

**Council for Scientific and Industrial Research**

**Manual in terms of Section 14 of**

**Promotion of Access to Information Act 2 of 2000**

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**ABBREVIATIONS**

CSIR	Council for Scientific and Industrial Research
EPIC	Excellence, Passion, Integrity, and Collaboration
PAIA	Promotion of Access to Information ACT
PAYE	Pay As You Earn
SITE	Standard Income Tax on Employees
VAT	Value Added Tax

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# 1 Particulars in terms of Section 14

## 1.1 Mandate of the CSIR<sup>1</sup>

The CSIR is a statutory research council, established by Government, and governed by the Scientific Research Council Act, 1988 (Act 46 of 1988), as amended by Act 27 of 2014. The CSIR is listed as a public entity in terms of the Public Finance Management Act (PFMA), 1999 (Act 1 of 1999), as amended by Act 29 of 1999. Its Executive Authority is the Minister of Higher Education, Science and Technology.

The CSIR is the largest scientific and technological research, development and implementation organisation in Africa and operates under the following mandate:

*"In the national interest, the CSIR, through directed and multi-disciplinary research and technological innovation, should foster industrial and scientific development, either by itself, or in partnership with public and private sector institutions, to contribute to the improvement of the quality of life of the people of South Africa".*

## 1.2 Function and objectives of the CSIR

The CSIR is a leading scientific and technology research organisation that research, develops, localises, and diffuses technologies to accelerate socioeconomic prosperity in South Africa. The organisation's work contributes to industrial development and supports a capable state.

The CSIR was established through an Act of Parliament in 1945 and the organisation's executive authority is the Minister of Higher Education, Science and Technology.

The organisation plays a key role in supporting public and private sectors through directed research that is aligned with the country's priorities, the organisation's mandate and its science, engineering, and technology competences.

Impact is at the core of the organisation's business and the following strategic objectives are crafted to ensure that it achieves its mission:

- Conduct research, development, and innovation, localise transformative technologies and accelerate their diffusion;
- Collaboratively improve the competitiveness of high-impact industries to support South Africa's re-industrialisation;
- Drive socio-economic transformation through research, development, and innovation (RD&I) that supports the development of a capable state;
- Build and transform human capital and infrastructure; and
- Diversify income, maintain financial sustainability and good governance.

**CSIR vision:** We are accelerators of socio-economic prosperity in South Africa through leading innovation.

**CSIR mission:** Collaboratively innovating and localising technologies while providing knowledge solutions for the inclusive and sustainable advancement of industry and society.

**CSIR values:** The CSIR pursues excellence, celebrates people, personifies integrity, and welcomes collaboration. Our core values are EPIC and they are the driving force behind our ability to conduct cutting-edge research and technological innovation to improve the quality of life of South Africans.

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<sup>1</sup> See also <http://www.csir.co.za/aboutus.html>

## 2 Structure of the CSIR

The CSIR functions as a corporation with a number of semi-autonomous divisions, clusters, and various support functions.

