hill, Lethabong, 1609

Postal Address: PO Box 27088, Benrose, 2011

- Information Officer: Mr. Graham R. Dunford – CEO – HUDACO TRADING (PTY) LTD
- Deputy Information Officer: Jaco Moolman – CEO – jaco@elveygroup.com
- Deputy Information Officer: Carlos Esteves – Financial Department – carlos@elveygroup.com
- Deputy Information Officer: Michelle Willemse – Debtors Department – michelle@elveygroup.com
- Deputy Information Officer: Riaan Louw – Creditors Department – riaan@elveygroup.com
- Deputy Information Officer: Jerry Nematswerane – Information Technology – jerry@elveygroup.com
- Deputy Information Officer: Lynette Cockeran – HR and Payroll Department – lynette@elveygroup.com
- Deputy Information Officer: Tasha Smith – Sales and Marketing Department – tasha@elveygroup.com
- Deputy Information Officer: Valerie Bingham – Procurement Department – valerie@elveygroup.com
- Deputy Information Officer: Cal Preston – Technical Department – cal@pentagon.africa

1.6 Confidentiality and Access to Information Policy

1.6.1 Elvey will protect the confidentiality of information provided to it by third parties, subject to Elvey obligations to disclose information in terms of any applicable law or a court order requiring disclosure of the information. If access is requested to a record that contains information about a third party, Elvey is obliged to attempt to contact this third party to inform them of the request.

1.6.2 This enables the third party the opportunity to of responding by either consenting to the access or by providing reasons why the access should be denied.

- 1.6.3 In the event that the third-party furnishing reasons for the support or denial of access, the Information Officer will consider these reasons in determining whether access should be granted or not.

1.7 SAHRC guidance to requesters on Sec 51(1)(b)(i)

- 1.7.1 Access to Information using PAIA (Information provided in terms of Section 51(1) of PAIA).
 - 1.7.1.1 PAIA grants a Requested access to records of a private body if the record is required for the exercise or protection of any rights. If a public body lodges a request in terms of PAIA, the public body must be acting in the public's interest.
 - 1.7.1.2 Requests in terms of PAIA shall be made in accordance with the prescribed procedures, and the prescribed fees.
 - 1.7.1.3 A guide on how to use PAIA is required to be compiled by the Information Regulator and when available, will be accessible (in various languages) on the Information Regulator's website.
 - 1.7.1.4 All queries should be directed to:
 - 1.7.1.4.1 The Information Regulator of South Africa.
 - 1.7.1.4.2 Physical Address: JD House, 27 Siemens Street, Braamfontein, Johannesburg, 2001.
 - 1.7.1.4.3 Postal Address: PO Box 31533, Braamfontein, Johannesburg, 2017.
 - 1.7.1.4.4 Email: infoereg@justice.gov.za / complaints.IR@justice.gov.za
 - 1.7.1.4.5 Tel: +27 12 406 4818
 - 1.7.1.4.6 Fax: +27 86 500 3351

2. ELVEY STRUCTURE

2.1 Scope

- 2.1.1 This manual has been prepared in respect of the Elvey Group.

2.2 Elvey Profile and Structure

- 2.2.1 Elvey Groups aims to offer an end-to-end security and ICT solution through an extensive branch network, supported by the highest levels of service, support and training.
- 2.2.2 A cluster of businesses with the JSE listed Hudaco Industries, the group distributes local and global brands of intrusion detection, surveillance, access control and fire detection equipment and seamlessly integrates systems over IP in combination with building management systems. Two-way radios and satellite communications as well as outsourced IT, wireless networking, cloud, mobile and VOIP services and hardware complete the offering.
- 2.2.3 These solutions are designed with an end-user in mind and distributed through trade partners to the residential, commercial, industrial and mining sectors in Southern Africa.

