



JOHN DEERE

John Deere (Pty) Ltd

PAIA MANUAL

Section 51 of the Promotion of Access to Information Act No.2 of 2000

Address: 38 Oscar Street,
Hughes, ext.47
Hughes, Boksburg

Telephone: +27 (0) 11 437 2600
Email: Africa@JohnDeere.com
Website: www.deere.co.za

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1. Interpretation

The following are definitions that have been used in this Document:

1.1 “John Deere” is the private company which this PAIA Manual relates to.

1.2 “The Act” is the Promotion of Access to Information Act 2 of 2000 (PAIA).

2. Aim

The purpose of the Act is to allow the constitutional right of an individual who wishes to access any information which are in terms of the Act and John Deere. This Manual is compliant with Section 51 of the Act. It requires that John Deere as a private body must compile a manual which provides details to the public with the procedure to be followed in requesting access to information from John Deere for the purpose of exercising or protecting rights.

The Manual may be amended from time to time as soon as any amendments have been effected and the latest version of the Manual will be published and distributed in accordance with the Act.

3. About John Deere

John Deere (Pty) Ltd sources agricultural and turf equipment and parts for such equipment from various other John Deere factories around the world and sells such equipment and parts through a dealer network throughout Sub-Sahara Africa.

4. Details

Full Name	:	John Deere (Pty) Ltd
Registration No	:	1950/037595/07
Postal Address	:	P.O Box 25551 Boksburg, Johannesburg South Africa 1459
Registered Address	:	HUGHES Extension 47 38 Oscar Street Boksburg HUGHES 1459
Telephone Number	:	(011) 437 2600
Website	:	www.deere.co.za

5. Contact details of the head of the Company and Information Officer

5.1 The head of the Company is Mr Jason P.H. Brantley. His contact details are:

Telephone : +27 (011) 437 2669
Email : BrantleyJasonP@JohnDeere.com

5.2 The Information Officer is Ms Zoli Macanda-Simbodyal. Her contact details are:

Telephone : +27 (011) 437 2691
Email : SimbodyalZoli@JohnDeere.com

6. The Human Rights Commission (“HRC”) Guide – How to access the Guide in terms of Section 10 of the Act.

The Human Rights Commission have compiled a Guide in terms of Section 10 of the Act on how to assist any person who wishes to exercise a right. The Guide is available for inspection at the offices of the South African Human Rights Commission in all official languages.

Please direct any enquiries to The South African Human Rights Commission PAIA Unit at their Research and Documentation Department at:

Postal Address : Private Bag 2700, Houghton, 2041
Telephone Number : +27 (011) 877 3600
Fax Number : +27 (011) 403 0625
Website : www.sahrc.org.za

Physical Address : 29 Princess of Wales Terrace
Cnr York and St. Andrews Street
Parktown

Telephone : +27 (011) 484 8300
Telefax : +27 (011) 484 0582
Website : www.sahrc.org.za
Email : PAIA@sahrc.org.za

7. Applicable Legislation

NO	Act
Accounting and Finance	
1	Financial Advisory and Intermediary Services Act No. 37 of 2002
2	Income Tax Act No. 58 of 1962
3	South African Revenue Bank Act No. 34 of 1997
4	Tax Administration Act No. 28 of 2011
5	
6	Value Added Tax Act No. 89 of 1991
Human Resources	
7	Basic Conditions of Employment Act No. 75 of 1997
8	Broad Based Black Economic Empowerment Act No. 53 of 2003
9	Compensation for Occupational Injuries and Disease Act No. 130 of 1993
10	Employment Equity Act, No. 55 of 1998
11	Labour Relations Act No. 66 of 1995
12	Occupational Health & Safety Act 85 of 1993
13	Prevention of Organised Crimes Act, No. 121 of 1998
14	Skills Development Act No. 97 of 1998
15	Skills Development Levies Act No. 9 of 1999
16	Unemployment Insurance Contributions Act No. 4 of 2002
17	Unemployment Insurance Amendment Act No. 32 of 2003
18	Unemployment Insurance Act No. 63 of 2001
19	Workmen's Compensation Act, No. 30 of 1941
Company Secretarial and Administration	
20	Companies Act No. 71 of 2008
21	Competition Act No. 89 of 1998
22	Consumer Protection Act No. 68 of 2008
23	Financial Intelligence Centre Act No. 38 of 2001
24	Harmful Business Practices Act 23 of 1999
25	Pensions Funds Act 24 of 1956
26	Promotion of Access to Information Act, No. 2 of 2000
27	Promotion of Administration Justice Act, No 3 of 2000
28	Protection of Businesses Act, No. 99 of 1978
29	Protection of Personal Information Act, No. 4 of 2013
Safety and Security and Health	
30	Dangerous Weapons Act 15 of 2013

31	Firearms Control Act, No 60 of 2008
32	Occupational Health and Safety Act, No 85 of 1993 and Regulations
33	Prevention and Combating of Corrupt Activities Act, No 12 of 2004
Information Technology	
34	Copyright Act, No. 98 of 1978
35	Electronic Communication Act No. 36 of 2005
36	Electronic Communications and Transactions Act, No 25 of 2002
37	Regulation of Interception of Communication Act, No 70 of 2002
Environmental/ Ecology	
38	National Environmental Management Act, No 107 of 1998
Marketing	
39	Patents Act, No. 57 of 1978
40	Patents and Trademarks Act, No. 57 of 1978
41	Trade Marks Act No. 194 of 1993

8. Schedule of Records: Records held by John Deere

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 the Act. In particular, there may be applicable grounds of refusal of such request, as set out in the Act.

