



Wet Nose Animal Rescue Centre

Protection of Personal Information Manual

(This manual was prepared in accordance with section 51 of the Protection of Personal Information Act of 2013)

Approved by	Managing Director	
Updated		
To be reviewed by	General Manager	
Policy custodian	Operations Division	
Enquiries	Cameron Herselman	
Frequency of review	Annually	

Contents

1	Introduction	3
2	Act	3
3	Purpose of the manual	3
4	Definitions	4
5	Availability of the manual	5
6	Information officer	6
7	Human Rights Commission / Information Regulator Guide	6
8	Records held in accordance with other legislation	7
9	Categories and subject of records available in terms of PAIA	7
10	Procedure for a request for access in terms of PAIA	7
11	Fees	8
12	Decision to grant access to records	8
13	Grounds for refusal of access to records in terms of PAIA	9
14	Information or records not found	10
15	Remedies available to the requester upon refusal of a request for access in terms of PAIA	10

Appendices

A	Records held in accordance with other legislation	11
B	Records held by Wet Nose Animal Rescue Centre	13
C	Form 2: Request for access to records	17
D	Form 3: Outcome of request and fees payable	21
E	Fees	23

1. Introduction

Wet Nose Animal Rescue Centre (WNARC) is a registered non-profit animal welfare organization devoted to the rescue, rehabilitation, and rehoming; of abandoned, abused, and neglected animals. WNARC is further a Right to Life animal shelter, which means that we do not put animals to sleep unless they are suffering, and it is in the best interest of that animal. WNARC also has its own veterinary clinic providing the community with affordable animal care for their pets.

2. Act

The Promotion of Access to Information Act, No 2 of 2000 (“The Act” or “PAIA”) was enacted on 3 February 2000, giving effect to the right of access to any information held by Government, as well as any information held by another person who is required for the exercising or protection of any rights. This right is entrenched in the Bill of Rights in the Constitution of South Africa. Where a request is made in terms of The Act, the body to which the request is made is not obliged to release the information, except where The Act expressly provides that the information may or must be released. The Act sets out the requisite procedural issues attached to such request.

3. Purpose of the Manual

In order to promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in terms of The Act in order for them to exercise their rights in relation to public and private bodies. Section 9 of The Act, however, recognizes that such right to access to information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

- Limitations aimed at the reasonable protection of privacy;
- Commercial confidentiality; and
- Effective, efficient and good governance and in a manner that balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

This PAIA Manual assists you to:

- 3.1 check the categories of records held by Wet Nose Animal Rescue Centre 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 of Wet Nose Animal Rescue Centre by providing a description of the subjects on which Wet Nose Animal Rescue Centre holds records and the categories of records held on each subject;
- 3.3 know the description of the records of Wet Nose Animal Rescue Centre 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(s) who will assist you with the records you intend to access;
- 3.5 know the description of the guide on how to use PAIA, as updated by the Information Regulator, and how to obtain access to it;
- 3.6 know if Wet Nose Animal Rescue Centre processes personal information and the purpose of processing of personal information;
- 3.7 know the description of the categories of data subjects and 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 Wet Nose Animal Rescue Centre plans to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- 3.10 know whether Wet Nose Animal Rescue Centre has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

4. Definitions

The following words and phrases have these meanings in this document:

- a. **Acts** refers to POPIA and PAIA, collectively.
- b. **Company** means Wet Nose Animal Rescue Centre (Registration number 1999/015508/08)
- c. **Conditions for Lawful Processing** means the conditions for the lawful processing of Personal Information as fully set out in chapter 3 of PAIA.
- d. **Constitution** means the Constitution of the Republic of South Africa, 1996.
- e. **Customer** refers to any natural or juristic person that received or receives services from Wet Nose Animal Rescue Centre.
- f. **Data Subject** has the meaning ascribed thereto in section 1 of PAIA.
- g. **Information Officer** means the natural person registered with the Information Regulator as referred to in paragraph 4.
- h. **Manual** means this manual prepared in accordance with section 51 of PAIA and regulation 4(1)(d) of the POPIA regulations.
- i. **Personal Information** has the meaning ascribed thereto in Section 1 of PAIA.
- j. **Personnel** refers to any person who works for, or provides services to or on behalf of Wet Nose Animal Rescue Centre, and receives or is entitled to receive remuneration, and any other person who assists in carrying out or conducting the business of Wet Nose Animal Rescue Centre, which includes, without limitation, directors (executive and non-executive) all permanent, temporary and part-time staff as well as contract workers.
- k. **PAIA** means the Protection of Personal Information Act, No 4 of 2013, as amended.
- l. **POPIA regulations** mean the regulations promulgated in terms of section 112(2) of POPIA.
- m. **Private Body** has the meaning ascribed thereto in section 1 of both PAIA and POPIA.
- n. **Processing** has the meaning ascribed thereto in section 1 of PAIA.
- o. **Responsible Party** has the meaning ascribed thereto in section 1 of PAIA.
- p. **Record** has the meaning ascribed thereto in section 1 of PAIA and includes Personal Information.
- q. **Requester** has the meaning ascribed thereto in section 1 of PAIA.
- r. **Request for Access** has the meaning ascribed thereto in section 1 of PAIA