3. CLASSES OF RECORDS

3.1 Automatic Disclosure: Sec 51(1)(b)(ii) Records automatically available to the Public.

3.1.1 The following records are automatically available at the registered office of Elvey on payment of the prescribed fee for reproduction.

3.1.1.1 Documentation and information relating to Elvey which is held by the Companies and Intellectual Properties Commission in accordance with the requirements set out in section 25 of the Companies Act 71 of 2008.

3.1.1.2 Product and Promotional Brochures.

3.1.1.3 News and other Marketing Information.

3.2 Legislative requirements: Section 51(1)(b)(iii) Records available in accordance with other legislation.

3.2.1 Records are kept in accordance with such other legislation as applicable to Elvey, which includes but is not limited to:

3.2.1.1 Banks Act 94 of 1990

3.2.1.2 Basic Conditions of employment Act 75 of 1997

3.2.1.3 Broad-based Black Economic Empowerment Act 53 of 2003

3.2.1.4 Companies Act 71 of 2008

3.2.1.5 Compensation for Occupational Injuries and diseases Act 130 of 1993.

3.2.1.6 Competition Act 89 of 1998

3.2.1.7 Constitution of South Africa Act 108 of 1996

3.2.1.8 Copyright Act 98 of 1987

3.2.1.9 Consumer Protection Act 68 of 2008

3.2.1.10 Debt Collector Act 114 of 1998

3.2.1.11 Electronic Communications and Transactions Act 25 of 2002

3.2.1.12 Employment Equity Act 55 of 1998

3.2.1.13 Finance Act 2 of 2007

3.2.1.14 Income Tax Act 58 of 1962

3.2.1.15 Labour Relations Act 66 of 1995

3.2.1.16 Long term Insurance Act 52 of 1998

3.2.1.17 Occupational Health & Safety Act 85 of 1993

3.2.1.18 Pension Funds Act 24 of 1956

3.2.1.19 Protection of Information Act 84 of 1982

3.2.1.20 Skills Development Act 97 of 1998

3.2.1.21 Skills Development Levies Act 97 of 1999

3.2.1.22 South African Revenue Service Act 34 of 1997

3.2.1.23 Unemployment Insurance Act 63 of 2001

3.2.1.24 Value Added Tax Act 89 of 1991

3.2.2 Although Elvey has supplied you with a list of applicable legislation to the best of our ability, it is possible that the above list may be incomplete.

- 3.2.3 Whenever it comes to our attention that existing or new legislation allows a requester to access on a basis other than that is set out in the Act, we shall update the list accordingly.

3.3 Records held by Elvey Group: Sec 51(1)(b)(iv) Records Subjects and Categories, not automatically disclosed.

- 3.3.1 Corporate Affairs and Communications
 - 3.3.1.1 Newsletters and Publications
 - 3.3.1.2 Public Corporate Records
- 3.3.2 Corporate Secretariat and Governance
 - 3.3.2.1 Applicable Statutory Documents
 - 3.3.2.2 Codes of Conduct
 - 3.3.2.3 Legal Compliance Records
 - 3.3.2.4 Policies and Procedures
 - 3.3.2.5 Statutory Returns to Relevant Authorities
- 3.3.3 Finance and Taxation
 - 3.3.3.1 Policies and Procedures
 - 3.3.3.2 Accounting Records
 - 3.3.3.3 Annual Financial Statements
 - 3.3.3.4 Audit Reports
 - 3.3.3.5 Capital Financial Statements
 - 3.3.3.6 Audit Reports
 - 3.3.3.7 Capital Expenditure Records
 - 3.3.3.8 Investment Records
 - 3.3.3.9 Invoices and Statements
 - 3.3.3.10 Management Reports
 - 3.3.3.11 Purchasing Records
 - 3.3.3.12 Sale and Supply Records
 - 3.3.3.13 Tax Records and Returns
 - 3.3.3.14 Transactional Records
- 3.3.4 Human Resources
 - 3.3.4.1 Education and Training Records
 - 3.3.4.2 Employment Contracts
 - 3.3.4.3 Employee Information
 - 3.3.4.4 Policies and Procedures
 - 3.3.4.5 Leave Records
 - 3.3.4.6 Medical Records
 - 3.3.4.7 Tax Returns of Employees
 - 3.3.4.8 UIF Returns

