

PAIA and POPIA Manual

This Manual was prepared in accordance with section 51 of the Promotion of Access to Information Act, 2000 (as amended), and in order to address requirements of the Protection of Personal Information Act, 2013.

This Manual applies to [HemoCue South Africa (Pty) Ltd]

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1. Background to the Promotion of Access to Information Act

- 1.1. The Promotion of Access to Information Act, No. 2 of 2000 (as amended) (the “Act”) gives effect to the constitutional right of access to any information held by the state and any information that is held by another person and that is required for the exercise or protection of any rights in terms of section 32 of the Bill of Rights contained in the Constitution of the Republic of South Africa, 1996 (the “Constitution”)
- 1.2. In terms of section 51 of the Act, all private bodies are required to compile an Information Manual (“PAIA Manual”).
- 1.3. Where a request is made in terms of the Act, the body to whom the request is made is obliged to release the information, subject to applicable legislative and/or regulatory requirements, except where the Act expressly provides that the information may be adopted when requesting information from a public or private body.

2. Purpose of the PAIA Manual

- 2.1. The purpose of PAIA is to promote the right of access to information, to foster a culture of transparency and accountability within [HemoCue South Africa (Pty) Ltd] by giving the right to information that is required for the exercise or protection of any right, and to actively promote a society in which the people of South Africa have effective access to information to enable them to exercise and protect their rights.
- 2.2. 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 relation to public and private bodies.
- 2.3. Section 9 of the Act recognizes that the right to access information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:
 - 2.3.1. limitations aimed at the reasonable protection of privacy;
 - 2.3.2. commercial confidentiality; and
 - 2.3.3. effective, efficient and good governance;and in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.
- 2.4. This PAIA Manual complies with the requirements of guide mentioned in section 10 of the Act and

recognises that upon commencement of the Protection of Personal Information Act 4 of 2013 (“POPIA”), that the appointed Information Regulator will be responsible to regulate compliance with the Act and its regulations by private and public bodies.

**3. Contact Details of the [General Manager]
(Section 51(1)(a) of the Act)**

| | |
|-----------------------------|--|
| [Managing Director]: | Desiree Erasmus |
| Registered Address: | 19 Lanner Falcon Road, 0157, Samrand Centurion, South Africa |
| Postal Address: | [PO BOX 508, Pinegowrie, 2123] |
| Telephone Number: | [011 463 3509] |
| Website: | [hemocue.co.za] |

**4. The Information Officer
(Section 51(1)(b) of the Act)**

- 4.1. The Act prescribes the appointment of an Information Officer for public bodies where such Information Officer is responsible for, among other things, assessing requests for access to information. The head of a private body fulfils such a function in terms of section 51 of the Act. [HemoCue South Africa (Pty) Ltd] has opted to appoint an Information Officer to assess such a request for access to information as well as to oversee its required functions in terms of the Act.
- 4.2. The Information Officer appointed in terms of the Act also refers to the Information Officer as referred to in the POPIA. The Information Officer oversees the functions and responsibilities as required for in terms of both this Act, as well as the duties and responsibilities in terms of section 55 of POPIA after registering with the Information Regulator.
- 4.3. The Information Officer may appoint, where it is deemed necessary, Deputy Information Officers, as allowed in terms of section 17 of the Act, as well as section 56 of POPIA. This is in order to render [HemoCue South Africa (Pty) Ltd] as accessible as reasonable possible for requesters of its records and to ensure fulfilment of its obligations and responsibilities as prescribed in terms of

section 55 of POPIA. All request for information in terms of this Act must be addressed to the Information Officer. [Alternatively, all requests for access to records relating to [HemoCue South Africa (Pty) Ltd] may also be addressed to the Deputy Information Officer.]

5. Contact Details of the Information Officer

| | |
|-----------------------------|--|
| Information Officer: | [Desiree Erasmus] |
| Physical Address: | [19 Lanner Falcon Road, 0157, Samrand Centurion, South Africa] |
| Telephone Number: | [011 463 3509] |
| Email: | [privacy@hemocue.co.za] |

6. Contact Details of the Deputy Information Officer

| | |
|-----------------------------|-------------------------------|
| Information Officer: | [Annelien Vorster] |
| Physical Address: | [Remote worker; Western Cape] |
| Telephone Number: | [082 6529389] |
| Email: | [privacy@hemocue.co.za] |

**7. Information Regulator Guide
(Section 51(1) (b) of the Act)**

7.1. The Information Regulator has, in terms of section 10(1) of the Act compiled a guide, which contains information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act and POPIA (“Guide”). Accordingly, the aforesaid Guide contains a description of:

