



DIGBY WELLS
ENVIRONMENTAL

PAIA MANUAL

**Prepared In Terms Of Section 51 Of The Promotion Of Access To
Information Act 2 Of 2000 (As Amended)**

Date of Issue

This policy is provided solely for the purposes set out in it and may not, in whole or in part, be used for any other purpose without Digby Wells Environmental's prior written consent.





This policy has been prepared by Digby Wells Environmental.

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1 INTRODUCTION

1.1 The following companies forming part of the Digby Wells group of companies have been incorporated in the Republic of South Africa, namely –

1.1.1 Digby Wells Environmental (Pty) Ltd, a private company duly incorporated in accordance with the laws of South Africa, with registration number 2022/259701/07;

1.1.2 Digby Wells & Associates (South Africa) (Pty) Ltd, a private company duly incorporated in accordance with the laws of South Africa, with registration number 2010/008577/07; and

1.1.3 Digby Wells Solutions South Africa (Pty) Ltd, a private company duly incorporated in accordance with the laws of South Africa, with registration number 2022/637867/07.

(collectively referred to as “**Digby Wells Environmental**”).

1.2 As part of its operations and services, Digby Wells Environmental holds certain records (information and documents), including personal information. The Promotion of Access to Information Act 2 of 2000 (“**PAIA**”) and the Protection of Personal Information Act 4 of 2013 (“**POPIA**”) provide for certain records and/or information to be accessed where certain circumstances are met and in accordance with certain procedures and at prescribed fees, giving effect to the right of access to information in terms of the Constitution of the Republic of South Africa.

1.3 The PAIA Manual (“**Manual**”), which includes all annexures and amendments provided by Digby Wells Environmental from time to time, has been prepared in accordance with section 51 of PAIA. It offers an overview of the records (information and documents) held by Digby Wells Environmental and explains how these records can be accessed. This includes facilitating the exercise of rights granted under POPIA, such as a data subject's ability to access their personal information, object to processing, and request corrections to any of their personal information held by the company.

1.4 Digby Wells Environmental may amend this Manual from time to time. It is available and accessible on the Digby Wells Environmental website (www.digbywells.com) or on request to the Digby Wells Environmental designated Information Officer (being the person duly authorized by and appointed by Digby Wells Environmental to act in this capacity).

1.5 Digby Wells Environmental has appointed an Information Officer in accordance with POPIA. In addition to its obligations prescribed under POPIA, the designated Information Officer is also responsible for assessing any requests to Digby Wells Environmental for access to information in terms of PAIA as well as oversee any other obligations which Digby Wells Environmental may have under PAIA. The Information Officer may appoint Deputy Information Officers to assist in the fulfilment of its obligations.

2 COMPANY DETAILS

2.1 Designated Information Officer:

Name: Lucy Stevens
Tel: +27 (0) 11 789 9495
Email: Lucy.stevens@digbywells.com
Email: info.officer@digbywells.com

2.2 Deputy Information Officer:

Name: Simon Fleischer
Tel: +27 (0) 11 789 9495
Email: Simon.fleischer@digbywells.com
Email: info.officer@digbywells.com

2.3 Head Office:

Postal Address: Digby Wells House

Turnberry Office Park, 48 Grosvenor Road

Bryanston, 2191

Physical Address: Digby Wells House

Turnberry Office Park, 48 Grosvenor Road

Bryanston, 2191

Telephone: +27 (0) 11 789 9495

Email: info.officer@digbywells.com

Website: www.digbywells.com

3 INFORMATION REGULATORS GUIDE

- 3.1 An official guide has been compiled which contains information to assist a person wishing to exercise a right of access to information in terms of PAIA and POPIA. This guide is made available by the Information Regulator (established in terms of POPIA). Copies of the updated guide are available from Information Regulator in the manner prescribed. Any enquiries regarding the guide should be directed to:

Postal Address: JD House

27 Stiemens Street

Braamfontein, Johannesburg, 2001

Telephone: 010 023 5200

Email: enquiries@inforegulator.org.za

Website: www.inforegulator.org.za

4 AUTOMATICALLY AVAILABLE INFORMATION

Information that is obtainable via the Digby Wells Environmental website, www.digbywells.com, about the company is automatically available and need not be formally requested in terms of this Manual.

