

PROMOTION OF ACCESS TO INFORMATION ACT

(“PAIA”)

AND

PROTECTION OF PERSONAL INFORMATION ACT

(“POPIA”)

ACCESS TO INFORMATION MANUAL

Policy Statement

It is Cape Peninsula Universities of Technology (CPUT)'s policy to conduct its operations in compliance with all legal and regulatory requirements. This Access to Information Manual ("the Manual") regulates access to information and records owned, held by or otherwise under the control of CPUT and its subsidiaries and the release of any such information or record any of CPUT's employees, agents or anyone acting on its behalf. This Manual should be read in conjunction with, and is aimed at ensuring compliance with, the CPUT's policies relating to meeting regulatory requirements.

Application

This Manual applies to information and records owned, held by or otherwise under the control of CPUT and the release of any such information or records.

Objective

The objectives of this Manual are to:

- provide a non-exhaustive list of information, records and other details held by CPUT;
- set out the requirements on how to request information in terms of the Promotion of Access to Information Act No. 2 of 2000 ("PAIA" and/or "the Act") and the Protection of Personal Information Act, Act No 4 of 2013 ("POPIA") as well as the grounds on which a request may be refused; and
- define the manner and form in which a request for information must be submitted.

Availability

As provided for in terms of section 51(2) of PAIA this Manual will be updated as and when the need arises and as soon as any amendments have been finalized the latest version of the Manual will be made public through:

The CPUT website: www.cput.ac.za

Alternatively, on request from:

Cape Peninsula University of Technology	
Information Officer	Deputy Information Officer
Vice Chancellor: Dr C. Nhlapo	Registrar: Mr N Ntsababa
Mail Address: PO Box 1906	Mail Address: PO Box 1906
Bellville	Bellville
7353	7353
Website: www.cput.ac.za	Telephone +27 (0) 21 953 8689
	E-mail: ntsababan@cput.ac.za

THE MANUAL

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INTRODUCTION

PAIA affords natural and/or juristic persons the right of access to records held by either a private or public body, subject to certain limitations, in order to enable them to exercise or protect their rights. Conversely, POPIA affords Data Subjects (“**DS**”) the right to request access, in accordance with the provisions of PAIA, to their Personal Information (“**PI**”) from any Responsible Party (“**RP**”).

Section 51 of PAIA requires Private Bodies to compile a Manual setting out the procedure and requirements to be adhered to in seeking to obtain access to information held by that Public Body. It also stipulates the minimum requirements a manual has to comply with. To this end section 51 requires the Manual to contain, amongst others, the following:

- A description of the public body’s structure and functions;
- Contact details of the Head of the Public Body;
- Categories of information available without formal request, if any;
- A description of the records available in accordance with other legislation;
- Sufficient detail to facilitate a request for access to a record of the Public Body
- A description of the categories of subjects and of the information or categories of information;
- A description of the subjects on which the body holds records and the categories of records held on each subject,
- Such other information as may be prescribed.

POPIA requires that when processing PI, a RP should give effect to the constitutional right to privacy by safeguarding PI subject to justifiable limitations that are aimed at balancing the right to privacy against other rights particularly the right of access to information.

2. DEFINITIONS

The following words as shall bear the same meaning as under POPIA as follows:

“**Consent**” means a voluntary, specific and informed expression of will in terms of which a DS agrees to the processing of PI relating to him or her

“**Data Subject**” or “**DS**” means the person to whom personal information relates

“**Minister**” means the Minister of Justice and Constitutional Development

“**Personal information**” or “**PI**” means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person including

(a) information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;

(b) information relating to the education or the medical, financial, criminal or employment history of the person;

(c) any identifying number, symbol, e-mail address, physical address, telephone number or other particular assignment to the person;

- (d) the blood type or any other biometric information of the person;
- (e) the personal opinions, views or preferences of the person;
- (f) correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
- (g) the views or opinions of another individual about the person; and
- (h) the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person

“Private body” means a natural person who carries or has carried on any trade, business or profession in that capacity, a partnership or juristic person

“Processing” means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including:

- (a) the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
- (b) dissemination by means of transmission, distribution or making available in any other form; or
- (c) merging, linking, as well as blocking, degradation, erasure or destruction of information;

“Public body” means any department or state or administration in the national, provincial or local sphere of government or functionary exercising public power

“Responsible party” or “RP” means a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means for processing Personal Information.