- 7.1.1. the objects of the Act and POPIA;
- 7.1.2. the postal and street address, phone and fax number and, if available, electronic mail address of: (a) the Information Officer of every public body, and (b) every Deputy Information Officer of every public and private body designated in terms of section 17(1) of the Act and section 56 of POPIA;
- 7.1.3. the manner and form of a request for: (a) access to a record of a public body contemplated in section 11; and (b) access to a record of a private body contemplated in section 50 (attached hereto as Appendix 2 (*Request for Access to Record*));
- 7.1.4. the assistance available from the Information Regulator in terms of the Act and POPIA;
- 7.1.5. all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by the Act and POPIA, including the manner of lodging: (a) an internal appeal; (b) a complaint to the Information Regulator; and (c) 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 Information Regulator or a decision of the head of a private body;
- 7.1.6. the provisions of sections 14 and 51 of the Act enquiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
- 7.1.7. the provisions of sections 15 and 52 of the Act providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 7.1.8. the notices issued in terms of sections 22 and 54 of the Act regarding fees to be paid in relation to requests for access; and
- 7.1.9. the regulations made in terms of section 92 of the Act.
- 7.2. 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 Information Regulator, during normal working hours.
- 7.3. The Guide can also be obtained free of charge: (a) upon request to the Information Officer; or from the website of the Information Regulator (<https://www.justice.gov.za/inforeg/>).
- 7.4. A copy of the Guide may directly be requested from the Information Officer. Alternatively, [HemoCue South Africa (Pty) Ltd] has also made available the Guide in the following two official languages, for public inspection during normal office hours: English, Afrikaans, Setswana,

Seshoto. IsiZulu, IsiXhosa].

7.5. The contact details of the Information Regulator are:

| | |
|---------------------------|---|
| Contact body: | The Information Regulator |
| Physical Address: | JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001 |
| Postal Address: | P.O Box 31533, Braamfontein, Johannesburg, 2017 |
| General enquiries: | enquiries@info regulator.org.za. |
| Complaints | PAIAComplaints@info regulator.org.za POPIAComplaints@info regulator.org.za |
| Web Site: | https://www.justice.gov.za/info reg/ |

**8. Notice in Terms of Section 52(2) of the Act
(Section 51(1)(c) of the Act)**

No notice has been published on the categories of records that are automatically available without a person having to request access in terms of Section 52(2) of PAIA.

**9. Subjects and Categories of Records Available only on Request to Access
(Section 51(1) (e) of the Act)**

9.1. Records held by [HemoCue South Africa (Pty) Ltd]

For the purposes of this paragraph 9.1, "Personnel" refers to any person who works for, or provides services to, or on behalf of [HemoCue South Africa (Pty) Ltd] and receives or is entitled to receive

remuneration and any other person who assist in carrying out or conducting the business of [HemoCue South Africa (Pty) Ltd]. This includes, without limitation, directors (executive and non-executive), all permanent, temporary and part-time staff, as well as contract workers. This paragraph serves as a reference to the categories of information that [HemoCue South Africa (Pty) Ltd] holds. The information is classified and grouped according to records relating to the following subjects and categories:

| Subject | Category |
|----------------------------------|--|
| Companies Act Records | <ul style="list-style-type: none"> • Documents of Incorporation • Index of names of Directors Memorandum of Incorporation • Minutes of meetings of the Board of Directors Minutes of meetings of Shareholders • Proxy forms • Register of debenture-holders • Register of directors' shareholdings • Share certificates • Share Register and other statutory registers and/or records and/or documents • Special resolutions/resolutions passed at General and Class meetings • Records relating to the appointment of: <ul style="list-style-type: none"> ○ Auditors ○ Directors. ○ Prescribed Officer ○ Public Officer ○ Secretary |
| Financial Records | <ul style="list-style-type: none"> • Accounting Records • Annual Financial Reports • Annual Financial Statements Asset Registers • Bank Statements • Banking details and bank accounts • Banking Records • Debtors / Creditors statements and invoices • General ledgers and subsidiary ledgers • General reconciliation • Invoices • Paid Cheques • Policies and procedures • Rental Agreements • Tax Returns |

| | |
|--|---|
| Income Tax Records | <ul style="list-style-type: none"> • PAYE Records • Documents issued to employees for income tax purposes • Records of payments made to SARS on behalf of employees • All other statutory compliances: <ul style="list-style-type: none"> ○ VAT ○ Regional Services ○ Skills Development Levies ○ UIF |
| Personnel Documents and Records | <ul style="list-style-type: none"> • Workmen's Compensation • Accident books and records • Address Lists • Disciplinary Code and Records • Employee benefits arrangements rules and records • Employment Contracts • Employment Equity Plan • Forms and Applications • Grievance Procedures • Leave Records • Medical Aid Records • Payroll reports/ Wage register • Pension Fund Records • Safety, Health and Environmental records • Salary Records • SETA records • Standard letters and notices • Training Manuals • Training Records • Workplace and Union agreements and records. |
| Procurement Department | <ul style="list-style-type: none"> • 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 Department | <ul style="list-style-type: none"> • Customer details • Credit application information • Information and records provided by a third party |

| | |
|--|--|
| Marketing Department | <ul style="list-style-type: none"> • Customer Relationship Management • Advertising and promotional material • Research, Clinical Trial records • Survey's, VOC and Poll's • Information and records provided by a third party • Policies and Procedures. |
| Risk Management and Audit | <ul style="list-style-type: none"> • Audit reports; • Risk management frameworks • Risk management plans • Policies and Procedures. |
| Safety, Health and Environment | <ul style="list-style-type: none"> • Safe disposal of hazardous material records • Service and maintenance records of fire extinguishers/ air cons / generator. • Fire Marshall information and • First- Aid information • Work environment and contamination Policy |
| IT Department | <ul style="list-style-type: none"> • 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. |
| Corporate Social Responsibility ("CSR") | <ul style="list-style-type: none"> • CSR schedule of projects/record of organisations that receive funding • Reports, books, publications and general information related to CSR spend • Records and contracts of agreement with funded organisations. |