5. Availability of the Manual

This manual is made available in terms of PAIA and section 4 of the Regulations to POPIA. It is available for inspection on the company's website at www.wetnose.co.za and during normal

business hours at the premises of the Company, at Plot 75, R104 (Old Pretoria Road), Vaalbank, Bronkhorstspuit, 1020.

Hard copies of the manual can be obtained from the Information Officer. A fee, in accordance with appendix 5, will be levied for copies of the Manual.

6. Information Officer

The head of the Company is the Managing Director of Wet Nose Animal Rescue Centre as defined in section 1 of PAIA.

The head has appointed the following natural person as the Company's Information Officer, whose contact details are as follows:

Name	Cameron Herselman
Physical address	Plot 75, R104 (old Pretoria Road), Vaalbank, 1020
Postal address	Plot 75, R104 (old Pretoria Road), Vaalbank, 1020
Telephone number	081 230 5293
Email address	operations@wetnose.co.za

7. Human Rights Commission / Information Regulator Guide

A guide has been compiled in terms of Section 10 of PAIA by the Human Rights Commission. It contains information required by a person wishing to exercise any right contemplated by PAIA. The guide can be obtained from the Human Rights Commission whose contact details are as follows:

Physical address	3 Braampark Forum 3 33 Hoofd Street Braamfontein
Postal address	Private Bag 2700 Houghton 2041
Telephone number	011 877 3600
Website address	www.sahrc.org.za

8. Records held in accordance with other legislation

Other legislation provides that private bodies shall allow certain person's access to specified records, upon request. Records are available in terms of the legislation detailed in appendix 2 to this manual (as amended from time to time).

Note that the information will only be provided in accordance with the requirements stipulated in the relevant legislation. If a requester believes that a right to access to a record exists in terms of the Acts or any of the legislation listed in appendix 2, the requester is required to indicate what legislative right the request is based on, to allow the Information Officer the opportunity to consider the request in light thereof.

9. Categories and Subject of Records available in terms of PAIA

Appendix 3 details a description of the subjects on which Wet Nose Animal Resque Centre holds records and the categories of records held on each subject. Automatic access will be granted to certain of these records in accordance with PAIA, subject to the restrictions and right of refusal to access provided for in PAIA.

10. Procedures for a request for access in terms of PAIA

Should a requester wish to access a record of any of the categories set out in Appendix 3, a Requester must complete the prescribed request for access form attached as Appendix 4, and submit the completed form as well as payment of a request fee/deposit (if applicable), to the Information Officer at the postal or physical address, or electronic mail address stated in paragraph 5 above.

The request for access form must be completed with enough detail so as to enable the Information Officer to identify the following:

- the Record/s requested;
- the identity of the Requester;
- the form of access that is required, if the request is granted;
- the postal address or email address of the Requester;
- the right that the Requester is seeking to protect; and
- an explanation as to why the Record is necessary to exercise or protect such a right.

If, in addition to a written reply, the Requester wishes to be informed of the decision on the request in any other manner, they must state that manner and the necessary particulars to be so informed.

If a Request for Access is made on behalf of another person, the Requester must submit proof of the capacity in which the Requester is making the request to the reasonable satisfaction of the Information Officer.

The completed Request for Access, together with a certified copy of the Requester's identity document, must be addressed to the Information Officer and submitted via the contact details stated in paragraph 6 as indicated above.

Wet Nose Animal Rescue Centre will voluntarily provide the requested Records to a personal Requester (a person requesting Personal Information about themselves).

11. Fees

When the Request for Access is received by the Information Officer, the Information Officer will, by notice, require the requester, other than a personal requester, to pay the prescribed request fee (if any), before processing the request for access.

No fee is payable in respect of requests for access to personal information.

If the request for access is successful an access fee may be required for the search, reproduction and/or preparation of the record(s). This will be calculated based on the prescribed fees as set out in Appendix 5.