- 3.3.5 Information Technology
 - 3.3.5.1 Agreements
 - 3.3.5.2 Disaster Recovery
 - 3.3.5.3 Hardware and Software Packages
 - 3.3.5.4 Policies and Procedures
 - 3.3.5.5 Internal Systems Support and Programming
 - 3.3.5.6 Licenses
 - 3.3.5.7 Operating Systems
- 3.3.6 Legal
 - 3.3.6.1 Material Licenses, Permits and Authorizations
- 3.3.7 Sales, Marketing and Communications
 - 3.3.7.1 Brochures, Newsletters and Advertising Materials
 - 3.3.7.2 Client Information
 - 3.3.7.3 Marketing Brochures
 - 3.3.7.4 Product Brochures
 - 3.3.7.5 Policies and Procedures

4. PROCESSING OF PERSONAL INFORMATION IN TERMS OF THE POPI ACT

4.1 Processing of Personal Information on data subjects: Sec 51(1)(c)(i)

- 4.1.1 Elvey processes Personal Information of data subjects for the following purposes:
 - 4.1.1.1 Fulfilling its statutory obligations in terms of applicable legislation.
 - 4.1.1.2 Verifying information provided to Elvey.
 - 4.1.1.3 Obtaining information necessary to provide agreed services to a customer.
 - 4.1.1.4 Monitoring, maintaining and managing contractual obligations to customer, clients, suppliers, service providers, employees, directors and other third parties.
 - 4.1.1.5 Marketing and Advertising.
 - 4.1.1.6 Resolving and tracking complaints.
 - 4.1.1.7 Monitoring and securing the assets, employees, and visitors to the premises of the company.
 - 4.1.1.8 Historical record keeping, research and recording statistics necessary for fulfilling our business objectives.

4.2 Categories of Personal Information processed: Sec 51(1)(c)(ii)

- 4.2.1 Elvey may process the Personal Information of the following categories of data subjects. This includes current, past and prospective data subjects.
 - 4.2.1.1 Customer and employees, representative, agents, contractors, and service providers of such customers.
 - 4.2.1.2 Suppliers, service providers and vendors of Elvey and employees, representatives, agents, contractors and service providers of such suppliers and service providers.

4.2.1.3 Complaints, correspondents and enquiries.

4.3 Recipients to which information may be supplied: Sec 51(1)(c)(iii)

4.3.1 Elvey may supply Personal Information to the following recipients:

4.3.1.1 Regulatory, statutory and government bodies.

4.3.1.2 Suppliers, service providers, vendors, clients, agents, and representatives of Elvey.

4.3.1.3 Employee of Elvey.

4.3.1.4 Third party verification agencies and credit bureau.

4.3.1.5 Collection agencies.

4.3.1.6 Banks and other financial institutions.

4.4 Planned or prospective transborder flow of Personal Information: Sec 51 (1)(c)(iv)

4.4.1 In carrying out any cross-border transfers of a data subjects' Personal Information, Elvey shall adhere to the provisions of the Protection of Personal Information Act.

4.5 Security measures to ensure confidentiality, integrity and availability of Personal Information: Sec 51 (1)(c)(v)

4.5.1 Elvey continuously establishes and maintains appropriate, reasonable technical and organizational measures to ensure that the integrity of the Personal Information in its possession or under its control is secure and that such information is protected against unauthorised or unlawful processing, accidental loss, destruction or damage, alteration or access by having regard to the requirements set forth in law, in industry practice and generally accepted information security practices and procedures which apply.