Note that the accessibility of the records may be subject to the grounds of refusal set out in this PAIA Manual. Among others, records deemed confidential on the part of a third party, will necessitate permission from the third party concerned, in addition to normal requirements, before [HemoCue South Africa (Pty) Ltd] will consider access.

10. Records Available without a Request to Access in terms of the Act

- 10.1. Records of a public nature, typically those disclosed on the [HemoCue South Africa (Pty) Ltd] website and in its various annual reports, may be accessed without the need to submit a formal application.
- 10.2. Other non-confidential records, such as statutory records maintained at CIPC, may also be accessed without the need to submit a formal application, however, please note that an appointment to view such records will still have to be made with the Information Officer.
- 10.3. The categories of records of [HemoCue South Africa (Pty) Ltd] available without a person having to request access is as follows:

| Category of records | Types of the Record | Available on Website | Available upon request |
|---------------------|---------------------|----------------------|------------------------|
| | | X | X |
| | | | |

11. Description of the Records of HemoCue South Africa (Pty) Ltd, which are Available in Accordance with any other Legislation (Section 51(1) (d) of the Act)

- 11.1. Where applicable to its operations, [HemoCue South Africa (Pty) Ltd] also retains records and documents in terms of the legislation below. Unless disclosure is prohibited in terms of legislation, regulations, contractual agreement or otherwise, records that are required to be made available in terms of these acts shall be made available for inspection by interested parties in terms of the requirements and conditions of the Act; the legislation listed in Appendix 1 and applicable internal policies and procedures, should such interested parties be entitled to such information. A request to access must be done in accordance with the prescriptions of the Act.

11.2. It is further recorded that the accessibility of documents and records may be subject to the grounds of refusal set out in this PAIA Manual.

12. Detail to Facilitate a Request for Access to a Record of [HemoCue South Africa (Pty) Ltd] (Section 51(1) (e) of the Act)

12.1. The requester must comply with all the procedural requirements contained in the Act relating to the request for access to a record.

12.2. The requester must complete the prescribed form enclosed herewith, and submit same as well as payment of a request fee and a deposit (if applicable) to the Information Officer or the Deputy Information Officer at the postal or physical address, fax number or electronic mail address as noted in paragraph 5 above.

12.3. The prescribed form must be filled in with sufficient information to enable the Information Officer to identify:

- a. the record or records requested; and
- b. the identity of the requester.

12.4. The requester should indicate which form of access is required and specify a postal address or fax number of the requester in the Republic.

12.5. The requester must state that he/she requires the information in order to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. The requester must clearly specify why the record is necessary to exercise or protect such a right (section 53(2)(d) of the Act).

12.6. [HemoCue South Africa (Pty) Ltd] will process the request within 30 (thirty) days, unless the requester has stated special reasons to the satisfaction of the Information Officer that circumstances dictate that the above time periods not be complied with.

12.7. The requester shall be advised whether access is granted or denied in writing. If, in addition, the requester requires the reasons for the decision in any other manner, the requester will be obliged to state which manner and the particulars required.

12.8. If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the Information Officer (section 53(2)(f) of the Act).

- 12.9. If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.
- 12.10. The requester must pay the prescribed fee, before any further processing can take place.
- 12.11. All information as listed in this paragraph 11 should be provided and failing which the process will be delayed until the required information is provided. The prescribed time periods will not commence until the requester has furnished all the necessary and required information. The Information Officer shall sever a record, if possible, and grant only access to that portion requested and which is not prohibited from being disclosed.

13. Refusal of Access to Records

13.1. Grounds to Refuse Access

A private body such as [HemoCue South Africa (Pty) Ltd] is entitled to refuse a request for information.

- 13.1.1. The main grounds for [HemoCue South Africa (Pty) Ltd] to refuse a request for information relates to the:
- a. mandatory protection of the privacy of a third party who is a natural person or a deceased person (section 63 of the Act) or a juristic person, as included in POPIA, which would involve the unreasonable disclosure of personal information of that natural or juristic person;
 - b. mandatory protection of personal information and for disclosure of any personal information to, in addition to any other legislative, regulatory or contractual agreements, comply with the provisions of POPIA;
 - c. mandatory protection of the commercial information of a third party (section 64 of the Act) if the record contains:
 - i. trade secrets of the third party;
 - ii. financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;
 - iii. information disclosed in confidence by a third party to HemoCue South Africa (Pty) Ltd], if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
 - d. mandatory protection of confidential information of third parties (section 65 of the Act) if it is protected in terms of any agreement;

