



FERMEL (PTY) LTD
Registration number: 2006/011881/07

("Fermel")

**PAIA MANUAL IN TERMS OF SECTION 51 OF
THE PROMOTION OF ACCESS TO INFORMATION ACT 2
OF 2000 ("PAIA" or "THE ACT")**

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1. INTRODUCTION

Fermel (Pty) Ltd is a private company duly incorporated in accordance with the laws of the Republic of South Africa.

2. LIST OF ACRONYMS AND ABBREVIATIONS

ACRONYM / TERM	MEANING
“CEO”	Chief Executive Officer.
“IO”	Information Officer.
“Manual”	Refers to this PAIA Manual, together with all of its annexures, as amended from time to time, and published in terms of section 51 of PAIA.
“Minister”	Minister of Justice and Correctional Services.
“PAIA”	Promotion of Access to Information Act No. 2 of 2000 (as amended).
“Personal Information”	Means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to: (a) information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person; (b) information relating to the education or the medical, financial, criminal or employment history of the person; (c) any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person; (d) the biometric information of the person; (e) the personal opinions, views or preferences of the person; (f) 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; (g) the views or opinions of another individual about the person; and (h) 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;
“POPIA”	Protection of Personal Information Act No.4 of 2013.
“Regulator”	Information Regulator of South Africa.
“Republic”	Republic of South Africa.

3. PURPOSE OF THIS PAIA MANUAL

This PAIA Manual is useful for the public to:

- 3.1 Confirm the categories of records held by Fermel which are available without a person having to submit a formal PAIA request;
- 3.2 Have a sufficient understanding of how to make a request for access to a record or information held by Fermel, and by providing a description of the subjects on which we hold records and the categories of records held on each subject;
- 3.3 Know the description of the records of Fermel which are available in accordance with any other legislation;
- 3.4 Access all the relevant contact details of the Information Officer and Deputy Information Officer of Fermel, who will assist the public with the records they intend to access;
- 3.5 Know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 3.6 Know if we will process Personal Information, the purpose of processing of Personal Information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- 3.7 Know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 3.8 Know the recipients or categories of recipients to whom the Personal Information may be supplied;
- 3.9 Know if Fermel has planned to transfer or process Personal Information outside the Republic and the recipients or categories of recipients to whom the Personal Information may be supplied; and
- 3.10 Know whether we have appropriate security measures to ensure the confidentiality, integrity and availability of the Personal Information which is to be processed.

4 KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF FERMEL

COMPANY DETAILS	
Name of Company:	Fermel (Pty) Ltd
Head of Body:	Roelf Venter and Angelo Iovino
Street Address:	c/o Bergvlei & Stellenberg Street, Wadeville, Germiston
Postal Address:	PO Box 282, Bedfordview, 2008
Telephone Number:	011 865 8400
E-mail:	rventer@fermel.co.za and aiovino@fermel.co.za
Website:	www.fermel.co.za
INFORMATION OFFICER DETAILS	
Name:	Roelf Venter
Telephone Number:	0829059052
E-mail:	rventer@fermel.co.za

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

- 5.1 The Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the revised Guide on how to use PAIA (“Guide”), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.
- 5.2 The Guide is available in each of the Republic's official languages and in braille.
- 5.3 The aforesaid Guide contains the description of:
- 5.3.1 The objects of PAIA and POPIA;
- 5.3.2 The postal and street address, phone and fax number and, if available, electronic mail address of:
- 5.3.2.1 The Information Officer of every public body, and
- 5.3.2.2 Every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
- 5.3.3 The manner and form of a request for:
- 5.3.3.1 Access to a record of a public body contemplated in section 11³; and
- 5.3.3.2 Access to a record of a private body contemplated in section 50⁴.
- 5.3.4 The assistance available from the IO of a public body in terms of PAIA and POPIA;
- 5.3.5 The assistance available from the Regulator in terms of PAIA and POPIA;
- 5.3.6 All remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-
- 5.3.6.1 An internal appeal
- 5.3.6.2 A complaint to the Regulator; and
- 5.3.6.3 An application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;
- 5.3.7 The provisions of sections 14⁵ and 51⁶ requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;

¹ Section 17(1) of PAIA- For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.