5 INFORMATION AVAILABLE IN TERMS OF POPIA

5.1 **Categories of personal information collected by Digby Wells Environmental**

5.1.1 Digby Wells Environmental collects information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to –

5.1.1.1 personal contact detail such as the person's name, title, addresses, telephone numbers and personal email addresses;

5.1.1.2 information relating to the gender, pregnancy, marital status, age, physical or mental health, well-being and disability;

5.1.1.3 information relating to the education or the medical, financial, criminal or employment history of the person;

5.1.1.4 any identifying number relating to the person;

5.1.1.5 the race or ethnic origin, trade union membership or biometric information of a data subject; or

5.1.1.6 the criminal behaviour of a data subject to the extent that such information relates to –

5.1.1.6.1 the alleged commission by a data subject of any offence; or

5.1.1.6.2 any proceedings in respect of any offence allegedly committed by a data subject or the disposal of such proceedings.

5.2 **The purpose of processing personal information**

5.2.1 In terms of POPIA, personal information must be processed for a specified purpose. The purpose for which data is processed by Digby Wells Environmental will depend on the nature of the data and the particular data subject. This purpose is ordinarily disclosed, explicitly or implicitly, at the time the data is collected. Please also refer to Digby Wells Environmental's privacy policy, a copy of which is available on the website (www.digbywells.com), for further information.

5.2.2 In general, personal information is processed for purposes of dealing with customers, complaints, procurement purposes, records management, security, employment and related matters.

5.3 **Description of the categories of data subjects and of the information or categories of information relating thereto**

5.3.1 Digby Wells Environmental holds information and records on, *inter alia*, the following categories of data subjects –

5.3.1.1 Employees / personnel of Digby Wells Environmental;

5.3.1.2 Any third party with whom Digby Wells Environmental conducts business;

5.3.1.3 Contractors and associates of Digby Wells Environmental and their respective employees;

5.3.1.4 Data subjects registered as interested and affected parties (I&APs) in accordance with applicable legislation relating to operations of Digby Wells Environmental; and

5.3.1.5 Suppliers/service providers of Digby Wells Environmental.

5.4 **The recipients or categories of recipients to whom the personal information may be supplied**

5.4.1 Depending on the nature of the personal information, Digby Wells Environmental may supply information or records to the following categories of recipients –

5.4.1.1 Statutory oversight bodies, regulators or judicial commissions of enquiry making a request for personal information;

5.4.1.2 Any court, administrative or judicial forum, arbitration, statutory commission, or ombudsman making a request for personal information or discovery in terms of the applicable rules;

5.4.1.3 South African Revenue Services, or another similar authority;

5.4.1.4 Third party service providers;

5.4.1.5 Appellants who request the register of I&APs in accordance with the provisions of the National Appeal Regulations, 2014 published under the National Environmental Management Act, 107 of 1998;

5.4.1.6 South African Police Service; and

5.4.1.7 Anyone making a successful application for access in terms of PAIA or POPIA.

5.5 **Planned transborder flows of personal information**

5.5.1 If a data subject visits the Digby Wells Environmental website from a country other than South Africa, the various communications will necessarily result in the transfer of information across international boundaries.

5.5.2 Digby Wells Environmental may need to transfer a data subject's information to third parties in countries outside South Africa for purposes of, including but not limited to –

5.5.2.1 Storing information on a cloud;

5.5.2.2 Performing services; or

5.5.2.3 Inter-group and administrative purposes,

in which case it will fully comply with applicable data protection legislation.

5.5.3 These countries may not have data-protection laws which are similar to those of South Africa.

5.6 **A general description of information security measures implemented by Digby Wells Environmental**

5.6.1 Digby Wells Environmental implements information security measures to ensure the confidentiality, integrity and availability of personal information in our possession.

5.6.2 The information security measures include multi-factor authentication for both internal and external users, ensuring secure access to data, while data segmentation restricts user access to only necessary information for daily tasks, bolstered by BitLocker drive encryption on company devices. Anti-virus software is deployed across all devices for protection against malicious threats. Data integrity is maintained through logging all access on Microsoft compliance tools and version history tracking, ensuring accountability for changes and maintaining data integrity. Core data is hosted on Microsoft SharePoint, guaranteeing availability of data at a 99.99% uptime, unless affected by downtime from Microsoft servers.