- e. mandatory protection of the safety of individuals and the protection of property (section 66 of the Act);
 - f. mandatory protection of records which would be regarded as privileged in legal proceedings (section 67 of the Act).
- 13.1.2. The commercial activities (section 68 of the Act) of a private body, such as [HemoCue South Africa (Pty) Ltd], which may include:
- a. trade secrets of [HemoCue South Africa (Pty) Ltd];
 - b. financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of [HemoCue South Africa (Pty) Ltd];
 - c. information which, if disclosed could put [HemoCue South Africa (Pty) Ltd] at a
 - d. disadvantage in negotiations or commercial competition;
 - e. a computer program which is owned by [HemoCue South Africa (Pty) Ltd], and which is protected by copyright;
 - f. the research information (section 69 of the Act) of [HemoCue South Africa (Pty) Ltd] or a third party, if its disclosure would disclose the identity of [HemoCue South Africa (Pty) Ltd], the researcher or the subject matter of the research and would place the research at a serious disadvantage.
- 13.1.3. Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.
- 13.1.4. All requests for information will be assessed on their own merits and in accordance with the applicable legal principles and legislation.
- 13.1.5. If a requested record cannot be found or if the record does not exist, the Information Officer shall, by way of an affidavit or affirmation, notify the requester that it is not possible to give access to the requested record. Such a notice will be regarded as a decision to refuse a request for access to the record concerned for the purpose of the Act. If the record should later be found, the requester shall be given access to the record in the manner stipulated by the requester in the prescribed form, unless the Information Officer refuses access to such record.

14. Remedies Available When [HemoCue South Africa (Pty) Ltd] Refuses a Request

14.1. Internal Remedies

[HemoCue South Africa (Pty) Ltd] does not have internal appeal procedures. The decision made by the Information Officer is final. Requesters will have to exercise such external remedies at their disposal if the request for information is refused, and the requestor is not satisfied with the answer supplied by the Information Officer.

14.2. External Remedies

- 14.2.1. A requestor that is dissatisfied with the Information Officer's refusal to disclose information, may within 30 (thirty) days of notification of the decision, may apply to a Court for relief.
- 14.2.2. A third party dissatisfied with the Information Officer's decision to grant a request for information, may within 30 (thirty) days of notification of the decision, apply to a Court for relief.

For purposes of the Act, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status and a Magistrate's Court designated by the Minister of Justice and Constitutional Development and which is presided over by a designated Magistrate.

15. Access to Records Held by [HemoCue South Africa (Pty) Ltd]

15.1. Prerequisites for Access by Personal / Other Requester

- 15.1.1. Records held by [HemoCue South Africa (Pty) Ltd] may be accessed by requests only once the prerequisite requirements for access have been met.
- 15.1.2. A requester is any person making a request for access to a record of [HemoCue South Africa (Pty) Ltd]. There are two types of requesters:
 - a. Personal Requester
 - i. A personal requester is a requester who is seeking access to a record containing personal information about the requester.
 - ii. [HemoCue South Africa (Pty) Ltd] will voluntarily provide the requested information, or give access to any record with regard to the requester's personal information. The prescribed fee for reproduction of the information requested will be charged.
 - b. Other Requester
 - i. This requester (other than a personal requester) is entitled to request access to information on third parties.
 - ii. In considering such a request, [HemoCue South Africa (Pty) Ltd] will adhere to the

provisions of the Act. Section 71 of the Act requires that the Information Officer take all reasonable steps to inform a third party to whom the requested record relates of the request, informing him/her that he/she may make a written or oral representation to the Information Officer why the request should be refused or, where required, give written consent for the disclosure of the Information.

- 15.1.3. [HemoCue South Africa (Pty) Ltd] is not obliged to voluntarily grant access to such records. The requester must fulfil the prerequisite requirements, in accordance with the requirements of the Act and as stipulated in Chapter 5; Part 3, including the payment of a request and access fee.

16. Prescribed Fees (Section 51 (1) (f) of the Act)

16.1. Fees Provided by the Act

16.1.1. The Act provides for two types of fees, namely:

- a. A request fee, which is a form of administration fee to be paid by all requesters except personal requesters, before the request is considered and is not refundable; and
- b. An access fee, which is paid by all requesters in the event that a request for access is granted. This fee is inclusive of costs involved by the private body in obtaining and preparing a record for delivery to the requester.

- 16.1.2. When the request is received by the Information Officer, such officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee, before further processing of the request (section 54(1) of the Act).

- 16.1.3. If the search for the record has been made and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the Information Officer shall notify the requester to pay as a deposit the prescribed portion of the access fee which would be payable if the request is granted (see Appendix 6 (*Outcome of Request and Fees Payable*) will need to be completed.)

- 16.1.4. The Information Officer shall withhold a record until the requester has paid the fees as indicated below.

- 16.1.5. A requester whose request for access to a record has been granted, must pay an access fee that is calculated to include, where applicable, the request fee, the process fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to

make it available in the request form.

- 16.1.6. If a deposit has been paid in respect of a request for access, which is refused, then the Information Officer concerned must repay the deposit to the requester.

