Dated: 16 November 2023

COMPILED IN COMPLIANCE WITH SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000

FOR: DDP SPECIALTY PRODUCTS SOUTH ARICA PROPRIETARY LIMITED

PROMOTION OF ACCESS TO INFORMATION MANUAL

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Clause

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1. BACKGROUND

- 1.1 The Promotion of Access to Information Act 2 of 2000 (the "**Act**") provides for the constitutional right of access to any information held by the State or another person. The information requested must be required for the exercise or protection of any right of the person requesting the information.
- 1.2 The Protection of Personal Information Act 4 of 2013 ("**POPIA**") provides for the protection of Personal Information Processed by public and private bodies and the regulation thereof. POPIA has amended portions of the Act and has established the Information Regulator, which is empowered to monitor and enforce compliance with POPIA and the Act.
- 1.3 Section 51 of the Act requires that all private bodies compile a manual providing for the procedure to request information held by such private body, as well as certain information regarding the Processing of Personal Information.
- 1.4 Should a request be made in terms of the Act, the body to whom the request is made, subject to the provisions of this Manual, other applicable legislative and/or regulatory requirements, is obliged to release the information.

2. GENERAL

- 2.1 DDP Specialty Products South Africa Proprietary Limited ("**DDP**") conducts business as a supplier of water purification and separation solutions, and marketing of personal protective equipment.
- 2.2 This Manual has been prepared in accordance with section 51 of the Act.
- 2.3 The aim of this Manual is to facilitate requests for access to certain records and information held by DDP and to assist potential Requesters as to the procedure to be followed when requesting access to such records and information.
- 2.4 Reference to any information in this Manual in addition to that specifically required in terms of section 51 of the Act does not create any right or entitlement to receive such information, other than in terms of the Act.
- 2.5 This Manual does not purport to be exhaustive of, or comprehensively deal with, every procedure provided for in the Act. A Requester is advised to familiarise himself with the provisions of the Act before lodging any request with DDP.

3. **INTERPRETATION AND DEFINITIONS**

In this Manual:

- 3.1 words and expressions defined in the Act and/or POPIA and which are not defined herein shall have the meanings given to them in the Act and/or POPIA;
- 3.2 where any term is defined within a particular paragraph other than this paragraph 3, that term shall bear the meaning ascribed to it in that paragraph wherever it is used in this Manual;
- 3.3 For the purposes of this Manual, unless the context requires otherwise:
 - 3.3.1 the singular shall include the plural and vice versa;
 - 3.3.2 reference to one gender shall include the other gender; and
 - 3.3.3 unless expressly stated, reference to a person shall include a natural, an artificial or juristic person.
- 3.4 paragraph headings in this Manual are inserted for convenience only and shall not be taken into account for the purposes of its interpretation.

- 3.5 any reference to any statute, regulation or other legislation shall be a reference to that statute, regulation or other legislation as at the release date of this Manual, and as amended or substituted from time to time.
- 3.6 if any provision in a definition is a substantive provision, conferring rights or imposing obligations on any party, notwithstanding that such provision is only contained in the relevant definition, effect shall be given to that provision as if it were a substantive provision in the body of this Manual.
- 3.7 unless the context indicates a contrary intention, the following words and expressions shall bear the meanings assigned to them hereunder and cognate words and expressions shall bear corresponding meanings:

"Data Subject"	as defined in section 1 of POPIA
"Head of DDP"	the managing executives of DDP
"Information Officer"	the person duly authorised and appointed to facilitate and/or assist the Head of DDP as applicable, with any request in terms of the Act
"Information Regulator"	the information regulator established in terms of section 39 of POPIA
"Manual"	this document, as amended from time to time, as issued by DDP
"Personal Information"	as defined in section 1 of POPIA
"Processing"	as defined in section 1 of POPIA, and " Process " shall be construed accordingly
"Requester"	in relation to DDP, any person including a public body or official thereof, making a request for access to a record of DDP, or a person acting on behalf of such person

4. **CONTACT DETAILS**

4.1 **DDP**:

Head of DDP:	Ajen Maharaj
Contact number:	010 691 0031
Email:	ajen.maharaj@dupont.com

Information Officer:Patricia NtsekheContact number:082 305 6279Email:patricia.ntsekhe@dupont.com