CPUT STRUCTURE AND FUNCTIONS

CPUT is a higher education institution established in terms of the Higher Education Act, 1997, that provides teaching, learning, research, innovation and public service. The Statute of the Cape Peninsula University of Technology (published in Government *Gazette* No 33202 of 17 May 2010) provides for the University’s governing structures and their functions and is available on the following link:

<https://www.cput.ac.za/files/.../CPUT%20STATUTE%202010.pdf>

PARTICULARS REQUIRED IN TERMS OF THE SECTION 51(1)(a) OF PAIA

Company Registration:	
Vice Chancellor - Information Officer	Dr C. Nhlapo (Acting)
Deputy Information Officer	Mr N. Ntsababa
Compliance Officer	Mr M. Mateta
Street Address	CPUT, Symphony Way

Postal Address	PO Box 1906, Bellville, 7535
Telephone	+27 (0) 21 959 6911
Fax	+27 (0) 21 959 6002
Website	www.cput.ac.za
E mail	info@cput.ac.za

5. LIST OF RECORDS AND INFORMATION

The information held by CPUT has been divided into different categories grouped into fifteen main subjects' headings according to institutional File Plan, each of which describes a single business unit, for example, "Human Resources". For ease of understanding and navigation, an additional level has been added between the "subject" and "category" levels. This additional level describes more accurately the sub-set of categories that falls under it. For example, under the additional level, the subject "Performance and Remuneration" is made up of information categories describing payroll, bonus and incentives, and employee performance information.

The categories of information are not exhaustive but are merely meant to give a broad indication of the information subject and categories held by CPUT, without specification. A category may therefore contain sub-categories and sub-sets of information, which are not specifically listed

5.1 List of Main Subjects;

1. Governance and Administration
2. Marketing, Communication & Advancement
3. Finance
4. Human Capital Management
5. Information Management and Services
6. Infrastructure Development and Facility Management
7. Academic Administration and Student Affairs
8. Research and Postgraduate Studies Management
9. Teaching and Learning

6. ENTRY POINT FOR REQUESTS FOR INFORMATION

In order to ensure that CPUT complies with the Act, management has designated Registrar as the only entry point through which any request in terms of the Act must be channelled.

All requests in terms of the Act must be addressed to:

Registrar - Deputy Information Officer

PO Box 1906

Bellville

7353

Telephone +27 (0) 21 953 8689

E-mail: registrar@cput.ac.za

7. WHO MAY REQUEST INFORMATION OR RECORDS

7.1 The purpose for which Information is required

The Act provides that a person may only request information in terms thereof if that information is required for the exercise or protection of a right.

Further, POPIA provides that a DS may, upon proof of identity, request the RP to confirm, free of charge, all the information it holds about the DS and may request access to such information, including information about the identity of third parties who have or have had access to such information. POPIA further provides that where the DS is required to pay a fee for services provided to him/her/it the RP:

- Must provide the DS with a written estimate of the payable amount before providing the service
- May require that the requestor pay a deposit for all or part of the fee

Categories of Requestors

The capacity under which a Requester requests documentation/ information will determine the category he or she falls in. Please note that the Requester category has a bearing on the conditions of access to the information.

Requesters have been classified into four categories:

- A Personal Requester: requests information about himself/herself/itself.
- A Representative Requester: requests information relating to and on behalf of someone else.
- A Third Party Requester: requests information about another person.
- A Public Body: requests information in the public interest.