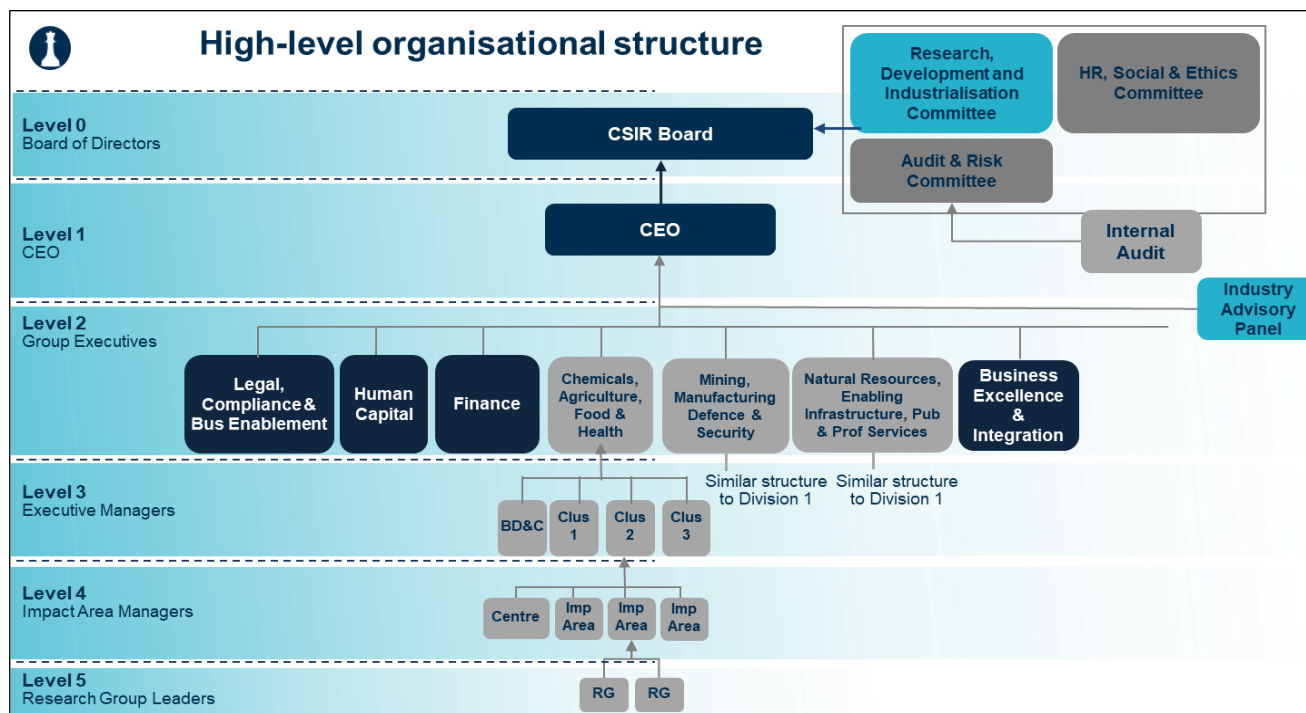


Figure 1: Schematic diagram of the structure of the CSIR

### 2.1 Divisions and clusters

The divisions with clusters focused on industry sectors are as follows:

- a) CSIR Chemicals, Agriculture, Food and Health
  - i) CSIR NextGen Health
  - ii) CSIR Advanced Agriculture and Food
  - iii) CSIR Future Production: Chemicals
- b) CSIR Mining, Manufacturing, Defence and Security
  - i) CSIR Future Production: Mining
  - ii) CSIR Future Production: Manufacturing
  - iii) CSIR Defence and Security
- c) CSIR Natural Resources, Enabling Infrastructure, Public and Professional Services
  - i) CSIR Smart Places
  - ii) CSIR NextGen Enterprises and Institutions
  - iii) CSIR Smart Mobility

### 2.2 Support services

- a) Legal, Compliance and Business Enablement
  - i) Legal and Compliance
  - ii) Facilities Management and Security
  - iii) Safety, Health, Environment and Quality

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- iv) Conferencing and Accommodation
  - v) Enterprise Risk Management
  - b) Human Capital
  - c) Finance
    - i) Strategic Procurement
    - ii) Information Communication Technology
  - d) Business Excellence and Integration

### 3 Contact details - Section 14 (1)(b)

- **Information Office**  
Chief Executive Officer  
Tel: (012) 841 2911
- **Deputy Information Officer**  
Privacy Office  
Tel: (012) 842 7235  
E-mail: [privacy@csir.co.za](mailto:privacy@csir.co.za)  
Website address: <http://www.csir.co.za>
- **Street Address**  
Meiring Naudé Road  
Brummeria  
Pretoria  
South Africa
- **Postal Address**  
P O Box 395  
Pretoria  
0001  
South Africa

### 4 Section 10 guide on how to use the Act - Section 14(1)(c)

Please direct any queries to:

The Information Regulator (South Africa)

- **Postal Address**  
P.O Box 31533  
Braamfontein  
Johannesburg  
2017
- **Physical Address:**  
JD House  
27 Siemens Street  
Braamfontein  
Johannesburg  
2001
- **Website:** <https://www.inforegulator.org.za>
- **Email:**
  - Complaints:  
[PAIAComplaints@inforegulator.org.za](mailto:PAIAComplaints@inforegulator.org.za)  
[POPIAComplaints@inforegulator.org.za](mailto:POPIAComplaints@inforegulator.org.za)
  - General enquiries:  
[enquiries@inforegulator.org.za](mailto:enquiries@inforegulator.org.za)

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## 5 Access to the records held by the CSIR

### 5.1 Automatic disclosures – Section 14(1)(e)

All information available on the website, [www.csir.co.za](http://www.csir.co.za), is disclosed voluntarily. This information includes the current annual report, annual financial statements, report by the Auditor-General, report on corporate governance, executive report, and financial statements. The following information is also disclosed voluntarily:

- Documents relating to the policy and governance of the CSIR – in annual report, paper copies or on the CSIR website.