Payment details can be obtained from the Information Officer and can be made in cash or via a direct deposit (no credit card payments are accepted). Proof of payment must be supplied via the contact details stated in paragraph 4.

If a fee or deposit has been paid in respect of a request for access which is refused, the Information Officer will repay the fee or deposit to the requester.

12. Decision to grant access to records

The Information Officer will decide whether to grant or decline the request for access within 30 days of receipt of the request for access and must give notice to the requester with reasons (if required) to that effect.

The period may be extended for a further period of not more than 30 days if the Request for Access is for a large number of Records or the Request for Access requires a search for Records that cannot reasonably be obtained within the original 30-day period. The Information Officer will notify the Requester in writing should an extension of time as contemplated above be required.

13. Grounds for refusal of access to records in terms of PAIA

The grounds for refusal of a Request for Access in terms of PAIA are:

- mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person;
- mandatory protection of the commercial information of a third party, if the record contains:
 - trade secrets of that party;
 - financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that party;
 - information disclosed by a third party to the company if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
- mandatory protection of confidential information of third parties if it is protected in terms of any agreement – the provisions of the PAIA to apply in relation to the rights of the relevant third parties;
- where disclosure of the records could reasonably be expected to endanger the safety of an individual or the security of property;
- mandatory protection of Records which could be regarded as privileged in legal proceedings;
- where the Record contains commercial activities of Wet Nose Animal Rescue, which may include:
 - trade secrets; and
 - financial, commercial, scientific or technical information;
- which, if disclosed, would likely cause harm to the financial or commercial interests of Wet Nose Animal Rescue Centre.

14. Information or records not found

If the Information Officer cannot find the records requested despite reasonable and diligent efforts and believes that the Records are lost or that the records are in its possession but unattainable, the Information Officer will notify the Requester of this fact in the form of an affidavit setting out the measures taken to locate the Record and accordingly the inability to locate the Record.

15. Remedies available to the requester upon refusal of a request for access in terms of PAIA

The decision made by the Information Officer is the final internal decision. If a Requester is aggrieved by the refusal of the Information Officer to grant a request for a Record, the Requester may, upon notification of the Information Officer's decision (or upon deemed refusal in terms of Section 58 of the PAIA), lodge a complaint to the Information Regulator as set out in PAIA or apply to court for appropriate relief within the timeframes as prescribed by the PAIA.

APPENDIX A RECORDS HELD IN ACCORDANCE WITH OTHER LEGISLATION

Records are kept in accordance with legislation applicable to Wet Nose Animal Rescue Centre, which includes but is not limited to, the following

Auditing Professions Act, No 26 of 2005

Basic Conditions of Employment Act 75 of 1997 (and Amendment Act)

Broad-Based Black Economic Empowerment Act 53 of 2003 (and Amendment Act and Regulations)

Broad-Based Black Economic Empowerment Revised Codes of Good Practice 2014

Business Act, No 71 of 1991

Companies Act 71 of 2008

Compensation for Occupational Injuries and Diseases Act 130 of 1993

Competition Act 89 of 1998

Consumer Protection Act 68 of 2008

Constitution of the Republic of South Africa 2008

Copyright Act 98 of 1978

Criminal Procedure Act 51 of 1977

Electronic Communications Act, No 36 of 2005

Electronic Communications and Transactions Act 25 of 2002

Employment Equity Act 55 of 1998

Income Tax Act 58 of 1962

Intellectual Property Laws Amendment Act, No 38 of 1997

Labour Relations Act 66 of 1995 (and Amendment Act)

Occupational Health and Safety Act 85 of 1993

Prescription Act, No 68 of 1969

Prevention of Organised Crime Act, No 121 of 1998

Promotion of Access to Information Act, No 2 of 2000.

Protection of Personal Information Act, No. 4 of 2013

Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000

Protected Disclosures Act 26 of 2000 (and Amendment Bill)

Regulations on Interception of Communications and the Provisions of Communication Related to Information Act 70 of 2002

Short-term Insurance Act No. 53 of 1998



Skills Development Act 97 of 1998

Skills Development Levies Act 9 of 1999

The South African National Roads Agency Limited & National Roads Act 7 of 1998

Tax Administration Act 28 of 2011

Unemployment Insurance Contributions Act 4 of 2002

Value-Added Tax Act 89 of 1991

Whilst all reasonable endeavors have been made to provide a complete list of applicable legislation above, it is possible that the above list may be incomplete. Wherever it comes to the Group's attention that existing or new legislation allows a Requester access on a basis other than that set out in the PAIA, the above list will be updated.