8. REQUEST PROCEDURE

8.1 Completion of Form C

Any request for information in terms of the Act must be submitted in terms of Form C (a copy of the form is enclosed as Annexure A hereto). These forms are available on request from the Registrar's office and upon payment of a prescribed fee. The forms can also be downloaded from www.cput.ac.za

Form C must be completed in full and returned to the address referred to in paragraph 6 above within a period of 30 days together with any other information that may be required in order to consider and decide on the request. A request which does not comply with the formalities contained in this Manual will be referred back to the Requester with advice on the necessary steps for compliance. This includes Forms that are not completed in full.

8.2 Proof of identity

Proof of identity is required to authenticate the request and the Requester. In view hereof, a Requester will, in addition to Form C, be required to submit acceptable proof of identity such as a certified copy of their Identity Document or other legal form of identification.

Note: Information will not be furnished unless a person clearly provides sufficient particulars to enable the institution to identify the right the Requester is seeking to protect as well as an explanation of why the requested information is required for the exercise or protection of that right.

8.3 Checklist for submission of information requests

Form C

- Number B – the requesters details
- Number C – only if the request is a third party request
- Number D1 – the time period as well as type of information required
- Number D2 – reference number that was provided by CPUT (if available)
- Number E – exemption from paying the fees, if so the client will need to supply his/her salary advice and if the client is married, a copy of the spouse's salary advice will need to be supplied as well
- Number F1 – copy in a computer readable form (memory stick or compact disc)
- Number G1 – indicate which right is to be exercised or protected
- Number G2 – the reason for which this information is required (we will not accept 'personal reasons' as a reason)
- Number H – preferred method of communication
- Documentation signed and every page must be initialled.
- Number 3 – choose a, b or c
- Number 6 – choose a, b or c
- Number 7 – only in the case of a Third Party request

NB the following information must also be attached:

- A **certified copy of your identity document**. Please also initial the identity document.

9. REQUEST FEES

Section 54 of the Act entitles a Public Body to levy a prescribed request fee to a Requester before further processing the request. The fees that may be charged have been published by the Minister of Justice and Constitutional Development and are displayed below.²

According to POPIA a RP is entitled to levy a prescribed fee for the provision of PI about the DS in its possession.

1. ACCESS FEES FOR REPRODUCTION		
1.1	For every photocopy of an A4-size page or part thereof	R1.10
1.2	For every photocopy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R0.75
1.3	For a copy in a computer-readable form on memory stick	R7.50
1.4	For a copy in a computer-readable form on compact disc	R70.00
1.5	For a transcription of visual images for an A4-size page or part thereof	R40.00
1.6	For a copy of visual images	R60.00
1.7	For a transcription of an audio record for an A4-size page or part thereof	R20.00
1.8	For a copy of an audio record	R30.00
2. ACCESS FEE FOR TIME SPENT		
2.1	The time reasonably required to search for the record for disclosure and preparation	R30.00/hr or part thereof
3. REQUEST FEE		
3.1	For a request for access to a record by a person other than a personal Requestor	R50.00
4. DEPOSIT		
4.1	One third of the access fee is payable as a deposit by the Requester	4.1
5. POSTAL FEE		
5.1	When a copy of a record must be posted to the Requestor	R9.75
6. APPEAL FEES		
6.1	For lodging an internal appeal against the refusal of a request for access to a record	R50.00

10. GRANTING OR REFUSAL OF REQUESTS

All requests complying with the requirements set out above will be processed and considered expeditiously.

If the request for access is granted then CPUT will advise the Requestor on the following:

- the prescribed fee for accessing the information or documentation
- payable deposit fee and balance outstanding
- the form in which access will be given
- the right to lodge an internal appeal against the access fee to be paid or the form of access to be granted.

If the request for access is refused then CPUT will advise the Requestor about the reasons for refusal of access and may advise the Requestor to lodge an application with the court against the refusal of the request after the Requestor has exhausted all the internal appeal process.

