

7. ACCESS REQUESTS

In accordance with Section 51(1)(e) of the Act (PAIA), the request procedures are as set out below: It is important to note that the successful completion and submission of an access request form does not automatically allow the requester access to the requested record. An application for access to a record is subject to certain qualifications (in that the requested record must be required for the exercise or protection of a right), and may be refused by TGIS if the requested record falls within a certain category as specified in Part 3, Chapter 4 of the Act. If it is reasonably suspected that the requester has obtained access to TGIS' records through the submission of materially false or misleading information, legal proceedings may be instituted against such requester.

i. Form of Request

- The requester must use the prescribed form attached to this manual as Annexure A, to make the request for access to a record. This must be made to the person listed at item 2.1 above, as the Head of the Private Body (who has been duly authorized by the Chief Executive Officer as contemplated in the Act). A request must be made to the address, fax number or electronic mail address of TGIS, provided at item 2.1 above – **Information Officer**.
- The requester must provide sufficient detail on the request form to enable the Head of the Private Body (contact person) to identify the record/s requested, and the requester. The requester should also indicate which form of access is required and specify a revert address or fax number in the Republic of South Africa where any response to such request or such record may be sent. The requester should also indicate if, in addition to a written reply, any other medium is to be used to communicate with the requester, and state the necessary particulars for such purpose.
- 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.
- If a request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request, to the satisfaction of the Head of the Private Body.

ii. Fees

A requester who seeks access to a record containing the requester's personal information is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee:

- The Head of the Private Body (contact person) must by notice, require the requester (other than a personal requester) to pay the prescribed request fee (if any) before further processing the request;
- The fee that the requester must pay to TGIS will be calculated in accordance with the access and request fee structure prescribed by the Department of Justice and Constitutional Development. The requester may lodge an application to the court against the tender or payment of the request fee;
- After the Head of the Private Body (contact person) has made a decision on the request, the requester must be notified in writing unless specified otherwise; and

- If the request is granted, then a further access fee must be paid for reproduction and for search and preparation, and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.
- The prescribed forms, and fee structure prescribed under the Act in respect of private bodies, are available on the website of the Department of Justice and Constitutional Development (www.justice.gov.za), under the PAIA “regulations” section. The fees in respect of private bodies can also be found in Part III of Annexure A to the Regulations made in terms of the Act.

8. ADDITIONAL INFORMATION

The Minister of Justice and Constitutional Development has made regulations in terms of the Act, which regulations do not obligate TGIS to make available Additional Prescribed Information in this manual.

9. AVAILABILITY OF THE MANUAL

In accordance with Section 51(3) of the Act, this manual is available on TGIS’ website (www.tgis.co.za) and is also available for inspection by the general public upon request, during office hours and free of charge, at the offices of TGIS.

10. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS IN TERMS OF CHAPTER 4 OF THE ACT

The main grounds for refusal of a request for records would be:

- The mandatory protection of the privacy of a third party who is a natural person, where disclosure of the records would involve the unreasonable disclosure of personal information of that natural person.
- The mandatory protection of the commercial information of a third party, if the record contains:
 - Trade secrets of that party.
 - Financial, commercial, scientific or technical information disclosure of which could likely cause harm to the financial or commercial interests of that party.
 - Information disclosed in confidence by a third party, to TGIS, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition.
- The mandatory protection of confidential information of third parties if it is protected in terms of any agreement.
- The mandatory protection of the safety of individuals and the protection of property.
- The mandatory protection of records which could be regarded as privileged in legal proceedings.
- The protection of information relating to the commercial activities of TGIS, where such information may include:
 - Trade secrets of TGIS;
 - Financial, commercial scientific or technical information disclosure of which could likely cause harm to the financial or commercial interests of TGIS.

11. REMEDIES AVAILABLE TO AN AGGRIEVED REQUESTER OR THIRD PARTY

A requester aggrieved by a decision of the Head of the Private Body, and such decision was:

- to refuse a request for access to records; or
- taken in terms of Section 54, 57(1) or 60 of the Act,

may, by way of an application, within 180 days apply to a court for appropriate relief in terms of Section 82 of the Act.