6 INFORMATION AVAILABLE IN TERMS OF OTHER LEGISLATION

Information is available in terms of certain provisions of the following legislation (including any regulations published in terms of such legislation) to the persons or entities specified in such legislation –

- Arbitration Act 42 of 1965;
- Basic Conditions of Employment Act 75 of 1997;
- Broad Based Black Economic Empowerment Act 53 of 2003;
- Companies Act 71 of 2008;
- Compensation for Occupational Injuries and Health Diseases Act 130 of 1993;
- Customs and Excise Act 91 of 1964;
- Electronic Communications and Transactions Act 25 of 2002;
- Employment Equity Act 55 of 1998;
- Hazardous Substances Act 15 of 1973;
- Income Tax Act 58 of 1962;
- Labour Relations Act 66 of 1995;
- Mine Health and Safety Act 29 of 1996;
- Mineral and Petroleum Resources Development Act 28 of 2002;
- National Credit Act 34 of 2005;

- National Environmental Management Act 107 of 1998;
- National Environmental Management: Air Quality Act 39 of 2004;
- National Environmental Management: Biodiversity Act 10 of 2004;
- National Environmental Management: Integrated Coastal Management Act 24 of 2008;
- National Environmental Management: Protected Areas Act 57 of 2003;
- National Environmental Management: Waste Act 59 of 2008;
- National Water Act 36 of 1999;
- Occupational Diseases in Mines and Works Act 78 of 1973;
- Occupational Health & Safety Act 85 of 1993;
- Pension Funds Act 24 of 1956;
- Prevention and Combatting of Corrupt Activities Act 12 of 2004;
- Prevention of Organised Crime Act 14 of 1998;
- Protected Disclosure Act 26 of 2000;
- Promotion of Access of Information Act 2 of 2000;
- Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000;
- Protection of Personal Information Act 4 of 2013;
- Skills Development Act 97 of 1998;
- Skills Development Levies Act 9 of 1999;
- Stock Exchanges Control Amendment Act 54 of 1995 (and the rules and listing requirements of the JSE Securities Exchange authorised in terms thereof);
- Tax Administration Act 28 of 2011;
- Trade Marks Act 194 of 1993;
- Unemployment Contributions Act 4 of 2002;
- Unemployment Insurance Act 63 of 2001; and
- Value Added Tax Act 89 of 1991.

7 CATEGORIES OF RECORDS AVAILABLE UPON REQUEST

- 7.1 Digby Wells Environmental maintains records on the categories and subject matters listed in paragraph 5 above. Please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be honoured. All requests for access will be evaluated on a case-by-case basis in accordance with the provisions of PAIA.
- 7.2 Please note further that many of the records held by Digby Wells Environmental are those of third parties, such as contractors and employees, and Digby Wells Environmental takes the protection of third-party confidential information very seriously. Requests for access to these records will be considered very carefully. Please ensure that requests for such records are carefully motivated.
- 7.3 A table setting out the categories of records available upon request is annexed hereto marked Annexure “A”.

8 REQUEST PROCEDURE

8.1 **Entry point for requests**

- 8.1.1 PAIA provides that a person may only make a request for information, if –
- 8.1.1.1 the information is requested for the exercise or protection of any rights;
- 8.1.1.2 the person requesting the information complies with the procedural requirements provided for in PAIA relating to a request for access to such information; and
- 8.1.1.3 access to such information is not refused in terms of any ground for refusal contemplated in PAIA.
- 8.1.2 Information will therefore not be furnished unless a person complies with the requirements referred to in paragraph 8.1.
- 8.1.3 The Information Officers has been delegated with the task of receiving and co-ordinating all requests for access to records in terms of PAIA, in order to ensure proper compliance with PAIA and POPIA.

8.1.4 The Information Officers will facilitate the liaison with the internal legal team on all of these requests.

8.1.5 All requests in terms of PAIA and this Manual must be addressed to the respective Information Officer using the details in paragraph 2 above.

8.2 **Request Process**

8.2.1 Any requests for access to records of Digby Wells Environmental are subject to PAIA and, in respect of personal information, POPIA.