Chapter 4 of the PAIA Act stipulates the following grounds for refusing requests for information:

- protection of the privacy of a third party who is a natural person
- protection of commercial information of a third party
- protection of certain confidential information of a third party

- protection of safety of individuals and protection of property
- protection of records privileged from production in legal proceedings
- commercial information of the Public Body
- protection of research information of a third party and of the Public Body.

These grounds of refusal are also endorsed under POPIA.

CPUT will give the Requester a written notice of the decision within 30 days after the decision is made. In case of a request being refused, the notification will include the reasons for the refusal. CPUT may extend the 30 day notice period for a further period not exceeding 30 days due to the nature of the request and the amount of time required to gather the requested information. The requester will however be given notice of the extension prior to the expiry of the 30 day period and provided with reasons for the extension.

11. APPEAL/ LODGEMENT OF COMPLAINTS

The Act makes provision for the lodgment of complaint against:

- Access fee charged or the form of access granted
- Refusal of the request to grant access
- Decision to extend the 30 days' period for granting the requested access
- Form in which access is granted

A Requestor aggrieved by CPUT's decision or who wishes to lodge a complaint or appeal must follow this process:

A compliant or an internal appeal must:

- be lodged within 30 days after the decision is communicated to the Requestor;
- be delivered or sent to the address, fax or electronic mail address contained in paragraph 6 above;
- identify the subject of the complaint or internal appeal and state the reasons for the complaint or internal appeal;
- be accompanied by the prescribed appeal fee as prescribed in paragraph 9 above;
- specify a postal address, fax number or electronic mail for the return of the decision.

(see Annexure B for the copy of the form to be used in lodging the internal appeal)

Where, in addition to a written reply, the complainant/appellant wishes to be informed of the decision in any other manner he/she/it must state that manner and provide the necessary particulars to be so informed.

The complainant/appellant who is not happy with the decision of the internal process may lodge an application with a court against the decision made within 30 days after the decision was communicated to him/her/it.

Where the compliant or internal appeal is lodged after the expiry of the 30 days period the information Officer may, on good cause shown, allow the late lodgment of the compliant or internal appeal.

12. OTHER INFORMATION AS MAY BE PRESCRIBED

Section 51(1)(f) of the Act grants the Minister powers to publish a notice prescribing any other information that companies will have to disclose.

13. AVAILABILITY OF THE MANUAL

a) This manual is available for inspection during office hours and at no charge.

b) Should you wish to obtain a copy of this manual or part thereto such copy can be obtained from either:

- the address set out in paragraph 6 subject to payment of applicable fees (refer to heading 9); or
- downloaded from our website at www.cput.ac.za

14. CATEGORIES OF RECORDS AVAILABLE WITHOUT REQUEST

No notice relating to the University has been published in terms of section 15(2) or 52 (2) of PAIA. The information available on the University's website located at <http://www.cput.ac.za> is available without having to follow the procedure set out in PAIA or in this MANUAL.

15. INFORMATION AVAILBLE IN TERMS OF OTHER LEGISLATION

In the event that CPUT holds records in terms of other legislation other than PAIA, those records may in certain circumstances be requested by certain persons.

16. DESCRIPTION OF THE UNIVERSITY'S SERVICES AND ACCESS TO THESE SERVICES

- 16.1. The core business of CPUT is teaching, learning, research, innovation and public services. The University has a number of campuses: Bellville, Cape Town, Wellington, Mowbray, Granger Bay, Athlone, Groote Schuur Hospital, Worcester and Tygerberg Hospital and has the following faculties:
- Faculty of Business;
 - Faculty of Health and Wellness Science;
 - Faculty of Applied Sciences;
 - Faculty of Education and Social Science;
 - Faculty of Informatics and Design;
 - Faculty of Engineering.
- 16.2. Access to the university's services is normally limited to its staff and students. However, requests for access to certain services, such as visitations to University campuses, should be directed to:

The Director Marketing & Communications
Cape Peninsula University of Technology
PO Box 1906
Bellville, 7535
Fax: 021 959 6097
Tel: 021 959 6168
info-request@cput.ac.za

17. PARTICIPATION IN POLICY OR DECISION MAKING BODIES OF THE UNIVERSITY

- 17.1. Students and staff participate in policy and decision making at the University in accordance with the provisions of the Higher Education Act 1997 (Act No 101 of 1997), and internal procedures as agreed upon with the relevant representative bodies.
- 17.2. Other interested persons may submit their comments and proposals in writing to the Registrar at the address stated in clause 6.