4.6 Specific policies relating to the protection of Personal Information

4.6.1 The following policies can be obtained from Elvey, pertaining to the protection of Personal Information as contemplated in the Protection of Personal Information Act 4 of 2013.

4.6.1.1 Protection of Personal Information Policy

4.6.1.2 Personal Information Retention Policy

4.6.1.3 Data Breach Policy

4.6.1.4 Data Subject Access Request Policy

5. ACCESS PROCEDURES AND REQUESTS

The purpose of this section is to provide requesters with sufficient guidelines and procedures to facilitate a request for access to a record held by Elvey.

NB: Requests for access to Personal Information as contemplated in the Protection for Personal Information Act 4 of 2013 is dealt with and prescribed in terms of the company's Data Subjects Access Request Policy, which can be obtained from compliance@elveygroup.com

It is important to note that an application for access to information can be refused in the event that the

application does not comply with the procedural requirements of the Act. In addition, the successful completion and submission of an access request form (PAIA V1) does not automatically allow the requester access to the requested record.

An application for access to a record is subject to certain limitations if the requested record falls within a certain category as specified within Part 3 Chapter 4 of the Act.

If it is reasonably suspected that the requester has obtained access to Elvey's records through the submission of materially false or misleading information, legal proceedings may be instituted against such requester.

5.1 Guidance on prescribed Request for Access form: Sec 51(1)(b)(iv)

- 5.1.1 In order for Elvey to facilitate access to a record a requester will need to complete the prescribed Request to Access a Record Form (PAIA V1).
- 5.1.2 The prescribed form must be completed in full.
- 5.1.3 Failure to do so will result in the process being delayed until all information is provided.
- 5.1.4 Elvey will not be held liable for delays due to receipt of incomplete forms.
- 5.1.5 Due cognizance should be taken of the following instructions when completing the form as the Information Officer shall not process any request for access to a record until satisfied that all requirements have been met.
- 5.1.6 Proof of identity is required to authenticate the requesters' identity.
- 5.1.7 If the requester acts as an agent requester, the requester shall provide proof of the identity of the person on whose behalf the request is made, the authority or mandate given to the requester by such person and proof of the identity of the requester as provided above.
 - 5.1.7.1 Type or print in BLOCK LETTERS an answer to every question.
 - 5.1.7.2 If a question does not apply, state "N/A" in response to that question.
 - 5.1.7.3 If there is nothing to disclosure in reply to a particular question, state "nil" in response to that question.
 - 5.1.7.4 If there is insufficient space on a printed form in which to answer the question, additional information may be provided on an additional folio attached to the form.
 - 5.1.7.5 When the use of an additional folio is required, precede each answer thereon with the title applicable to that question.

5.2 Submission of prescribed Request for Access to a Record Form (PAIA V1 A)

- 5.2.1 The completed Request for Access to a Record Form must be submitted either via conventional mail, or email and must be addressed to the Information Officer.

5.3 Payment of prescribed fees

- 5.3.1 Payment details can be obtained from the Information Officer and payment can be made via a direct deposit (no credit or debit cards are accepted).
- 5.3.2 Proof of payment must be supplied.
- 5.3.3 Four types of fees are provided for in terms of the Act.

- 5.3.3.1 Request fee: An initial non-refundable R57.00 (incl VAT) is payable on submission. This fee is not applicable to personal requesters, referring to any person seeking access to records that contain their Personal Information.
- 5.3.3.2 Reproduction fee: This fee is payable with respect to all records that are automatically available.
- 5.3.3.3 Access fee: if the request for access is successful and access fee may be required to reimburse Elvey for the costs involved in the search, reproduction and/or preparation of the record and will be calculated based on the prescribed fees.
- 5.3.3.4 Deposit: A deposit of one third (11/3) of the amount of the applicable access fee, is payable if Elvey receives a request for access to information held on a person other than the requesters himself/herself and the preparation for the record will take more than six (6) hours. In the event that access is refused to the requested records, the full deposit will be refunded to the requester.