### 5.2 Records that may be requested – Section 14(1)(d)

- **Operational Information and Agreements** relating to the following categories:
  - Documents relating to the policy, objectives, and governance of the CSIR;
  - Directives, resolutions, and instructions of the Board of the CSIR;
  - Joint-venture agreements with subsidiaries and/or agreements with any person, government, or administration;
  - Rental agreements, title deeds, mortgage bonds and notarial bonds relating to movable and immovable property;
  - Company records relating to companies established by the CSIR or in association with joint-venture partners and/or any person for the purpose of developing or exploiting an invention or technological expertise;
  - Memorandums of Understanding; and
  - Metadata and spatial information.
- **Finances and Accounting** records relating to the following categories:
  - Bank account records;
  - Books of account and financial statements;
  - Auditor's annual report;
  - Audited financial statements;
  - Financial statements of subsidiaries;
  - Annual report, including statement of financial position and statement of income and expenditure certified by the Auditor-General;
  - Annual budget and corporate plan as provided for in the PFMA;
  - Value Added Tax (VAT), Standard Income Tax on Employees (SITE) and Pay As You Earn (PAYE) records; and
  - Additional information required by the Minister.
- **Human Resources** records relating to the following categories:
  - Policies and procedures;
  - Personnel files – subject to the rules governing the Protection of Personal Information Act, 2013 (Act 4 of 2013);
  - Contracts, conditions of service and other agreements;
  - Statutory employee records; and
  - Pension fund records of the pension fund established under the Associated Institutions Pension Fund Act, 1963(Act 41 of 1963).
- Research, technology solutions and support information relating to the following categories:
  - Building and Construction Technology;
  - Defence Technology;
  - Food, Biological and Chemical Technologies;
  - Information and Communications Technology;

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- Manufacturing and Materials Technology;
  - Mining Technology;
  - Roads and Transport Technology;
  - Water, Environment and Forestry Technology; and
  - Energy Technology.
  - **Intellectual property** information relating to the following categories:
    - Rights in discoveries and inventions and improvements in respect of processes, apparatus and machines made by employees of the CSIR in the course of their employment as employees of the organisation;
    - Rights in a discovery, invention or improvement made by the CSIR in the course of an investigation for or on behalf of another person, government, or administration;
    - Patents and patent applications; and
    - Licence agreements.
  - Research results:
    - The CSIR undertakes various research assignments and an overview of these are published on [www.csir.co.za](http://www.csir.co.za); and
    - The CSIR requires that research conducted by all staff members must comply with the highest ethical standards based on principles of integrity, trust, collegiality, and justice. As such, all requests for access to research results will be assessed on a case-by-case basis and a decision will be communicated to the requestor, bearing in mind confidentiality obligations to third parties and Intellectual Property that is proprietary.

## **6 Request procedures – Section 14 (1)(d)**

### **6.1 Disclosure of records**

A requester must be given access to a record of a public body if the requester complies with the following:

- The requester complies with all the procedural requirements in the Act relating to the request for access to that record; and
- Access to that record is not refused on any ground of refusal provided for in the Act (see 10.16).

### **6.2 Nature of the request**

- A requester must use the prescribed Form 2 Request for Access to Record (Regulation 7), available on the CSIR Website [www.csir.co.za](http://www.csir.co.za)
- The requester must indicate whether the request is to obtain a copy of the record or whether inspection of the record at the offices of the public body is requested. Alternatively, if the record is not a document, it can be viewed in the requested form – Section 29(2).
- Access should be provided in the particular form and manner requested unless such manner would interfere unreasonably with the running of the public body concerned or damages the record, or infringes a copyright owned by the state. If for practical reasons access cannot be given in the required form, but in an alternative manner, the fee must be calculated in accordance with the manner of disclosure first requested by the requester – Section 29(3) and (4).
- If, in addition to a written reply to the request for the record, the requester requires to be advised of the decision in any other manner, e.g., by telephone, this must be indicated – Section 18(2)(e).
- If a requester requests the information on behalf of somebody else, the capacity in which the request is made must be indicated – Section 18(2)(f).
- If the requester is unable to read or write, or has a disability, the request may be made orally. In such an event, the Information Officer must complete the form on behalf of the requester and provide the requester with a copy or copies – Section 18(3).