² Section 56(a) of POPIA- Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.

³ Section 11(1) of PAIA- A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.

⁴ Section 50(1) of PAIA- A requester must be given access to any record of a private body if a) that record is required for the exercise or protection of any rights; b) that person complies with the procedural requirements in PAIA relating to a request for access to that record; and c) access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.

⁵ Section 14(1) of PAIA- The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 5 above

⁶ Section 51(1) of PAIA- The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.

- 5.3.8 The provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 5.3.9 The notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and
- 5.3.10 The regulations made in terms of section 92¹¹.
- 5.4 Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.
- 5.5 The Guide can also be obtained:
 - 5.5.1 Upon request to the Information Officer; or
 - 5.5.2 From the website of the Regulator (<https://www.justice.gov.za/inforeg/>).

6. CATEGORIES OF RECORDS HELD BY FERMEL WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

- 6.1 Records of a public nature which are in the public domain such as displayed on a website, may be accessed without the need to submit a formal application. Other non-confidential records, such as statutory records maintained at CIPC, may also be accessed without the need to submit a formal application.
- 6.2 The above records are available upon request via e-mail to Fermel’s IO or DIO.
- 6.3 Other non-confidential records, such as statutory records maintained at the Companies and Intellectual Property Commission (“CIPC”), may also be accessed without the need to submit a formal application.

7. RECORDS HELD BY FERMEL IN ACCORDANCE WITH OTHER LEGISLATION

- 7.1 Fermel is required, in accordance with legislation, to retain certain records. Fermel therefore holds records for the purposes of PAIA in accordance with the following legislation (as amended from time to time), among others
 - 7.1.1 Basic Conditions of Employment Act 75 of 1997;
 - 7.1.2 Companies Act 71 of 2008;
 - 7.1.3 Compensation for Occupational Injuries and Diseases Act 130 of 1993;
 - 7.1.4 Electronic Communications and Transaction Act 25 of 2002;
 - 7.1.5 Employment Equity Act 55 of 1998;

⁷ Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access

⁸ Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access

⁹ Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹⁰ Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹¹ Section 92(1) of PAIA provides that –“The Minister may, by notice in the Gazette, make regulations regarding- (a) any matter which is required or permitted by this Act to be prescribed; (b) any matter relating to the fees contemplated in sections 22 and 54; (c) any notice required by this Act; (d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and (e) any administrative or procedural matter necessary to give effect to the provisions of this Act.”

- 7.1.6 Financial Intelligence Centre Act 38 of 2001;
- 7.1.7 Income Tax Act 58 of 1962;
- 7.1.8 Labour Relations Act 66 of 1995;
- 7.1.9 Occupational Health and Safety Act 85 of 1993;
- 7.1.10 Promotion of Access to Information Act 2 of 2000;
- 7.1.11 Skills Development Act 9 of 1999;
- 7.1.12 Unemployment Insurance Act 63 of 2001;
- 7.1.13 Value Added Tax Act 89 of 1991;
- 7.1.14 Pension Funds Act 24 of 1956;
- 7.1.15 Mine Health and Safety Act 29 of 1996.

8. DESCRIPTION OF THE SUBJECTS ON WHICH FERREL HOLDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT, WHICH RECORDS ARE NOT AVAILABLE WITHOUT A PAIA REQUEST

The table below contains a description of the types of records which Ferrel holds, and the categories of records held on each subject. These records are not automatically available without a request in terms of PAIA. A request made in terms of PAIA for records in any of the categories below may be refused in accordance with any of the grounds of refusal as set out in PAIA.