APPENDIX B RECORDS HELD BY WET NOSE ANIMAL RESQUE CENTRE

The information contained in this section is intended to identify the main categories of records held by the company and to help the requester to gain a better understanding of the main business activities of the company. Records to which access will be provided in accordance with the PAIA (subject to the restrictions and right of refusal to access provided for in the PAIA) are available in respect of the following (non-exhaustive) aspects of the company's businesses and operations.

STATUTORY RECORDS

- Documents of incorporation
- Index of names of directors
- Memorandum of Incorporation
- Minutes of meetings of the Board of Directors
- Records relating to the appointment of directors / auditor / secretary
- Public officer and other officers
- Share register and other statutory registers
- Share certificates
- Shareholder agreements

FINANCIAL RECORDS

- Accounting records
- Annual financial statements
- Asset registers
- Bank statements
- Banking details and bank accounts
- Debtors / Creditors statements and invoices
- General ledgers and subsidiary ledgers
- General reconciliation
- Rental agreements
- Tax returns

INCOME TAX RECORDS

- PAYE Record
- Documents issued to employees for income tax purposes
- Records of payments made to SARS on behalf of employees
- All other statutory compliances:
 - VAT
 - Regional Services Levies
 - Skills Development Levies
 - UIF
 - Workmen's Compensation

HUMAN RESOURCES

- Accident books and records
- Address lists
- Disciplinary Code and Records
- Employee benefits arrangements rules and records
- Employment contracts
- Personnel information
- General terms and conditions of employment
- Leave Records
- Salary Records
- SETA Records
- Standard letters and notices
- Training Records

PROCUREMENT RECORDS

- Standard Terms and Conditions for supply of services and products
- Contractor, client, and supplier agreements
- Lists of suppliers, products, services, and distribution
- Policies and Procedures

SALES RECORDS

- Customer details
- Credit application information
- Information and records provided by a third-party

MARKETING

- Advertising and promotional material
- Proposal Documents
- New Business Development
- Brand Information Management
- Marketing Strategies
- Communication Strategies
- Client Relationship Programmes

RISK MANAGEMENT RECORDS

- Marketing Brochures
- Audit reports
- Risk management frameworks
- Risk management plans

HEALTH AND SAFETY

- Complete Safety, Health and Environment Risk Assessment
- Environmental Managements Plans
- Inquiries, inspections, examinations by environmental authorities

INFORMATION TECHNOLOGY

- Computer / mobile device usage policy documentation
- Disaster recovery plans
- Hardware asset registers
- Information security policies/standards/procedures
- Information technology systems and user manuals
- Information usage policy documentation
- Project implementation plans
- Software licensing
- System documentation and manuals.



OPERATIONS

- Access Control Records
- Agreements
- Archival Administration Documentation
- Communication Strategies
- Contracts
- General Correspondence
- Patents and Trademark Documents
- Insurance Documentation
- Service level agreements
- Travel Documentation
- Vehicle Registration Documents



APPENDIX C
 FORM 2: REQUEST FOR ACCESS TO RECORDS

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 (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		
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:	

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

<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

APPENDIX D
FORM 3: OUTCOME OF REQUEST AND FEES PAYABLE

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
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			
(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			
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 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

APPENDIX E FEES

All amounts listed are inclusive of Value added taxation at 15%.

The Request for Access fee payable by a Requester, other than a personal Requester, is R57.50.

The fees for reproduction referred to in regulation 11(1) are as follows:

	R
For every photocopy of an A4-size page or part thereof	1.27
For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0.86
For a copy in a computer-readable form (eg on compact disc, USB)	80.50
For a transcription of visual images, for an A4-size page or part thereof	46,00
For a copy of visual images	69,00
For a transcription of an audio Record, for an A4-size page or part thereof	23,00
For a copy of an audio Record	34.5

The access fees payable by a Requester referred to in regulation 11(3) are as follows:

For every photocopy of an A4-size page or part thereof	1.27
For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0.86
For a copy in a computer-readable form (eg on compact disc, USB)	80.5
For a transcription of visual images, for an A4-size page or part thereof	46.00
For a copy of visual images	69.00
For a transcription of an audio Record, for an A4-size page or part thereof	23.00
For a copy of an audio Record	34.50
To search for and prepare the Record for disclosure, R34.50 for each hour or part of an hour reasonably required for such search and preparation.	

For purposes of section 54(2) of PAIA, the following applies:

- Six hours is the estimated time to be exceeded before a deposit is payable;
- If applicable, one-third of the access fee is payable as a deposit by the Requester.
- The actual postage is payable when a copy of a Record must be posted to a Requester.