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### 6.3 Fees payable

- There are two types of fees payable in terms of the Act, namely the request fee and the access fee(s) – Section 22.
- A requester, who seeks access to a record containing personal information about the requester, is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the prescribed request fee.
- The Information Officer must notify the requester (other than a personal requester) by relevant means, requiring the requester to pay the prescribed fee (if any) before further processing<sup>2</sup> the request.
- The request fee payable to public bodies is R100. The requester may lodge an internal appeal, where appropriate, or an application to court against the tender or payment of the request fee.
- After the Information Officer has made a decision on the request, the requester must be notified of such decision in the manner requested by the requester.
- If the request is granted, an access fee must be paid for the search, preparation, reproduction and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

### 6.4 Payment of fees

- Payment details can be obtained from the Information Officer indicated above and can be made either via a direct deposit or by postal order (no credit card payments are accepted). Proof of payment must be supplied.
- The access fee must be paid prior to access being given to the requested record. If the request for access is successful an access fee may be required for the search, reproduction and/or preparation of the record(s) and will be calculated based on the Prescribed Fees as set out in Appendix A.

## 7 Services available – Section 14(1)(f)

In terms of the Scientific Research Council Act, the CSIR may make the technological expertise in its possession available to any person, in order to fulfil its functions or attain any of its objects, enter into agreements with any person and in association with any person, establish a company for the purpose of developing or exploiting any invention or technological expertise and, at the request or with the prior approval of the Minister, undertake research in any territory outside the Republic of South Africa on behalf of any person in any such territory.

## 8 Arrangement allowing for public involvement in the formulation of policy and the exercise of power – Section 14(1)(g)

Members of the CSIR Board are appointed from the private sector by the Minister responsible for administering the Scientific Research Council Act. The CSIR is governed by primary legislation, which, depending on the nature and complexity thereof, may be preceded by a discussion paper setting out a proposed approach and calling for public comment. This step may be followed or replaced by the release of draft legislation for public comment.

## 9 Remedies available if the provisions of the Act are not complied with – Section 14(1)(h)

- The CSIR does not have an internal appeal procedure in place to facilitate appeals against decisions of the Information Officer or Deputy Information Officer.
- An aggrieved party may apply to a court for appropriate relief. On hearing such application, the court may grant any order that is just and equitable including:
  - Confirming, amending, or setting aside the decision that is the subject of the application;

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<sup>2</sup> “processing” means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including — the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use; dissemination by means of transmission, distribution or making available in any other form; or merging, linking, as well as restriction, degradation, erasure or destruction of information;

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- Requiring the Information Officer to take some action or to refrain from taking such action as the court considers necessary within the period mentioned in the order;
  - Granting an interdict, interim or specific relief, a declaratory order or compensation; or
  - Costs.

## **10 Processing of personal information**

### **10.1 The CSIR may process the personal information of the following categories of data subjects:**

- Customers and employees, representatives, agents, partners, contractors, and service providers of such customers;
- Suppliers, service providers to and vendors of the CSIR and employees, representatives, agents, contractors and service providers of such suppliers and service providers;
- Directors and officers of the CSIR;
- Shareholders;
- Job applicants;
- Existing and former employees (including contractors, agents, temporary and casual employees);
- Visitors to the premises of the CSIR; and
- Complainants, correspondents, and enquirers.

All the above categories include current, past, or prospective data subjects.

### **10.2 The categories of personal information processed in respect of the above data subjects may include, as may be applicable:**

- Name, identifying number, symbol, email address, physical address, telephone number, location information, online identifier, or other particular assignment to the person;
- The biometric information;
- Information relating to the education or the medical, financial, criminal or employment history of the data subject;
- Information relating to the race, gender, marital status, national origin, age, disability, language, and birth of the data subject;
- The personal opinions, views, or preferences of the data subject;
- Confidential correspondence sent by the data subject; and
- The views or opinions of another individual about the data subject.