A third party aggrieved by a decision of the Head of the Private Body in relation to a request for access to a record of TGIS, may, by way of an application, within 180 days apply to a court for appropriate relief in terms of Section 82 of the Act. In terms of Section 82 of the Act, the court hearing an application may grant any order that is just and equitable, including orders—

- confirming, amending or setting aside the decision which is the subject of the application concerned;
- requiring from the Head of the Private Body to take such action or to refrain from taking such action as the court considers necessary within a period mentioned in the order;
- granting an interdict, interim or specific relief, a declaratory order or compensation;
- as to costs; or
- condoning non-compliance with the 180 day period within which to bring an application, where the interests of justice so require.

.FOR REQUEST FORMS SEE ANNEXURE A BELOW

ANNEXURE A: ACCESS TO INFORMATION REQUEST FORM

Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)
[Regulation 10]

1. PARTICULARS OF PRIVATE BODY

Requests can be submitted either via conventional mail or e-mail, and should be addressed to the relevant contact person as indicated below:

Name of Body: Total Geo-spatial Information Solutions (Pty) Ltd
Street Address: Boardwalk Office Park, Block 5, cnr. Eros and Midas Roads, Faerie
Glen, Pretoria, South Africa

Post Office Box 74388, Lynnwood Ridge 0040

Information Officer / Contact Person: Lente Potgieter / lente@tgis.co.za

Tel: +27 12 991 3624 Fax: +27 12 991 6998

E-Mail: info@tgis.co.za Website address: www.tgis.co.za

2. PARTICULARS OF REQUESTER (If a Natural Person)

- (a) Particulars of the person who requests access to the record must be recorded below.
- (b) Furnish a postal address and/or an email address and/or fax number in the Republic to which information must be sent.
- (c) Proof of the capacity in which the request is made, if applicable, must be attached.

FULL NAMES AND SURNAME	IDENTITY NUMBER
POSTAL ADDRESS & CODE	EMAIL ADDRESS
PHONE NUMBER	FAX NUMBER

PARTICULARS OF REQUESTER (If a Legal Entity)

- (a) Particulars of the entity that requests access to the record must be recorded below.
- (b) Furnish a postal address and/or an email address and/or fax number in the Republic to which information must be sent
- (c) Proof of the capacity in which the request is made, if applicable, must be attached.

Name of entity: _____

Registration number: _____

Postal address: _____

Postal code: _____

Phone number: _____

Fax number: _____

Email address: _____

3. PARTICULARS OF PERSON ON WHOSE BEHALF REQUEST IS MADE

This section must only be completed if a request for information is made on behalf of another person.

Full names and surname: _____

Identity number: _____

4. PARTICULARS OF RECORD

- (a) Provide full particulars of the record to which access is requested, including the reference number if it is known to you, to enable the record to be located.
- (b) If the provided space is inadequate, please continue on a separate folio and attach it to this form.

The requester must sign all the additional folios.

Description of record or relevant part of the record:



(c) The fee payable for access to record, if any, will be determined partly by the form in which access is requested.

1. If the record is in written or printed form:

Copy of record*

Inspection of record

2. If record consists of visual images
(this includes photographs, slides, video recordings, computer-generated images, sketches etc.)

View the images Copy of the images* Transcription of the images*

3. If the record consists of recorded information that can be reproduced in sound:

Listen to the soundtrack
(compact disc)

Transcription of soundtrack*
(written or printed document)

4. If the record is held on computer or in an electronic or machine-readable form:

Printed copy of record*

Printed copy of information derived from the record*

Copy in computer readable form
(Memory stick or compact disc)

* If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? (NB: Postage is payable)

Yes

No

* If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be e-mailed to you? (NB: depending on the volume, e-mail transmission may not be possible)

Yes

No

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. (Cost of translation may be payable)
In which language would you prefer the record?

7. IN THE EVENT OF DISABILITY

If you are prevented by a disability from reading, viewing or listening to the record in the form of access provided for above, state your disability and indicate in the form in which the record is required.

State form of Disability:

Form in which record is required: _____

8. PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Indicate which right is to be exercised or protected:

2. Explain why the record requested is required for exercise or protection of the aforementioned right:

9. NOTICE OF DECISION REGARDING REQUEST FOR ACCESS

You will be notified in writing whether your request has been approved/ denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request. How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at _____ this _____ day of _____ 20 _____

SIGNATURE OF REQUESTER/PERSON ON WHOSE BEHALF REQUEST IS MADE

SIGNED AND APPROVED ON THIS THE 8th DAY OF March 2021

A handwritten signature in black ink, appearing to read 'Engelbrecht', written in a cursive style. The signature is positioned above a horizontal line.

JOHANN ENGELBRECHT (ACTING CEO) TGIS