Subject	Description of Record
Statutory Records (Incorporation documents & records)	<ul style="list-style-type: none"> • Company incorporation documents • Constitution of the Business • Share register • Memorandum and Articles of Association • Copies of shareholders agreements • Minutes of meetings of the board of directors • Minutes of shareholders' meetings • Minutes of management meetings • Minutes of staff meetings • Supply Agreements • Distribution Agreements • Waste disposal records • Waste disposal manual • Internal telephone list • Records relating to the appointment of directors, auditors, and other officers

Subject	Description of Record
<p style="text-align: center;">Income Tax</p>	<ul style="list-style-type: none"> • Pay-as-you-earn (PAYE) records • Documents issued to employees for income tax purposes • Records of payments made to South African Revenue Services on behalf of employees • All or any statutory compliance • Value Added Tax Records • Skills development levies • Unemployment Insurance Fund Records
<p style="text-align: center;">Labour Relations Records</p>	<ul style="list-style-type: none"> • Personnel documents and records • Employment contracts • Payslips/Salary advices • Curriculum Vitae of employees • Education history of employees • Appointment letters /agreement • Conditions of Employment • Records relating to increases • Performance Management Records • Medical aid records and medical history of employees • Pension Fund records • Disciplinary records • Salary records • Disciplinary code and/or procedures • Leave records • Training records • Training manuals • Address lists • Long service awards • Company Policy • Employment Equity Plan • Written workplace skills plan • SETA documents: MERSETA • Bargaining Council documents: SIEFSA • Attendance Register • Provident Fund • Unemployment Insurance • Union documents: UPUSA, NUMSA, SAWUSA • Records of deductions and loans • Independent contractor contracts • Identification records of employees
<p style="text-align: center;">Finance</p>	<ul style="list-style-type: none"> • Receipts and payments • Bank statements • A list of the company's debtors and creditors • Budgets • Management accounts • Asset registers / inventory • Order forms • Invoices and statements • Annual Statement • Salaries

Subject	Description of Record
	<ul style="list-style-type: none"> • Correspondence • Stock records • Proof of delivery forms • Goods received vouchers • Goods returned vouchers • Debit notes • Credit notes • Cheque account • Current account • Call account • Cash records • Audit Financial Statements
<p style="text-align: center;">Risk and Compliance</p>	<ul style="list-style-type: none"> • Contracts • Policies and procedures • Risk assessment • Compliance records
<p style="text-align: center;">Safety Records</p>	<ul style="list-style-type: none"> • Records relating to Occupational Injuries and Diseases • Safety Manual • Accident Record • Occupational Health and Safety Act records • Quality control test results
<p style="text-align: center;">Operational Documents and Records</p>	<ul style="list-style-type: none"> • Promotional material • Marketing call reports • Business Policy • Records of registered designs and manuals • Product/Service specifications and manuals • Licenses, permits or authorities documents • Work instruction manuals • Database of customers • Credit Application Forms and Records • Correspondence with customers • C.O.D accounts / 30 Day Accounts • Sales records • Daily production records • Service schedule • Business Plans • Strategy • Vision and Mission Statements • Action Plans • Prices lists • Customer complaints records • Quotations • Research and development documents and records of products and services • Market research documents • These records include, but are nit limited to, the records which pertain to the Private Body's own affairs

Subject	Description of Record
Other Party Records	<ul style="list-style-type: none"> • Personnel, customer or Private Body records which are held by another party (e.g. marketing agent) as opposed to the records held by the Private Body itself; • Records held by the Private Body pertaining to other parties, including without limitation, financial records, correspondence, contractual and transactional records, provided by the other, and records third parties have provided about the contractors/suppliers; • Records relating to the Private Body's marketers/agents

9. PROCESSING OF PERSONAL INFORMATION

9.1 Purpose of Processing Personal Information by Fermel

Fermel will process Personal Information in the ordinary course of the business for a number of reasons, including:

- 9.1.1. Providing services requested to clients.
- 9.1.2. Managing relationships with customers, prospective customers, suppliers, contractors and strategic partners, including online and in-person meetings.
- 9.1.3. Managing dispute resolution.
- 9.1.4. Managing contracts, orders, deliveries, invoices and accounting for transactions.
- 9.1.5. Sending quotation estimates and invoices.
- 9.1.6. General human resource and finance functions including those obligations imposed by legislation.
- 9.1.7. Recruitment of staff.
- 9.1.8. Procurement processes.
- 9.1.9. Analysis, evaluation, review and collation of information for operational, commercial, contractual, compliance, risk management and dispute resolution purposes, including the preparation and review of agreements, correspondence, reports and related business records.
- 9.1.10. To allow for proper functioning of our website which includes, amongst others, proper display of content, interface personalisation and ensuring that the website is safe and secure to protect against misuse.