8.2.2 In terms of PAIA, a request for access is to be made in the prescribed form accessible at <https://inforegulator.org.za/paia-forms/> (Form 02) with a copy being set out in Annexure “B” to this Manual. The request is to be made to the Information Officer addressed to the contact details set out in paragraph 2 above (section 53(1) of PAIA).

8.2.3 The requester must provide sufficient detail on the form to enable the Information Officer to identify the record and the requester. The requester should also indicate which form of access is required and specify the postal address, fax number in the Republic of South Africa, or email address. The requester should also indicate if, in addition to a written reply, any other manner is to be used to inform the requester and state the necessary particulars to be so informed. (section 53(2) of PAIA).

8.2.4 The requester must identify the right that is sought to be exercised or protected and provide an explanation of why the requested record is required for the exercise or protection of that right (section 53(2)(d) of PAIA).

8.2.5 In circumstances where the request for access is being made on behalf of another person, the requestor is obliged to prove the capacity in which the request is being made, with any submissions in support thereof being subject to the satisfaction of Digby Wells Environmental (section 53(2)(f) of PAIA). Section 71 of PAIA makes provision for a request for information or records about a third party. In considering such a request, Digby Wells Environmental adheres to the provisions of sections 71 to 74 of PAIA. The requestor is to note the provisions of Chapter 5 of Part 3 of PAIA in terms of which Digby

Wells Environmental 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 PAIA entitle third parties to dispute the decisions of Digby Wells Environmental by referring the matter to the High Court of South Africa.

- 8.2.6 The Information Officer will decide on whether or not to grant the request as soon as is reasonably possible (but in any event within thirty days of the request having been submitted) and notify the requester accordingly.
- 8.2.7 The Information Officer may decide to extend the period of thirty days for another period of not more than thirty days if –
- 8.2.7.1 the request is for a large number of records;
 - 8.2.7.2 the search for the records is to be conducted at the premises not situated in the same town or city as the head office of Digby Wells Environmental;
 - 8.2.7.3 consultation among the decisions or departments, as the case may be, of Digby Wells Environmental is required;
 - 8.2.7.4 more than one of the circumstances contemplated in the above paragraphs exist in respect of the request making the compliance with the original period not reasonably possible;
 - 8.2.7.5 the requester consents to such an extension in writing; and
 - 8.2.7.6 the parties agree in any other manner to such extension.
- 8.2.8 Should Digby Wells Environmental require an extension of time, the requester shall be informed as required in terms of section 57(3) of PAIA.
- 8.2.9 If the Information Officer fails to respond (or extend the period within which to respond) within thirty days after a request has been received, it will, in terms of PAIA, be deemed to have refused the request (section 58 read together with section 56(1) of PAIA).

- 8.2.10 Where access is granted –
- 8.2.10.1 the Information Officer will advise the requester of –
- 8.2.10.1.1 the access fee to be paid for the information prior to Digby Wells Environmental being able to process the request and grant access (section 54(1) of PAIA);
- 8.2.10.1.2 the format in which access will be given;
- 8.2.10.1.3 the fact that the requester may lodge an appeal with a court of competent jurisdiction against the access fee charged or the format in which access is to be granted (section 56 (2) of PAIA); and
- 8.2.10.1.4 the procedure (including the time period allowed) for lodging a complaint to the Information Regulator or the application.
- 8.2.10.2 Access to the record requested will be given as soon as reasonably possible.
- 8.2.11 **Access and reproduction fees**
- 8.2.11.1 Section 54 of PAIA entitles Digby Wells Environmental to levy a charge or to request a fee to enable it to recover the cost of processing a request and providing access to records.
- 8.2.11.2 There are two categories of fees which are payable –
- 8.2.11.2.1 The request fee: R140; and
- 8.2.11.2.2 Access and reproduction fees: These are calculated by taking into account reproduction costs, search and preparation costs, as well as postal costs. These fees are set out in Annexure “C”.
- 8.2.12 If the request for access is refused, the Information Officer, acting reasonably, shall advise the requester in writing of the refusal, including adequate reasons for the refusal and that the requester may lodge a complaint to the Information

Regulator or an application with a court of competent jurisdiction against the refusal of the request (section 56(3) of PAIA).