### **10.3 The CSIR processes personal information of data subjects for the purposes of:**

- Fulfilling its statutory obligations in terms of applicable legislation;
- Verifying information provided to the CSIR;
- Obtaining information necessary to provide contractually agreed services to a customer;
- Monitoring, maintaining, and managing the CSIR's contractual obligations to customers, clients, suppliers, service providers, employees, directors and other third parties;
- Marketing and advertising;
- Resolving and tracking complaints;
- Monitoring and securing the assets, employees, and visitors to the premises of the CSIR; and
- Historical record keeping, research and recording statistics necessary for fulfilling the CSIR's business objectives.

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## 10.4 Special categories of personal information

The processing of special personal information is generally prohibited, the CSIR is allowed to process special personal information in the following circumstances:

- The data subject has granted the CSIR consent to process their special personal information;
- The processing is in compliance with a legal obligation;
- The processing is necessary for the purposes of carrying out the obligations and exercising specific rights in the field of employment and security;
- The processing is necessary to protect the vital interests of the data subject or another person where the data subject is physically or legally incapable of consenting;
- The processing is necessary for the purposes of preventative or occupational medicine, for the assessment of the working capacity of employees.

## 10.5 Special Categories of Personal Information Collected in respect of Employees

- Race or ethnicity;
- Criminal behaviour;
- Trade union membership;
- Medical records collected at the on-site medical centre, Information about your health, including any medical condition;
- Biometric data; and
- Personal information of children.

## 10.6 Purposes for which special categories of personal information is collected:

- Information relating to leave of absence, which may relate to illness, to comply with employment and other laws;
- Information regarding our employees physical or mental health or disability status to assess their fitness to work, to provide for special accommodation and in order to protect health and safety in the workplace;
- Information about race or ethnic origin to comply with legal obligations regarding employment equity;
- Information relating to trade union membership in order to pay union premiums and comply with labour law obligations;
- Information relating to children as part of our staff members beneficiary nomination process in compliance with pension funds, medical aids, etc.
- Information relating to children as part of the CSIR's security access control procedures and health and safety protocols.

## 10.7 The CSIR may supply personal information to the following categories of recipients, but will do so in full compliance with relevant legislation, e.g., Protection of Personal Information Act and the Constitution of the Republic of South Africa:

- Regulatory, statutory and government bodies;
- Suppliers, service providers, vendors, agents, and representatives of the CSIR;
- Employees of the CSIR;
- Shareholders and other stakeholders;
- Third-party verification agencies and credit bureau;
- Collection agencies; and
- Banks and other financial institutions.

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## **10.8 The following applies for planned or prospective trans-border flows of the personal information processed by the CSIR in respect of the above categories of data subjects:**

- Personal information of data subjects may be transferred across borders because the CSIR hosts some of its applications in foreign jurisdictions;
- Current employees and consultants' information may also be transferred trans-border to neighbouring countries, where the CSIR has a physical presence or may be providing services or performing in terms of its contractual obligations;

## **10.9 Security measures implemented or to be implemented by the CSIR to ensure the confidentiality, integrity and availability of the personal information which may be or is being processed by the CSIR:**

The CSIR continuously establishes and maintains appropriate, reasonable technical and organisational measures to ensure that the integrity of the personal information in its possession or under its control is secure. It further ensures that such information is protected against unauthorised or unlawful processing, accidental loss, destruction or damage, alteration, or access by having regard to the requirements set forth in law, in industry rules and generally accepted information security practices and procedures which apply to the CSIR.

## **10.10 The CSIR seeks to carry out regular assessments to:**

- Identify all reasonably foreseeable internal and external risks to personal information in its possession and control;
- Verify that safeguards are effectively implemented to secure personal information; and
- Where applicable, the CSIR updates its existing safeguards to maintain the security of the personal information in its possession and control.

## **10.11 Retention periods for personal information:**

In terms of the Protection of Personal Information Act, the CSIR is required to keep your personal data for no longer than is necessary for the purposes for which it is processed. After your Personal Data is no longer necessary for the purposes for which it was processed, it will be archived for the required retention period as contained in the CSIR's Records Management Policy and File Plan. Once the retention period has expired, the personal information will be irreversibly destroyed. Any personal information submitted to the CSIR for marketing, subscription or service update notifications will be kept by the CSIR until such time that you notify us that you no longer wish to receive this information.