Registration number: 2016/486112/07

Postal address: Physical Address: Telephone number: PO Box 3332 Halfway House, 1685 Level 1, Block B, 34 Whiteley Road , Melrose Arch - 2196 010 691 0042

Website:

https://www.dupont.co.za

5. THE INFORMATION REGULATOR GUIDE

The Information Regulator has compiled a guide, as contemplated in section 10 of the Act, containing information to assist any person who wishes to exercise any right as

contemplated in the Act, which may be obtained by any person from the Information Regulator's website at <u>https://www.inforegulator.org.za/</u> and any enquiries regarding the guide may be directed to:

Information Regulator:

Chief Executive Officer: Contact Person: Email:	Mr. Mosalanyane Mosala Ms. Pfano Nenweli <u>PNenweli@justice.gov.za</u>
Physical Address:	JD House, 27 Stiemens Street Braamfontein Johannesburg 2017
Postal Address	P.O Box 31533 Braamfontein Johannesburg 2017
Telephone:	010 023 5200
Website:	https://www.inforegulator.org.za/
Email:	enquiries@inforegulator.org.za PAIAComplaints@inforegulator.org.za PAIACompliance@inforegulator.org.za

6. **RECORDS AVAILABLE IN TERMS OF SECTION 51(1)(d) OF THE ACT**

- 6.1 To the extent applicable, DDP keeps such information and documents as may be required in terms of, but not limited to, the legislation listed below. Unless disclosure is prohibited in terms of the Act, other legislation, regulations, contractual agreements or otherwise and provided such interested parties are entitled thereto, records that are required to be made available in terms of the applicable statutes (as amended) shall be made available for inspection by interested parties in terms of the requirements and conditions of the Act, applicable internal policies and procedures.
 - 6.1.1 Basic Conditions of Employment Act 75 of 1997
 - 6.1.2 Companies Act 71 of 2008
 - 6.1.3 Compensation of Occupational Injuries and Diseases Act 130 of 1993;
 - 6.1.4 Competition Act 89 of 1998;
 - 6.1.5 Constitution of the Republic of South Africa 1996;
 - 6.1.6 Copyright Act 98 of 1978;
 - 6.1.7 Customs and Exercise Act 91 of 1964;
 - 6.1.8 Consumer Protection Act 68 of 2008;
 - 6.1.9 Electronic Communications and Transactions Act 25 of 2002;
 - 6.1.10 Employment Equity Act 55 of 1998;
 - 6.1.11 Financial Intelligence Centre Act 38 of 2001;
 - 6.1.12 Financial Markets Act 19 of 2012;

- 6.1.13 Income Tax Act 58 of 1962;
- 6.1.14 Labour Relations Act 66 of 1995;
- 6.1.15 National Credit Act 34 of 2005;
- 6.1.16 Occupational Health and Safety Act 85 of 1993;
- 6.1.17 Prevention and Combating of Corrupt Activities Act 12 of 2004;
- 6.1.18 Protection of Personal Information Act 4 of 2013;
- 6.1.19 Skills Development Act 97 of 1998;
- 6.1.20 Skills Development Levies Act 9 of 1999;
- 6.1.21 Trade Marks Act 194 of 1993;
- 6.1.22 Unemployment Insurance Act 63 of 2001;
- 6.1.23 Unemployment Insurance Contributions Act 4 of 2002; and
- 6.1.24 Value Added Tax Act 89 of 1991.

7. RECORDS HELD BY DDP IN TERMS OF SECTION 51(1)(e) OF THE ACT

- 7.1 The following is a *non-exclusive* list of the categories and documents on which DDP holds records:
- 7.2 Company secretarial:
 - 7.2.1 Memorandum of Incorporation;
 - 7.2.2 minutes and resolutions;
 - 7.2.3 records in respect of intellectual property;
 - 7.2.4 certificate of incorporation; and
 - 7.2.5 share register and other statutory registers.
- 7.3 Customers, suppliers, brokers, forwarders and agents:
 - 7.3.1 agreements;
 - 7.3.2 tender documents;
 - 7.3.3 trade confirmations;
 - 7.3.4 addresses and telephone numbers;
 - 7.3.5 bank details; and
 - 7.3.6 financial information.
- 7.4 Finance:
 - 7.4.1 financial statements;
 - 7.4.2 accounting and financial records;