17. Fees in Respect of Private Bodies

- 17.1. Where [HemoCue South Africa (Pty) Ltd] has voluntarily provided the Minister with a list of categories of records that will automatically be made available to any person requesting access thereto, the only charge that may be levied for obtaining such records, will be a fee for reproduction of the record in question.

| Item | Description | Amount |
|------|--|---|
| 1. | The request fee payable by every requester | R140.00 |
| 2. | Photocopy/printed black & white copy of A4-size page | R2.00 per page or part thereof. |
| 3. | Printed copy of A4-size page | R2.00 per page or part thereof. |
| 4. | For a copy in a computer-readable form on: (iii) Flash drive (to be provided by requestor) (iv) Compact disc <ul style="list-style-type: none"> • If provided by requestor • If provided to the requestor | R40.00 R40.00 R60.00 |
| 5. | For a transcription of visual images per A4-size page | Service to be outsourced. Will depend on quotation from Service Provider. |
| 6. | Copy of visual images | |
| 7. | Transcription of an audio record, per A4-size page | R24.00 |
| 8. | Copy of an audio record on: (v) Flash drive (to be provided by requestor) (vi) Compact disc <ul style="list-style-type: none"> • If provided by requestor • If provided to the requestor | R40.00 R40.00 R60.00 |
| 9. | To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation. To not exceed a total cost of | R145.00 R435.00 |

| Item | Description | Amount |
|------|--|--|
| 10. | Deposit: If search exceeds 6 hours | One third of amount per request calculated in terms of items 2 to 8. |
| 11. | Postage, e-mail or any other electronic transfer | Actual expense, if any. |

17.1.1. All fees are subject to change as allowed for in the Act and as a consequence such escalations may not always be immediately available at the time of the request being made. Requesters shall be informed of any changes in the fees prior to making a payment.

18. Decision

18.1. Time Allowed to Institution

18.1.1. [HemoCue South Africa (Pty) Ltd] will, within 30 (thirty) days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.

18.1.2. The 30 (thirty) day period within which [HemoCue South Africa (Pty) Ltd] has to decide whether to grant or refuse the request, may be extended for a further period of not more than (30) thirty days if the request is for a large number of information, or the request requires a search for information held at another office of [HemoCue South Africa (Pty) Ltd] and the information cannot reasonably be obtained within the original 30 (thirty) day period.

18.1.3. [HemoCue South Africa (Pty) Ltd] will notify the requester in writing should an extension be sought.

19. Protection of Personal Information that is Processed by [HemoCue South Africa (Pty) Ltd]

19.1. Chapter 3 of POPIA provides for the minimum Conditions for Lawful Processing of Personal Information by a Responsible Party. These conditions may not be derogated from unless specific exclusions apply as outlined in POPIA.

19.2. [HemoCue South Africa (Pty) Ltd] needs Personal Information relating to both individual and juristic persons in order to carry out its business and organisational functions. The purpose for which Personal Information is processed by [HemoCue South Africa (Pty) Ltd] will depend on the nature of the information. In general, Personal Information is processed by [HemoCue South Africa (Pty) Ltd] for conducting business, including, but not limited to: (i) deliver products, services or information; (ii) assist with matters relating to [HemoCue South Africa (Pty) Ltd] products and services; (iii) improve and better understand preferences in respect of AWS' products and services; or (iv) fulfil [HemoCue South Africa (Pty) Ltd] regulatory obligations.

19.3. [HemoCue South Africa (Pty) Ltd] is accordingly a Responsible Party for the purposes of POPIA and will ensure that the Personal Information of a Data Subject:

19.3.1. is processed lawfully, fairly and transparently. This includes the provision of appropriate information to Data Subjects when their data is collected by [HemoCue South Africa (Pty) Ltd], in the form of privacy or data collection notices. [HemoCue South Africa (Pty) Ltd] must also have a legal basis (forexample, consent) to process Personal Information;

19.3.2. is processed only for the purposes for which it was collected;

19.3.3. will not be processed for a secondary purpose unless that processing is compatible with the original purpose.

19.3.4. is adequate, relevant and not excessive for the purposes for which it was collected;

19.3.5. is accurate and kept up to date;

19.3.6. will not be kept for longer than necessary;

19.3.7. is processed in accordance with integrity and confidentiality principles; this includes physical and organisational measures to ensure that Personal Information, in both physical and electronic form, are subject to an appropriate level of security when stored, used and communicated by [HemoCue South Africa (Pty) Ltd], in order to protect against access and acquisition by unauthorized persons and accidental loss, destruction or damage;

19.3.8. is processed in accordance with the rights of Data Subjects, where applicable. Data Subjects have the right to:

- (a) be notified that their Personal Information is being collected by [HemoCue South Africa (Pty) Ltd]. The Data Subject also has the right to be notified in the event of a data breach;
- (b) know whether [HemoCue South Africa (Pty) Ltd] holds Personal Information about them, and to access that information. Any request for information must be handled in accordance with the provisions of this Manual;
- (c) request the correction or deletion of inaccurate, irrelevant, excessive, out of date, incomplete, misleading or unlawfully obtained personal information;
- (d) object to [HemoCue South Africa (Pty) Ltd]'s use of their Personal Information and request the deletion of such Personal Information (deletion would be subject to [HemoCue South Africa (Pty) Ltd]'s record keeping requirements);

- (e) object to the processing of Personal Information for purposes of direct marketing by means of unsolicited electronic communications; and
- (f) complain to the Information Regulator regarding an alleged infringement of any of the rights protected under POPIA and to institute civil proceedings regarding the alleged non-compliance with the protection of his, her or its personal information.