## **10.12 Breach and security incidents:**

The CSIR implements and tests breach and security incident management procedures regulating how breach and security incidents should be handled. The procedures stipulate who is responsible for managing the breach and security incident, the measures which should be taken to prevent and minimize the occurrence of the incident, how the incident should be reported and who should be notified in the event of an incident. Incidents affecting the security of personal information must be reported to the Information Regulator (South Africa) in accordance with the requirements of the Protection of Personal Information Act.

## **10.13 Access requests**

To facilitate a timely response to requests for access, all requesters should take note of the following:

- Form 2 Request for Access to Record must be completed;
- Proof of identity is required to authenticate the identity of the requester. In addition to Form 2, requesters will be required to supply a copy of their bar-coded identification document or a valid passport document;

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- Type or print in BLOCK LETTERS an answer to every question;
  - If a question does not apply, state “N/A” in response to that question;
  - If there is nothing to disclose in reply to a particular question state “NIL” in response to that question;
  - When the use of an additional folio is required, precede each answer with the applicable title; and
  - Please note that the successful completion and submission of Form 2 does not automatically allow the requester access to the requested record. An application for access to a record is subject to certain limitations if the requested record falls within a certain category as specified within Part 2 Chapter 4 of the Act. If it is reasonably suspected that the requester has obtained access to records through the submission of materially false or misleading information, legal proceedings may be instituted against such requester.

### **10.14 Submission of Form 2 Request for Access to Record**

- The completed Form 2 Request for Access to Record together with a copy of the requester’s identity document must be submitted either via conventional mail or e-mail and must be addressed to the contact person as indicated in 3 above;
- The request fee as detailed in 6.3 above is payable on submission of the request; and
- There is no fee applicable to Personal Requesters, referring to any person seeking access to records that contain their personal information.

### **10.15 Notification**

- The Information Officer 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.
- This 30 (thirty) day period may be extended for a further period of not more than 30 (thirty) days, if the request is for a large volume of information, or the request requires a search for information held at other offices of one or more of the companies and the information cannot reasonably be obtained within the original 30 (thirty) day period. The requester will be notified in writing should an extension be sought.

### **10.16 Grounds for refusal of access to records (Part 2, Chapter 4)**

The main grounds for refusal of a request for information are:

- “Mandatory protection of privacy of a third party who is a natural person”, Section 34;
- “Mandatory protection of the commercial information of a third party”, Section 36;
- “Mandatory protection of certain confidential information and protection of certain other confidential information of third parties”, Section 37;
- “Mandatory protection of the safety of individuals and the protection of property”, Section 38;
- “Defence, security and international relations of Republic”, Section 41;
- “Economic interest and financial welfare of Republic and commercial activities of public bodies”, Section 42;
- “Mandatory protection of research information of third party, and protection of research information of public body”, Section 43;
- “Operations of public bodies”, Section 44; and
- “Manifestly frivolous or vexatious requests, or substantial and unreasonable diversion of resources”, Section 45.

### **10.17 Appeal against refusal to grant access**

If a requester is aggrieved by the refusal of the Information Officer to grant a request for a record, the requester may, within 30 (thirty) days of notification of the Information Officer’s decision (or his or her deemed refusal in terms of Section 58 of the Act), apply to court for appropriate relief.

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## **11 Any other information as may be prescribed – Section 14(1)(i)**

There is currently no additional information available from the Minister.

## Appendix A Fees payable

In accordance with section 22(7) of the promotion of Access to Information Act as determined by the Minister:

### Fees in Respect of Public Bodies

	Description	Amount
1.	The request fee payable by every requester	R100.00
2.	Photocopy of A4-size page	R1.50 per page or part thereof.
3.	Printed copy of A4-size page	R1.50 per page or part thereof.
4.	For a copy in a computer-readable form on:	
	(i) Flash drive (to be provided by requester)	R40.00
	(ii) Compact disc	
	• If provided by requester	R40.00
	• If provided to the requester	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:	
	(i) Flash drive (to be provided by requester)	R40.00
	(ii) Compact disc	
	• If provided by requester	R40.00
	• If provided to the requester	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	R100.00  R300.00
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.