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

Categories of Data Subjects	Personal Information that may be processed
Customers / Clients	Full name, addresses, registration numbers or identity numbers, ultimate beneficial owner details and supporting documentation.
Service Providers	Registered names, registration number, VAT numbers, address and bank details
Employees	Full names, ID-numbers, address, next of kin contact details, qualifications.

9.3 The recipients or categories of recipients to whom the personal information may be supplied.

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Identity number and names, for criminal checks and identification and confirmation checks	South African Police Services and/or Department of Home Affairs.
Qualifications, verifications for qualification	South African Qualifications Authority
Credit and payment history, for credit information	Credit Bureaus

9.3.1. Fermel may disclose Personal Information to third parties such as our associates and service providers, for legitimate business purposes, in accordance with applicable law and subject to the applicable professional and regulatory requirements regarding confidentiality.

9.3.2. Should Fermel disclose information to third parties, the latter is obliged to use that Personal Information for the reasons and purposes the information was disclosed for. To this end, we have agreements/understanding in place with the relevant third parties to ensure that an adequate level of security and confidentiality is adopted by the third parties to which personal information is being transferred to.

9.3.3. Fermel may be obliged to disclose Personal Information where we have a duty to disclose in terms of law or where we believe it is necessary to protect our rights. This includes where we are required to disclose Personal Information as a result of litigation being instituted by or against us.

9.4 Planned transborder flows of Personal Information

Fermel may transfer Personal Information to recipients outside of the Republic. In the event that this happens, we will ensure compliance with POPIA in relation to any cross-border transfers of Personal Information. For example, we will ensure that the third party who is the recipient of the information is subject to a law or binding agreement which provides for an adequate level of protection similar to POPIA.

9.5 General description of Information Security Measures to be implemented by Fermel to ensure the confidentiality, integrity and availability of the information

- 9.5.1 Fermel takes reasonable, appropriate and adequate technical and organisational measures to ensure that your Personal Information is kept secure and is protected against unauthorised or unlawful processing, accidental loss, destruction, damage, alteration, disclosure or unauthorised access. We contractually mandate any third parties to which your personal information is transferred to do the same.
- 9.5.2 Fermel regularly reviews our security controls and related processes to ensure that Personal Information is secure. However, where there are reasonable grounds to believe that Personal Information has been accessed or acquired by any unauthorised person, we will notify the Regulator and the affected person(s), unless the Regulator or a public body responsible for detection, prevention or investigation of offences, informs us that such notification will impede a criminal investigation.

9.6. Objection to the Processing of Personal Information

- 9.6.1. Section 11 (3) of POPIA and regulation 2 of the POPIA Regulations provides that a Data Subject may, at any time object to the processing of his/her/its Personal by submitting such request to the Information Officer.

9.7. Request for Correction or Deletion of Personal Information

- 9.7.1. Section 24 of POPIA and regulation 3 of the POPIA Regulations provides that a Data Subject may request for their Personal Information to be corrected/deleted submitting such request to the Information Officer.
- 9.7.2. To ensure the lawfulness and correctness of the data, the data subject may also request Fermel to correct or delete personal information about the data subject in its possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully; or destroy or delete a record of Personal Information about the data subject that the company is no longer authorised to retain in terms of POPIA's retention and restriction of records provision

10. AVAILABILITY OF THE MANUAL

10.1 A copy of the Manual is available-

10.1.1 On our website, which can be accessed by following this link: <https://www.fermel.co.za/>

10.1.2 Head office of Fermel for public inspection during normal business hours;

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

10.1.4 To the Information Regulator upon request.

10.2 A fee for a copy of the Manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made.

11 GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

11.1. Upon receipt of a request for access to information, Fermel will be required to consider such a request in light of the provisions of section 50¹² of PAIA. Subject to such consideration, Fermel

¹² (1) A requester must be given access to any [record](#) of a private body if –
(a) that record is required for the exercise or protection of any rights;

will be required to either grant such a request or refuse such a request. If Fermel elects to refuse access to a particular record, such refusal will be subject to Fermel's interpretation of the various prescribed grounds for refusal as set forth in Chapter 4 of PAIA and in the table below:

Ground(s) For Refusal	Description and Explanation of Ground(s) for Refusal
Mandatory protection of privacy of third party who is a natural person [Section 63 of PAIA]	Fermel may refuse access to a record if the disclosure of that record would involve the unreasonable disclosure of personal information relating to a third party, including a deceased individual.
Mandatory protection of commercial information of third party [Section 64 of PAIA]	<p>Fermel may refuse a request for access to a record if the record comprises of or is constituted by the following information relating to a third party –</p> <ul style="list-style-type: none"> • Trade secrets of a third party; • Financial, commercial, scientific or technical information, other than trade secrets, of a third party, which if disclosed is likely to cause harm to the commercial or financial interests of the third party; • Information which has been supplied in confidence by a third party, the disclosure of which could reasonably be expected to place the third party at a disadvantage in contractual or other negotiations or is likely to prejudice the third party in commercial competition.
Mandatory protection of certain confidential information of a third party [Section 65]	Fermel may refuse access to a record which if disclosed would constitute an action for breach of a duty of confidence owed to a third party in terms of an agreement or contractual relationship.
Mandatory protection of safety of individuals and protection of property [Section 66]	<p>Fermel may refuse a request for access to record if its disclosure could reasonably be expected to endanger the life or physical safety of an individual, or if its disclosure would be likely to prejudice or impair the security of:</p> <ul style="list-style-type: none"> • a building, structure or system, including but not limited to a computer or communication system, a means of transport or any other property; • method(s), system(s), plans or procedures for the protection of an individual in accordance with a witness protection scheme, the safety of the public, or any part of the public or the security of property.
Mandatory protection of records privileged from production in legal proceedings [Section 67]	Fermel may refuse a request for access to a record if the record is privileged from production in legal proceedings unless the person entitled to the privilege has waived the privilege.
Commercial information of Private Body [Section 68]	<p>Fermel may refuse a request for access to a record if the record contains (or comprises of):</p> <ul style="list-style-type: none"> • Trade secrets of the Private Body;

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- (b) that person complies with the procedural requirements in this Act relating to a request for access to that record; and
- (c) access to that record is not refused in terms of any ground for refusal contemplated in [Chapter 4](#) of this Part.
- (2) In addition to the requirements referred to in subsection (1), when a public body, referred to in paragraph (a) or (b)(i) of the definition of "public body" in [section 1](#), requests access to a record of a private body for the exercise or protection of any rights, other than its rights, it must be acting in the public interest.
- (3) A request contemplated in subsection (1) includes a request for access to a record containing personal information about the requester or the person on whose behalf the request is made

Ground(s) For Refusal	Description and Explanation of Ground(s) for Refusal
	<ul style="list-style-type: none"> • Financial, commercial, scientific or technical information, other than trade secrets of the Private Body, the disclosure of which would be likely to cause harm to the commercial or financial interests of the Private Body; • Information, the disclosure of which could reasonably be expected to put the Private Body at a disadvantage in contractual or other negotiations or prejudice the Private Body in commercial competition; • A computer programme (as defined in section 1(1) of the Copyright Act 98 of 1978 as amended) owned by the Private Body, except insofar as it is required to give access to a record to which access is granted in terms of the PAIA Act.
Mandatory protection of research information of third party, and protection of research information of private body [Section 69]	Fermel may refuse a request for access to a record if the record contains information about research being or to be carried out by or on behalf of a third party/private body, the disclosure of which would be likely to expose the third party/private body, a person that is (or will be) carrying out the research on behalf of the third party/private body, or the subject matter of the research to serious disadvantage.

12 FORM OF REQUEST

12.1. To facilitate the processing of your request, kindly:

- Use the prescribed Form, Form 2, as provided in Annexure A hereto;
- Address your request to Fermel's Information Officer and Deputy Information Officer;
- Provide sufficient details to enable Fermel to identify:
 - The record(s) requested.
 - The requester (and if an agent is lodging the request, proof of capacity).
 - The form of access required.
 - The postal address or e-mail of the requester in South Africa.
- If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;
- The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right;
- The Information Officer or Deputy Information Officer will respond to a request in the format of Form 3, as listed in Annexure B hereto. The said form is used to report the outcome of a request as well as information regarding the required fees payable, if applicable.
- **Kindly refer to Annexure C hereto, setting out the diagram of the PAIA request process**

13 PRESCRIBED FEES

The following applies to requests (other than personal requests):

- A requestor is required to pay the prescribed fees (R140.00) before a request will be processed.