ANNEXURE A: PRESCRIBED FORM C



OFFICE OF THE REGISTRAR
Bellville Campus
P O Box 1906, Bellville, 7535
Telephone +27 (0) 21 953 8689

REQUEST FOR ACCESS TO RECORD

(Section 18(1) of the Promotion of Access to Information, 2000 (Act No 2 Of 2000)
[Regulation 6]

FOR DEPARTMENTAL USE	
Request received by	Reference number
(state rank, name and surname of information officer/ deputy information officer)	
on.....(date) at.....(place)	
Request fee (if any): R.....	
Deposit (if any): R.....	
Access Fee: R.....	
_____ Signature of Information Officer/ Deputy Information Officer	

A: Particulars of University

The Information Officer /Deputy Information Officer

PLEASE NOTE: Requests for information in terms of the Promotion of Access to Information Act, Act No. 2 of 2000, will only be processed if the attached application form has been completed in full, signed by the relevant requestor and the applicable fees have been paid.

<i>FOR OFFICE USE ONLY</i>			
Request received by: (name of information officer)			
On (date)		at:	

Request fee:	R	Receipt nr:	
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Deposit:	R	Receipt nr:	
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Access fee:	R	Receipt nr:	
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Signature of Information Officer:	
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B. Particulars of person requesting access to the record

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

Identity number: _____

Postal address: _____

Fax number: _____

Telephone number: _____ E-mail address: _____

Capacity in which request is made, when made on behalf of another person

C. Particulars of person on whose behalf request is made

This section must be completed **ONLY** if a request for information is made on behalf of

Full names and surname: _____

Identity number: _____

D. Particulars of record

- (a) 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.
- (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.**

1. **Description of record or relevant part of the record:** _____

2. **Reference number, if available:** _____

3. **Any further particulars of record:** _____

E. Fees

- (a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a **request fee** has been paid to CPUT in the manner provided for above.
- (b) You will be notified of the amount required to be paid as the request fee.
- (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.
- (d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided

Disability: _____

Form in which record is required:

Mark the appropriate box with a **X**.
NOTES:
 (a) Compliance with your request for access in the specified form may depend on the form in which the record is available:
 (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
 (c) The fee payable for access to the 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,

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

3. If record consists of recorded words or information, which can be reproduced

	Listen to the soundtrack (audio cassette)		Transcription of soundtrack* (written or printed document)
--	---	--	--

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

	Printed copy or record*		Printed copy of information derived from the record*		Copy in computer readable form* (stiffy 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?	YES	NO
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Note that if the record is not available in the language you prefer access may be granted in

In which language would you prefer the record?	
--	--

G. 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

ANNEXURE B: NOTICE OF INTERNAL APPEAL



OFFICE OF THE REGISTRAR
Bellville Campus
P O Box 1906, Bellville, 7535
Telephone +27 (0) 21 953 8689

NOTICE OF INTERNAL APPEAL

A. Particulars of the Deputy Information Officer

Registrar - Deputy Information Officer

PO Box 1906

Bellville

7353

Telephone +27 (0) 21 953 8689

E-mail: registrar@cput.ac.za

B. Particulars of the Complainant /Appellant

- (a) Details of the complainant or person who lodges the internal appeal must be given below.
- (b) Proof of the capacity in which the complaint/appeal is lodged, if applicable, must be attached.
- (c) If the complainant/appellant is a third party and not a person who originally requested the information, the particulars of the requestor must be given in paragraph C below.