19.4. Purpose of the Processing of Personal Information by the Company

As outlined above, Personal Information may only be processed for a specific purpose. The purposes for which [HemoCue South Africa (Pty) Ltd] processes or will process Personal Information is set out in Part 1 of Appendix 3.

19.5. Categories of Data Subjects and Personal Information/Special Personal Information

As per section 1 of POPIA, a Data Subject may either be a natural or a juristic person. Part 2 of Appendix 3 sets out the various categories of Data Subjects that [HemoCue South Africa (Pty) Ltd] Processes Personal Information on and the types of Personal Information relating thereto.

19.6. Recipients of Personal Information

Part 3 of Appendix 3 outlines the recipients to whom [HemoCue South Africa (Pty) Ltd] may provide a Data Subjects Personal Information to.

19.7. Cross-border flows of Personal Information

19.7.1. Section 72 of POPIA provides that Personal Information may only be transferred out of the Republic of South Africa if the:

- a. recipient country can offer such data an “adequate level” of protection. This means that its data privacy laws must be substantially similar to the Conditions for Lawful Processing as contained in POPIA; or
- b. Data Subject consents to the transfer of their Personal Information; or
- c. transfer is necessary for the performance of a contractual obligation between the Data Subject and the Responsible Party; or
- d. transfer is necessary for the performance of a contractual obligation between the Responsible Party and a third party, in the interests of the Data Subject; or
- e. the transfer is for the benefit of the Data Subject, and it is not reasonably practicable to

obtain the consent of the Data Subject, and if it were, the Data Subject, would in all likelihood provide such consent.

19.7.2. Part 4 of Appendix 3 sets out the planned cross-border transfers of Personal Information and the condition from above that applies thereto.

19.8. Description of information security measures to be implemented by [HemoCue South Africa (Pty) Ltd]

Part 5 of Appendix 3 sets out the types of security measures to be implemented by [HemoCue South Africa (Pty) Ltd] in order to ensure that Personal Information is respected and protected. A preliminary assessment of the suitability of the information security measures implemented or to be implemented by [HemoCue South Africa (Pty) Ltd] may be conducted in order to ensure that the Personal Information that is processed by [HemoCue South Africa (Pty) Ltd] is safeguarded and Processed in accordance with the Conditions for Lawful Processing.

19.9. Objection to the Processing of Personal Information by a Data Subject

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 Information in the prescribed form attached to this manual as Appendix 4 subject to exceptions contained in POPIA.

19.10. Request for correction or deletion of Personal Information

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 in the prescribed form attached as Appendix 5 to this Manual.

20. Availability and Updating of the PAIA Manual

20.1.1. The [Deputy Information Officer] of [HemoCue South Africa (Pty) Ltd] will on a regular basis update this manual.

20.1.2. This PAIA Manual of [HemoCue South Africa (Pty) Ltd] is available to view at its premises and on its website.

Issued by

(Desiree Erasmus)

Appendix 1: List of Legislation*

Note: Please specify all the records which are created and available in accordance with any of the South African legislation. Below is an example of the table that can be used in describing the records and applicable legislation.

| Category of Records | Applicable Legislation |
|-----------------------------|--|
| PAIA Manual | Promotion of Access to Information Act 2 of 2000 |
| Memorandum of incorporation | Companies Act 71 of 2008 |
| | |
| | |
| | |

*While [HemoCue South Africa (Pty) Ltd] has used its best endeavors to supply a list of applicable legislation along with the relevant category of records, it is possible that this list may be incomplete, and/or may need to be supplemented from time-to-time. Whenever it comes to [HemoCue South Africa (Pty) Ltd] attention that existing or new legislation allows a Requester access on a basis other than as set out in the Act, [HemoCue South Africa (Pty) Ltd] shall update the list accordingly. If a Requester believes that a right of access to a record exists in terms of other legislation listed above or any other legislation, the Requester is required to indicate what legislative right the request is based on, to allow the Information Officer the opportunity of considering the request in light thereof.