5.4 Notification

- 5.4.1 Elvey will within thirty (30) days of receipt of the request decide whether to grant or decline the request and give notice with reasons (if required) to that effect.
- 5.4.2 The thirty (30) day period within which Elvey has to decide whether to grant or refuse the request, may be extended for a further period of not more than thirty (30) days, if the request is for a large volume of information, or the request requires a search for information held at another office of Elvey and the information cannot be reasonably obtained within the original thirty (30) day period.
- 5.4.3 Elvey will notify the requester in writing should an extension be sought.

5.5 Records that cannot be found or do not exist

- 5.5.1 If Elvey has searched for a record and it is believed that the record either does not exist or cannot be found, the requester will be notified by way of an affidavit or affirmation.
- 5.5.2 This will include the steps that were taken to try to locate the record.

6. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS AND APPEAL

6.1 Grounds for refusal: Chapter 4

- 6.1.1 The thirty (30) day period within which the Information Officer is required to reply to a request, as stipulated in the Act, shall commence only once a requester has complied with all the requirements of the Act in requesting access to a record, to the satisfaction of the Information Officer.
- 6.1.2 Requests may be refused on the following grounds, as set out in the Act:
 - 6.1.2.1 Mandatory protection of privacy of a third party who is a natural person, including a deceased person, which would involve the unreasonable disclosure of Personal Information of that natural person.

- 6.1.2.2 Mandatory protection of commercial information of a third party or Elvey, if the record contains:
 - 6.1.2.2.1 Trade secrets of the third party or Elvey,
 - 6.1.2.2.2 Financial, commercial, scientific, or technical information which disclosure could likely cause harm to the financial or commercial interests of the third party or Elvey,
 - 6.1.2.2.3 Information disclosed in confidence by a third party to Elvey if the disclosure could put that third party to a disadvantage or commercial competition,
 - 6.1.2.2.4 Mandatory protection of certain confidential information of a third party if disclosure of the record would result in a breach of a duty of confidence owed to that third party in terms of an agreement.
- 6.1.2.3 Mandatory protection of the safety of individuals, and the protection of property.
- 6.1.2.4 Mandatory of records privileged from production in legal proceedings, unless the legal privilege has been waived; and
- 6.1.2.5 Mandatory protection of research information of a third party and of Elvey.

6.2 Appeal

- 6.2.1 If a requester is aggrieved by the refusal of the Information Officer to grant a request for a record, the requester may, within thirty (30) days of notification of the Information Officer's decision, apply to court for appropriate relief.

7. PRECIBED FEES: SEC 92

7.1 Reproduction Fees

- 7.1.1 The applicable fees (excluding VAT) for reproduction as referred to above are:
 - 7.1.1.1 For every photocopy of an A4-size page or part thereof R3.90
 - 7.1.1.2 For every printed copy of an A4-size or part thereof held on a computer or in electronic form R4.80
 - 7.1.1.3 For a copy in a computer readable format: Compact Disc R56.00
 - 7.1.1.4 A transcription of an audio record, for an A4-size page or part thereof – dependent on quotation from service provider.

7.2 Request Fee

- 7.2.1 A request fee of R50.00 (excluding VAT) is payable upfront where a requester submits a request for access to information on anybody else other than a requester.

7.3 Access Fees

- 7.3.1 The applicable fees (excluding VAT) which will be payable are:
 - 7.3.1.1 For every photocopy of an A4-size or part thereof R3.90
 - 7.3.1.2 For every printed copy of an A4-size or part thereof held on a computer or in electronic

form R4.80

7.3.1.3 For a copy in a computer readable format: Compact Disc R56.00

7.3.1.4 A transcription of an audio record, for an A4-size page or part thereof – dependent on quotation from service provider.

7.4 Postage Fees

7.4.1 Where a copy of the record needs to be posted the actual postal fee is payable in addition to the applicable fees.