Full names and surname: _____

Identity number: _____

Postal Address: _____

Telephone number: _____ Cellphone number: _____

Fax: _____ E-mail Address: _____

C. Particulars of the Requestor

This section must be completed ONLY if a third party (other than the requestor) lodged the complaint/internal appeal.

Full names and surname: _____

Identity number: _____

D. The decision against which the complaint/internal appeal is lodged

Mark the decision against which the appeal is lodged with an X in the appropriate box	
<input type="checkbox"/>	Refusal of request for access
<input type="checkbox"/>	Decision regarding fees prescribed in terms of section 54 of the PAIA Act
<input type="checkbox"/>	Decision regarding the extension of the period within which the request must be dealt with section 57(1) of the PAIA Act
<input type="checkbox"/>	Decision to grant request for access
<input type="checkbox"/>	Other

E. Grounds for complaint/appeal

If the provided space is inadequate, please continue on a separate page and attach it to this form. **You must initial and sign all additional pages.**

State the ground on which the complaint/appeal is based: _____

State any other information that may be relevant in considering the appeal: _____

F. Notice of decision on complaint/appeal

You will be notified in writing of the decision on your complaint/internal appeal. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

State the manner: _____

Particulars of the manner: _____

Signed at _____ this ____ day of _____ 20 ____

Signature of the complainant/appellant

FOR INTERNAL USE ONLY

Appeal received on _____ (date) by _____

(Name and Surname of the person receiving the complaint/appeal)

Outcome of the complaint/Appeal

New Decision: _____

DATE

SIGNATURE OF THE INFORMATION OFFICER

ANNEXURE C: SOME OF THE LEGISLATIONS IN TERMS OF WHICH RECORDS ARE KEPT

OFFICE OF THE REGISTRAR

Bellville Campus

P O Box 1906, Bellville, 7535

Telephone +27 (0) 21 953 8689



CPUT keeps information and/or documents in accordance with the following legislation (This is not an exhaustive list):

Legislation	Type of information to be retained
1. Higher Education Act No. 101 of 1997.	<p>The Act requires council of a public higher education institution must in the manner prescribed by the Minister;</p> <ul style="list-style-type: none"> • keep records of all its proceedings; and • keep complete accounting records of all assets, liabilities, income and expenses and any other financial transactions of the public higher education institution as a whole, of its substructures and of other bodies operating under its auspices.
2. Basic Conditions of Employment Act No. 75 of 1997	<p>The Act requires employers to keep records of information containing the personal details of all its employees, working times and remuneration package.</p>
3. Broad Based Black Economic Empowerment Act No. 53 of 2003 (“BBBEE”)	<p>The BBBEE Act has as one of its objectives the promotion of economic transformation in order to enable meaningful participation of black people in the mainstream economy. It is expected that companies should keep records of activities undertaken in order to promote economic transformation and meaningful participation of black people in the mainstream economy.</p>
4. Companies Act No. 71 of 2008	<p>The Act requires all company documents and records to be kept in a written format. Companies are also expected to maintain memorandum of incorporation and a record of their directors.</p>
5. Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993	<p>Employers are expected to keep a register, employee record or reproduction of same relating of wages, time worked, payment for piece work and overtime</p>
6. Consumer Protection Act No. 68 of 2008	<p>The Act applies to all transactions in South Africa and is aimed at promoting and protecting the economic interests of consumers. The Act however does not deal with consumer personal information nor impose obligations on businesses in respect of treatment and/or protection of such information.</p>