- 7.4.3 asset register;
- 7.4.4 audit reports;
- 7.4.5 bank records and statements;
- 7.4.6 reconciliations;
- 7.4.7 invoices;
- 7.4.8 credit notes;
- 7.4.9 financial agreements;
- 7.4.10 tax records including income tax returns, value-added tax (VAT) records, tax clearance certificates and other returns and documents; and
- 7.4.11 management accounts.
- 7.5 Information technology:
 - 7.5.1 agreements;
 - 7.5.2 testing records;
 - 7.5.3 licenses; and
 - 7.5.4 operational records.
- 7.6 Insurance and credit risk:
 - 7.6.1 agreements;
 - 7.6.2 internal policies; and
 - 7.6.3 insurance (including credit insurance), schedules, records and policies.
- 7.7 Trade practice compliance:
 - 7.7.1 code of conduct; and
 - 7.7.2 internal policies on matters such as anti-money laundering policy, trade sanctions, agents, and gifts and entertainment.
- 7.8 Human resources:
 - 7.8.1 B-BBEE records;
 - 7.8.2 code of conduct;
 - 7.8.3 other relevant internal policies and procedures;
 - 7.8.4 disciplinary records;
 - 7.8.5 employment, independent contractor and related contracts;
 - 7.8.6 employment equity policy;
 - 7.8.7 safety, health and environment policy;

- 7.8.8 health and safety records;
- 7.8.9 workmen's compensation certificate;
- 7.8.10 Unemployment Insurance Fund (UIF);
- 7.8.11 leave records;
- 7.8.12 medical aid records;
- 7.8.13 payroll;
- 7.8.14 provident fund records;
- 7.8.15 Sector Education Training Authority (SETA) records;
- 7.8.16 training manuals;
- 7.8.17 training records; and
- 7.8.18 staff records.
- 7.9 Public relations:
 - 7.9.1 DDP brochures and publications;
 - 7.9.2 media releases; and
 - 7.9.3 corporate social responsibility projects.

8. INFORMATION AUTOMATICALLY AVAILABLE IN TERMS OF SECTION 51(c) OF THE ACT

- 8.1 The following categories of records are automatically available for inspection, purchase or photocopying and which do not need to be requested in terms of the Act:
 - 8.1.1 newsletters, booklets, pamphlets/brochures;
 - 8.1.2 other literature intended for public viewing; and
 - 8.1.3 any other information provided on the DDP website located at <u>https://www.dupont.co.za</u>.

9. HOW TO REQUEST RECORDS HELD BY DDP IN TERMS OF SECTION 53(2) OF THE ACT

- 9.1 Requests for access to records held by DDP must be made by the Requester using the prescribed Form 2: Request for Access to Record, which is made available on the Information Regulator website at https://www.inforegulator.org.za/. Such request must be made to the Head of DDP or the Information Officer at the address and electronic mail address provided for in paragraph 4.1 above.
- 9.2 In lodging a request, the Requester must:
 - 9.2.1 provide sufficient detail on the request form to enable the Head of DDP or the Information Officer to identify the record/s so requested and the Requester;
 - 9.2.2 indicate which form of access is required and specify a postal address and/or email address within the Republic of South Africa;

- 9.2.3 indicate whether, in addition to a written response, the Requester requests to be informed in any other manner and state the necessary particulars to be so informed;
- 9.2.4 identify the right that the Requester is seeking to exercise or protect and provide an explanation of why the requested record is required for the exercise or protection of such right.
- 9.3 If a request is made on behalf of a person, the Requester must then submit proof of the capacity in which the Requester is making the request, to the satisfaction of the Head of DDP or the Information Officer.
- 9.4 The Head of DDP or the Information Officer, as soon as reasonably possible after the request has been received, shall decide whether or not to grant the request.