Appendix 2: Request for Access to Record

FORM 2

[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 <i>(if applicable)</i> : | | | | |
| Identity number: | | | | |
| Postal Address: | | | | |
| Street Address: | | | | |
| E-mail Address: | | | | |
| | 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. | | | | |
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|--|--|
| | |
| 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 or virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i> | |
| Copy of record on flash drive <i>(including virtual images and soundtracks)</i> | |
| Copy of record on computer disk <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> | |
| 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

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

| | |
|--|--|
| 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) *A request fee must be paid before the request will be considered.*
- b) *You will be notified of the amount of the access fee to be paid.*
- c) *The fee payable for access to a record depends on the form in which access is requires and the reasonable time required to search for and prepare a record.*
- d) *If you qualify for exemption of the payment of any fee, please state the reason for exemption.*

| | |
|--|--|
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| | |

| | |
|---------|--|
| Reason: | |
| | |
| | |
| | |
| | |

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

| Postal address | Facsimile | Electronic communication <i>(Please specify)</i> |
|----------------|-----------|---|
| | | |

Signed at _____ this _____ day of _____ 20 _____

Signature of requester/person on whose behalf request is made

FOR OFFICIAL USE

| | |
|--|--|
| Reference number: | |
| Request received by: <i>(state rank, name and surname of information officer)</i> | |
| Date received: | |
| Access fees: | |
| Deposit (if any): | |

Signature of information officer

Appendix 3: Personal Information

Part 1 - Processing of Personal Information in Accordance with POPIA

For consumers:

- Performing duties in terms of any agreement with consumers
- Make, or assist in making, credit decisions about consumers
- Operate and manage consumers' accounts and manage any application, agreement or correspondence consumers may have with [HemoCue South Africa (Pty) Ltd]
- Communicating (including direct marketing) with consumers by email, SMS, letter, telephone or in any other way about [HemoCue South Africa (Pty) Ltd]'s products and services, unless consumers indicate otherwise
- To form a view of consumers as individuals and to identify, develop or improve products, that may be of interest to consumers
- Carrying out market research, business and statistical analysis
- Performing other administrative and operational purposes including the testing of systems
- Recovering any debt consumers may owe [HemoCue South Africa (Pty) Ltd]
- Complying with [HemoCue South Africa (Pty) Ltd]'s regulatory and other obligations
- Any other reasonably required purpose relating to [HemoCue South Africa (Pty) Ltd] business

For prospective consumers:

- Verifying and updating information
- Pre-scoring
- Direct marketing
- Any other reasonably required purpose relating to the processing of a prospect's personal information reasonably related to the [HemoCue South Africa (Pty) Ltd]'s business.

For employees:

- The same purposes as for consumers (above)
- Verification of applicant employees' information during recruitment process
- General matters relating to employees:
 - Pension
 - Medical aid
 - Payroll
 - Disciplinary action
 - Training
- Any other reasonably required purpose relating to the employment or possible employment relationship.

For vendors /suppliers /other businesses:

- Verifying information and performing checks;
- Purposes relating to the agreement or business relationship or possible agreement or business relationships between the parties;

- Payment of invoices;
- Complying with [HemoCue South Africa (Pty) Ltd]'s regulatory and other obligations; and
- Any other reasonably required purpose relating to [HemoCue South Africa (Pty) Ltd] business.

Part 2 - Categories of Data Subjects and Categories of Personal Information relating thereto

Employees

- Name and contact details
- Identity number and identity documents including passports
- Employment history and references
- Banking and financial details
- Details of payments to third parties (deductions from salary)
- Employment contracts
- Employment equity plans
- Medical aid records
- Pension Fund records
- Remuneration/salary records
- Performance appraisals
- Disciplinary records
- Leave records
- Training records

Consumers and prospective consumers (which may include employees)

- Postal and/or street address
- title and name
- contact numbers and/or e-mail address
- ethnic group
- employment history
- age
- gender
- marital status
- nationality
- language
- financial information
- identity or passport number
- browsing habits and click patterns on [HemoCue South Africa (Pty) Ltd] websites.

Vendors /suppliers /other businesses:

- Name and contact details
- Identity and/or company information and directors' information

- Banking and financial information
- Information about products or services
- Other information not specified, reasonably required to be processed for business operations

Part 3 - Recipients of Personal Information

- Any firm, organization or person that [HemoCue South Africa (Pty) Ltd] uses to collect payments and recover debts or to provide a service on its behalf
- Any firm, organization or person that/who provides [HemoCue South Africa (Pty) Ltd] with products or services
- Any payment system [HemoCue South Africa (Pty) Ltd] uses
- Regulatory and governmental authorities or ombudsmen, or other authorities, including tax authorities, where [HemoCue South Africa (Pty) Ltd] has a duty to share information
- Third parties to whom payments are made on behalf of employees
- Financial institutions from whom payments are received on behalf of data subjects
- Any other operator not specified
- Employees, contractors and temporary staff
- Agents

Part 4 – Cross border transfers of Personal Information

Personal Information may be transmitted transborder to [HemoCue South Africa (Pty) Ltd]'s suppliers in other countries, and Personal Information may be stored in data servers hosted outside South Africa, which may not have adequate data protection laws. [HemoCue South Africa (Pty) Ltd] will endeavor to ensure that its dealers and suppliers will make all reasonable efforts to secure said data and Personal Information.