- If the preparation of the record requested requires more than the prescribed 6 (six) hours, a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted).
- A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit.
- Records may be withheld until the fees have been paid.

14 REMEDIES AVAILABLE WHEN A REQUEST IS DENIED

14.1 Internal Remedies

There is no internal appeal procedure that may be followed after a request to access information has been refused. The decision made by the Information Officer or Deputy Information Officer is final.

If a request is denied and the requester is dissatisfied with the Information Officer's decision, the requestor will be required to exercise such external remedies at their disposal if a request for information is refused.

14.2 External remedies

A requestor or a third party who is dissatisfied with an Information Officer's refusal to disclose information or the disclosed information may within 30 (thirty) days of notification of the decision apply to a court with appropriate jurisdiction or contact the Information Regulator for relief.

15 UPDATING OF THE MANUAL

15.1 The head of Fermel will on a regular basis update this manual.

Issued by the Information Officer of Fermel:

Name and Surname: Roelf Venter

Title: Information Officer

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

Information Officer:	Deputy Information Officer:
Address:	Address:
Email:	Email:
Telephone Number:	Telephone 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 <i>(when made on behalf of another person)</i>	
Postal Address	
Street Address	
E-mail Address	
Contact Numbers	Tel: <input type="text"/>
	Facsimile: <input type="text"/>
	Cellular: <input type="text"/>
Full names of person on whose behalf request is made <i>(if applicable)</i>	
Identity Number	
Postal Address	
Street Address	
E-mail Address	
Contact Numbers	Tel: <input type="text"/>
	Facsimile: <input type="text"/>
	Cellular: <input type="text"/>
PARTICULARS OF RECORD REQUESTED	
<i>Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i>	

Description of record or relevant part of the record	
Reference number, if available	
Any further particulars of record	
TYPE OF RECORD <i>(Mark the applicable box with an "X")</i>	
Record is in written or printed form	
Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	
Record consists of recorded words or information which can be reproduced in sound	
Record is held on a computer or in an electronic, or machine-readable form	
FORM OF ACCESS <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	
MANNER OF ACCESS <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 <i>(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)</i>	
PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED <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:	
FEEES	
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

<i>Reference number</i>	
<i>Request received by: (State rank, Name and Surname of Information Officer)</i>	
<i>Date received</i>	
<i>Access fees</i>	
<i>Deposit (if any)</i>	

Signature of Information Officer

FOR OFFICIAL USE

ANNEXURE B - FORM 3: OUTCOME OF REQUEST AND OF FEES PAYABLE

[Regulation 8]

Note:

1. If your request is granted the—
(a) amount of the deposit, (if any), is payable before your request is processed; and
(b) requested record/portion of the record will only be released once proof of full payment is received.
2. 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 (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) 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.	
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OR

2. You requested:

Printed copies of the information (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)	
Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)	
Transcription of soundtrack (written or printed document)	
Copy of information on flash drive (including virtual images and soundtracks)	
Copy of information on compact disc drive (including virtual images and soundtracks)	
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 (including transcriptions)	
E-mail of information (including soundtracks if possible)	
Cloud share/file transfer	
Preferred language: (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)	

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
Non-Refundable Fee			R140
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	R60.00		
• If provided to the requestor			
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:			
iii) Flash drive	R40.00		
• To be provided by requestor			
iv) Compact disc	R40.00		
• If provided by requestor	R60.00		
• If provided to the requestor			
Postage, e-mail or any other electronic transfer:	Actual Costs		
TOTAL:			

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

[] Yes

[] No

Hours of search	Amount of deposit (calculated on one third of total amount per request)

The amount must be paid into the bank account of Fermel, which details will be provided upon request.

Signed at _____ this _____ day of _____ 20_____.

Signature of Information Officer

ANNEXURE C: PAIA REQUEST PROCESS