10. **GROUNDS FOR REFUSAL IN TERMS OF CHAPTER 4 OF THE ACT**

- 10.1 In terms of the Act, there are certain grounds upon which DDP must and/or may refuse to grant a Requester access to its records as certain categories of information may be subject to protection in the interests of privacy. Such records which may be protected would include but would not be limited to records containing:
 - 10.1.1 privileged information, including a record that is privileged from production in legal proceedings;
 - 10.1.2 Personal Information of a third party who is a natural person;
 - 10.1.3 commercial information of a third party;
 - 10.1.4 confidential information of a third party, the disclosure of which could reasonably be expected to put that third party at a disadvantage in contractual or other negotiations or to prejudice that third party in commercial competition;
 - 10.1.5 a record, the disclosure of which would constitute an action for breach of a duty of confidence owed to a third party in terms of an agreement;
 - 10.1.6 information that, if disclosed, could endanger the life or physical safety of an individual or could impair a party's protection of their property or the security of infrastructure or transport;
 - 10.1.7 commercial information relating to the private body in question which would include information regarding trade secrets, financial, commercial or technical information, the disclosure of which would cause harm to the commercial or financial interests of that private body; and
 - 10.1.8 research information of a third party or of the private body in question.

11. RECORDS NOT FOUND OR THAT DO NOT EXIST IN TERMS OF SECTION 55 OF THE ACT

- 11.1 If all reasonable steps have been taken to find a record, and such record cannot be found or if the records do not exist, then the Head of DDP or the Information Officer shall notify the Requester, by way of an affidavit or affirmation, that it is not possible to give access to the requested record.
- 11.2 The affidavit or affirmation shall provide a full account of all the steps taken to find the record or to determine the existence thereof, including details of all communications by the Head of DDP or the Information Officer with every person who conducted the search.

- 11.3 The notice, as set out in paragraph 11.1, shall be regarded as a decision to refuse a request for access to the record concerned for purposes of the Act.
- 11.4 If the record in question 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 access is refused by the Head of DDP or the Information Officer.

12. INFORMATION REQUESTED ABOUT A THIRD PARTY

- 12.1 Section 71 of the Act makes provision for a request for information or records that concern a third party.
- 12.2 In considering such a request, the Head of DDP and/or the Information Officer will adhere to the provisions of sections 71 to 73 of the Act.
- 12.3 The attention of the Requester is drawn to the provisions of Chapter 5 of the Act in terms of which DDP is obliged, in certain circumstances, to advise third parties of requests lodged in respect of information applicable to or concerning such third parties. In addition, the provisions of Chapter 2 of Part 4 of the Act entitle third parties to dispute the decisions of the Head of DDP or the Information Officer by referring the matter to a court for appropriate relief where all internal appeal procedures have been exhausted by the third party.

13. PERSONAL INFORMATION IN TERMS OF SECTION 51(1)(c) OF THE ACT

- 13.1 To the extent that DDP may Process the Personal Information of Data Subjects, DDP will ensure that it adheres to the relevant laws pertaining to data protection, including but not limited to the Act and POPIA.
- 13.2 DDP Processes Personal Information for the following purposes:
 - 13.2.1 provide or manage any information, products and/or services requested by Data Subjects;
 - 13.2.2 improve the quality of products and services provided;
 - 13.2.3 keep Data Subject records up to date;
 - 13.2.4 manage supplier, partner and customer records and contracts;
 - 13.2.5 recruitment and employment purposes;
 - 13.2.6 market to prospective/existing customers in various countries;
 - 13.2.7 recover debts; and
 - 13.2.8 process customer requests or complaints.
- 13.3 DDP Processes the following categories of Personal Information:
 - 13.3.1 contact details, such as phone numbers, physical and postal addresses, and email addresses;
 - 13.3.2 personal and demographic details;
 - 13.3.3 account numbers and credit information; and
 - 13.3.4 debt and debtor information.
- 13.4 DDP may supply the following recipients with Personal Information:

- 13.4.1 law enforcement, including statutory and tax authorities;
- 13.4.2 financial institutions;
- 13.4.3 medical schemes;
- 13.4.4 employee pension and provident funds;
- 13.4.5 contractors, partners, agents or suppliers;
- 13.4.6 operators, other responsible parties, or co-responsible parties; and
- 13.4.7 third party vendors (such as IT service providers).
- 13.5 Trans-border flow of Personal Information:

DDP may transfer Personal Information outside of South Africa. DDP undertakes to only transfer such Personal Information to other countries who have similar privacy laws to that of South Africa's or recipients who can ensure the protection of Personal Information to the same standard required by POPIA.