Part 5 – Description of information security measures

[HemoCue South Africa (Pty) Ltd] undertakes to institute and maintain the data protection measures to accomplish the following objectives outlined below. The details given are to be interpreted as examples of how to achieve an adequate data protection level for each objective. [HemoCue South Africa (Pty) Ltd] may use alternative measures and adapt to technological security development, as needed, provided that the objectives are achieved.

1. Access Control of Persons

[HemoCue South Africa (Pty) Ltd] shall implement suitable measures in order to prevent unauthorized persons from gaining access to the data processing equipment where the data are processed.

2. Data Media Control

[HemoCue South Africa (Pty) Ltd] undertakes to implement suitable measures to prevent the unauthorized manipulation of media, including reading, copying, alteration or removal of the data media used by [HemoCue South Africa (Pty) Ltd] and containing personal data of Customers.

3. Data Memory Control

[HemoCue South Africa (Pty) Ltd] undertakes to implement suitable measures to prevent unauthorized input

into data memory and the unauthorized reading, alteration or deletion of stored data.

4. User Control

[HemoCue South Africa (Pty) Ltd] shall implement suitable measures to prevent its data processing systems from being used by unauthorized persons by means of data transmission equipment.

5. Access Control to Data

[HemoCue South Africa (Pty) Ltd] represents that the persons entitled to use [HemoCue South Africa (Pty) Ltd]'s data processing system are only able to access the data within the scope and to the extent covered by their respective access permissions (authorization).

6. Transmission Control

[HemoCue South Africa (Pty) Ltd] shall be obliged to enable the verification and tracing of the locations / destinations to which the personal information is transferred by utilization of [HemoCue South Africa (Pty) Ltd]'s data communication equipment / devices.

7. Transport Control

[HemoCue South Africa (Pty) Ltd] shall implement suitable measures to prevent Personal Information from being read, copied, altered or deleted by unauthorized persons during the transmission thereof or during the transport of the data media.

8. Organization Control

[HemoCue South Africa (Pty) Ltd] shall maintain its internal organization in a manner that meets the requirements of this Manual.

Appendix 4: Objection to the Processing of Personal Information in terms of Section 11(3) of POPIA

Regulations Relating to The Protection of Personal Information, 2018

Note:

- 1 Affidavits or other documentary evidence as applicable in support of the objection may be attached.
- 2 If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.
- 3 Complete as is applicable

| | |
|---|--|
| A | DETAILS OF DATA SUBJECT |
| Name(s) and surname/ registered name of data subject: | |
| Unique Identifier/ Identity Number | |
| Residential, postal or business address: | |
| Contact number(s): | |
| Fax number / E-mail address: | |
| B | DETAILS OF RESPONSIBLE PARTY |
| Name(s) and surname/ registered name of data subject: | |
| Residential, postal or business address: | |
| Contact number(s): | |
| Fax number / E-mail address: | |
| C | REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f) (Please provide detailed reasons for the objection) |
| | |

Signed at this day of 20...

.....
Signature of data subject/designated person

Appendix 5: Request for Correction or Deletion of Personal Information or Destroying or Deletion of Record of Personal Information in terms of Section 24(1) of POPIA

Regulations Relating to the Protection of Personal Information, 2018

[Regulation 3]

Note:

1. Affidavits or other documentary evidence as applicable in support of the request may be attached.
2. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.
3. Complete as is applicable.

Mark the appropriate box with an "x". Request for:

- Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.
- Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorized to retain the record of information

| A | Details of Data Subject |
|---|-------------------------------------|
| Name(s) and surname/ registered name of data subject: | |
| Unique Identifier/ Identity Number | |
| Residential, postal or business address: | |
| Contact number(s): | |
| Fax number / E-mail address: | |
| B | Details of Responsible Party |
| Name(s) and surname/ registered name of data subject: | |
| Residential, postal or business address: | |
| Contact number(s): | |

| | |
|------------------------------|---|
| Fax number / E-mail address: | |
| C | Reasons for Objection in Terms of Section 11(1)(D) to (F) (Please Provide Detailed Reasons for The Objection) |
| | |
| D | Reasons for Correction or Deletion of the Personal Information about the Data Subject in Terms of Section 24(1)(a) which is in Possession or Under the Control of the Responsible Party; and or Reasons for Destruction or Deletion of a Record of Personal Information about the Data Subject in Terms of Section 24(1)(b) which the Responsible Party is no longer Authorized to Retain. (Please Provide Detailed Reasons for the Request) |
| | |

Appendix 6: Outcome of Request and Fees Payable

**FORM 3
[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. | |
|--|--|

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 a 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 <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> | |

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 <ul style="list-style-type: none"> To be provided by requestor | R40.00 | | |
| (ii) Compact disc <ul style="list-style-type: none"> If provided by requestor If provided to the requestor | R40.00 R60.00 | | |
| For a transcript of visual images per A4-size page | Service to be outsourced. Will depend on the | | |

| | | | |
|---|-----------------------------------|--|--|
| Copy of visual images | quotation of the service provider | | |
| 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 | | | |
| • If provided by requestor | R40.00 | | |
| • If provided to the requestor | R60.00 | | |
| 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 <i>(calculated on one third of total amount per request)</i> | |
|-----------------|--|---|--|

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