7. Criminal Procedure act No. 51 of 1977	The Act makes provision for the admissibility of documents as evidence where such documents were compiled in the course of trade or business by persons who have personal knowledge of matters contained in the document.
8. Electronic Communications Act No. 36 of 2005	There are no specific requirements on the type of information to be retained. However it is expected that companies protect confidentiality of clients and to use it only for purpose authorized by the client or in terms of the law.
9. Electronic Communications and Transactions Act No. 25 of 2002	The Act requires that information emanating from electronic transactions only be collected, collated, processed and disclosed with customer's consent. Further, the purpose for which information is collected must be disclosed to the customer and must only be used for that purpose unless customer consents otherwise
10. Employment Equity Act No. 55 of 1998	Employers are required to maintain records relating to the workforce, employment equity plans and other relevant records.
11. Financial Advisory and Intermediary Services Act No. 37 of 2003	An authorized financial service provider is required to maintain records relating to: <ul style="list-style-type: none"> • premature cancellation of transactions or financial products • complaints received and an indication whether such complaints were resolved • cases of non-compliance with the Act and reasons for such non-compliance
12. Financial Intelligence and Centre Act No. 38 of 2001	The Act requires that prior to establishing a relationship with a client Intelligence Centre's should collect information relating to <ul style="list-style-type: none"> • Client's Identity Document • ID of a person on whose behalf the client is acting and proof of authority • Nature of business relationship/transaction • Amounts involved • Details of employee who captured info on behalf of company
13. Labour Relations Act No. 66 of 1995	The Act requires employers to keep records of disciplinary transgressions against employees, actions taken and reasons for the action
14. National Credit Act No. 34 of 2005	A credit provider is expected to maintain records of all applications for credit, credit agreements and credit accounts in the prescribed manner and form and for the prescribed time.
15. Occupational Health and Safety Act No. 85 of 1993	Employers are required to keep records relating to the health and safety of persons in the workplace
16. Pension Funds Act 24 of 1956	Every fund is expected to maintain books of account and other records as may be necessary for the purpose of the fund. All the money and assets belonging to the fund may be kept in the name of the pension fund by other institutions subject to conditions determined by the Minister.

17. Prevention and Combating of Corrupt Activities Act No. 12 of 2004	The Act provides for the strengthening of measures to prevent and combat corruption and corrupt activities. To this end companies are expected to keep records relating to any offer of improper gratification relating to the procurement or execution of contracts or employment relationship.
18. Prevention of Organized Crime Act No. 121 of 1998	The Act requires that any person who is aware of criminal activities is obliged to report them to the authorities. The duty of confidentiality or other restrictions on the disclosure of information, whether imposed by law, the common law or by agreement does not affect the obligation to report or disclose information or to permit access to any registers, records or other documents unless that obligation of confidentiality relates to attorney-client privilege.
19. Public Prosecution Authority Act No. 32 of 1998	The Act regulates the establishment of a single National Prosecuting Authority. To this end the Director-General: Justice is required to cause the necessary accounting and other related records to be kept by the National Prosecuting Authority.
20. Regulation of Interception of Communications and Provision of Communication Related Information Act No. 70 of 2002 ("RICA")	The Act requires the following information to be stored in respect of all clients: <ul style="list-style-type: none"> • Name, surname, ID number and one address • For businesses: name, registration number, business address, name and surname of business representative, his or her ID number as well as the address
21. Short Term Insurance Act No. 53 of 1998	Under the Act the policyholder, and the person who entered into the short-term policy, are entitled, against payment of a prescribed fee to be provided, upon request, with a copy of the policy agreement.
22. Skills Development Act no. 97 of 1998	The Act requires, amongst other things, that employers who commence with learnership programmes to enter into learnership agreements with the learner concerned specifying the learnership to be provided, the duration of the learnership and an undertaking to provide the learner with the specified practical experience. To comply with this requirement Employers are expected to keep records of all learnership agreements.
23. Skills Development Levies Act No. 9 of 1999	Every employer is expected to make payments towards the skills development levy at a rate of 1% of the liveable amount. Records detailing payments made by the Employer are expected to be kept.
24. Unemployment Insurance Act No. 30 of 1996	An Employer is expected to keep records relating to payment of contributions to the Unemployment Insurance Fund relating to: illness, maternity and for dependents. The Act does however, subject to the provisions of the Promotion of Access to Information Act, No. 2 of 2000, prohibits the disclosure of information obtained in the performance of functions under the Act.