13.6 Security of Personal Information:

DDP secures data by maintaining reasonable measures to protect Personal Information from loss, misuse, unauthorised access, disclosure, alteration and destruction.

14. **UPDATING THE MANUAL**

This Manual may be amended from time to time by DDP and the latest version of the Manual will be made public as soon as reasonably possible, after it is finalised.

15. **AVAILABILITY OF THIS MANUAL IN TERMS OF SECTION 51(3) OF THE ACT**

- 15.1 This Manual is available for inspection, on prior arrangement with the Information Officer, at the offices of DDP.
- 15.2 Copies of the Manual may be obtained, subject to the prescribed fees, at the offices of DDP.
- 15.3 The Manual can also be accessed on the DDP website.

16. **PRESCRIBED FEES**

- 16.1 The fees for reproduction of a record are set out in section 52(3) of the Act. The Requester must pay the prescribed fees before any record will be provided.
- 16.2 If the Head of DDP or if the Information Officer is of the opinion that more than 6 (six) hours will be used to search, reproduce and/or prepare the information requested, a deposit equal to one-third of the amount of the prescribed fee per request will be payable by the Requester.

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				
		-			
(Addres	 ss)	_			
E-mail address:					
Fax number:					
Mark with an "X "					
Request is mad	e in my owr	n name	Reques	st is made on behalf o	of another person.
		PERSONAL I	NFORMATIO	N	
Full Names					
Identity Number					
Capacity in which request is made (when made on behalf of another person)					
Postal Address					
Street Address					
E-mail Address					
	Tel. (B):			Facsimile:	
Contact Numbers	Cellular:				
Full names of person on whose behalf request is made <i>(if</i> <i>applicable):</i>					
Identity Number					
Postal Address					

Street Address				
E-mail Address				
Contact Numbers	Tel. (B)		Facsimile	
	Cellular			I
	PAR	TICULARS OF RECORD REC	QUESTED	
that is known to you, to	o enable th	ord to which access is reque ne record to be located. (If the attach it to this form. All additio	e provided sp	bace is inadequate, please
Description of record or relevant part of the record:				
Reference number, if available				
Any further particulars				
of record				
TYPE OF RECORD (Mark the applicable box with an " X ")				
Record is in written or printed form				
Record comprises virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)				
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 (Mark the applicable box with an "X")	
Printed copy of record (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 record on flash drive (including virtual images and soundtracks)	
Copy of record on compact disc drive(including virtual images and soundtracks)	
Copy of record saved on cloud storage server	

MANNER OF ACCESS (Mark the applicable box with an "X")

Personal inspection of record 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)	
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)	

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)	ou 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.		
d)	I) If you qualify for exemption of the payment of any fee, please state the reason for exemption		
Reason	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 (Please specify)
Signed at	this	day of 20

Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

Reference number:	
Request received by:	
(State Rank, Name And	
Surname of Information Officer)	
Date received:	
Access fees:	
Deposit (if any):	

Signature of Information Officer

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.

OR

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:

You requested:

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)	

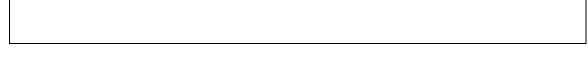
Kindly note that your request has been:

г		
L		
L		
L		

2.

Approved

Denied, for the following reasons:



Fees payable with regards to your request: 4.

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 To be provided by requestor (ii) Compact disc If provided by requestor 	R40.00 R40.00		
 If provided to the requestor 	R60.00		
For a transcription of visual images per A4-size page Copy of visual images	Service to be outsourced. Will depend on the quotation of the		
	service provider		
Transcription of an audio record, per A4-size	R24.00		
Copy of an audio record(i)Flash drive•To be provided by requestor(ii)Compact disc	R40.00		
If provided by requestor	R40.00		
If provided to the requestor	R60. 00		
Postage, e-mail or any other electronic transfer:	Actual costs		
TOTAL:			

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

Yes	No No	
Hours of search	Amount of deposit (calculated on one third of total amount per request)	

The amount must be paid into th Name of Bank: Name of account holder: Type of account: Account number: Branch Code: Reference Nr: Submit proof of payment to:		nk account:	
Signed at	this	day of	20
Information officer			