- 8.2.13 Upon the refusal by the Information Officer, any deposit paid by the requester will be refunded.

8.3 **Information or records not found**

- 8.3.1 If a record cannot be found or if the records do not exist, the Information Officer shall notify the requester (providing full details of steps taken to find the record or determine its existence) that it is not possible to give access to the requested record.

- 8.3.2 If the record in question should later be found, the requester shall be given access to the record unless access is refused by Digby Wells Environmental.

8.4 **Grounds for refusal of access**

- 8.4.1 Digby Wells Environmental must refuse to grant access to information on certain grounds, including (but not limited to) the following (Part 3, Chapter 4 of PAIA) –

- 8.4.1.1 that the record constitutes privileged information for the purposes of legal proceedings or is subject to professional privilege;
- 8.4.1.2 to protect the commercial information or the confidential information of a third party or Digby Wells Environmental;
- 8.4.1.3 that it is necessary to protect the safety of individuals or property;
- 8.4.1.4 that it is necessary to protect the research information of a third party or Digby Wells Environmental; and
- 8.4.1.5 that granting access would result in the unreasonable disclosure of personal information about a third party.

9 **AVAILABILITY OF THE MANUAL**

- 9.1 A copy of the Manual is available –

- 9.1.1 On the website (www.digbywells.com);

- 9.1.2 At the head office of Digby Wells Environmental for public inspection during normal business hours;
 - 9.1.3 To any person upon request and upon the payment of a reasonable prescribed fee; and
 - 9.1.4 To the Information Regulator upon request.
- 9.2 A fee for a copy of the Manual, as contemplated in Annexure B of the PAIA Regulations, 2021, shall be payable per each A4-size photocopy.



Appendix A: Categories of records available upon request



Annexure A

Categories of records available upon request

Category of Records	Records Held
Personnel Records	<ul style="list-style-type: none"> - Personal details staff give us - Information we get about staff from others (e.g., references) - Employment contracts and job-related documents - Performance reviews and training records - Day-to-day HR emails and notes
Client Records	<ul style="list-style-type: none"> - Details clients give us or that agents gather for us - Signed agreements and project files- Personal and credit information needed to deliver our services - Feedback, surveys, and profiles we create for clients - Transaction histories and invoices
Technical Records	<ul style="list-style-type: none"> - Technical reports and raw data - Drawings, plans, and models - Drafts of new services, products, or brands (our intellectual property)
Third Party Records	<ul style="list-style-type: none"> - Any Digby Wells information stored by suppliers, contractors, or service providers on our behalf - Information we hold about those third parties (contracts, emails, payment records, etc.)
Other Business Records	<ul style="list-style-type: none"> - Internal strategy and operational documents - Research we carry out for ourselves or for clients.





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Appendix B: Request For Access To Record





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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	





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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

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.)

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Description of record or relevant part of the record:	
Reference number, if available	
Any further particulars of record	
<p align="center">TYPE OF RECORD</p> <p align="center"><i>(Mark the applicable box with an "X")</i></p>	
Record is in written or printed form	
Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	



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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	
<p align="center">FORM OF ACCESS</p> <p align="center"><i>(Mark the applicable box with an "X")</i></p>	
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	
<p align="center">MANNER OF ACCESS</p> <p align="center"><i>(Mark the applicable box with an "X")</i></p>	
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	



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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>	
<p align="center">PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED</p> <p align="center"><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></p>	
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:	



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FEES	
<p>a) A request fee must be paid before the request will be considered.</p> <p>b) You will be notified of the amount of the access fee to be paid.</p> <p>c) 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.</p> <p>d) If you qualify for exemption of the payment of any fee, please state the reason for exemption</p>	
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:	
-------------------	--



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<i>Request received by:</i> <i>(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



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Appendix C: Fees in Respect of Private Bodies (In terms of PAIA Regulation 8(1)(b))



Annexure C

Fees in Respect of Private Bodies (In terms of PAIA Regulation 8(1)(b))

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: <ul style="list-style-type: none"> Flash drive (to be provided by requestor) Compact disc If provided by requestor If provided to 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: <ul style="list-style-type: none"> Flash drive (to be provided by requestor) Compact disc If provided by requestor If provided to 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
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