Part A

Personnel Records

- Staff recruitment policies;
- Personal records provided by personnel;
- Records provided by a third party relating to personnel;
- Conditions of Employment and other personnel-related contractual and quasi-legal records;
- Internal evaluation records and other internal records;
- Correspondence relating to personnel; and
- Training schedules and material;

Customer Related Records

- Customer information reports

- Records provided by a customer to a third party acting for or on behalf of John Deere;
- Records provided by a third party;
- Records generated by or within John Deere relating to its customer, including transactional records and portfolio statements;
- Records, securities and contract notes, held by John Deere on behalf of customer; and
- Correspondence documentation between John Deere and its customers

Internal Company Records

- Financial and accounting records;
- Operational records;
- Company documents including the Constitutional Documents and any amendments thereto;
- Minute books and internal resolutions
- Databases
- Internal policies and procedures
- Compliance manuals, rules and regulations
- Information technology;
- Marketing records;
- Internal correspondence;
- Product records;
- Statutory records;
- Company insurance policies; and
- Various licences required for general operation;

Other Party Records

- Personnel, client or private body records which are held by another party, as opposed to the records held by John Deere itself; and
- Records held by John Deere pertaining to other parties, including without limitation, financial records, correspondence, contractual records, records provided by the other party and records third parties have provided in respect of these parties

Other Records

- Information relating to John Deere's own commercial activities;
- Procurement and administration for John Deere; and
- Research information belonging to John Deere.

Part B

Form of Request

- a) To facilitate the processing to access records held by John Deere, the prescribed form of request are available on the Website of the
 - SOUTH AFRICAN HUMAN RIGHTS COMMISSION at: www.sahrc.org.za.
- b) Address your request to the Information Officer.
- c) Provide sufficient details to enable John Deere to identify:
 - The record(s) requested;
 - The requester (and if an agent is lodging the request, proof of capacity);
 - The form of access required;
 - The postal address of the telephone number of the requester in the Republic;
 - If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;
 - The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.
 - If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of our Information Officer.
 - If a requestor does not use the standard form referred to above, the request may be rejected for lack of procedural compliance, refused (if sufficient information is not provided, or otherwise) or delayed.

9. Prescribed Fees

The requestors are required to pay the prescribed fees.

- a) The information officer will notify the requester (other than a personal requester) of the prescribed fee if any and which may vary before further processing the request. The requester may lodge an internal appeal or an application to Court against the tender or payment of the request fee.
- b) The information officer will then make a decision on the request and notify the requester in the required form.
- c) If the preparation of the record requested requires more than the prescribed hours (six hours), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted)
- d) If the request is granted then a further access fee must be paid for the reproduction and the search and preparation, and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.
- e) Records may be withheld until the fees have been paid

- f) Kindly note that all requests to John Deere will be evaluated and considered in accordance with the Act. Publication of this manual and describing the categories and subject matter of information held by John Deere does not give rise to any rights to access such information or records, except in terms of the Act.
- g) The fee structure is available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za.

10. Fees Payable

10.1

10.1.1	For every photocopy of an A4 size page or part thereof	R1,10
10.1.2	For every printed copy of an A4 size page or part thereof	R0,75
10.1.3	For a copy of a compact disc	R70,00
10.1.4	For a transcript of visual images for an A4 size page or part thereof	R40,00
10.1.5	For a copy of visual images	R60,00
10.1.6	For a transcript of an audio record, for an A4 size page or part thereof	R20,00
10.1.7	For a copy of an audio record	R30,00

10.2 The request fee payable by a requester, other than a personal requester is R50,00.

10.3 If the head of the company or if the request liaison officer is of the opinion that six hours will be exceeded to search, reproduce and/or prepare the information requested, a deposit is payable equal to one-third of an amount of R30,00 for each hour or part thereof, exceeding the six hours.

11. Information or Records not found

- 11.1 If all reasonable steps have been taken to find a record and such a record cannot be found or if the records do not exist, then the head of the company or the request liaison officer shall notify the requester, by way of an affidavit or affirmation that is not possible to give access to the requested record.
- 11.2 The affidavit or affirmation shall provide a full account of all the steps taken to find the record or to determine the existence thereof, including details of all communications by the head of the company or the request liaison officer with every person who conducted the search.
- 11.3 The notice as set out in 11.1 shall be regarded as a decision to refuse a request for access to the record concerned for the purposes of the Act.
- 11.4 If the record in question should later be found, the requester shall be given access to the record in the manner stipulated by the requester in the prescribed form unless access is refused by the head of the company or by the request liaison officer.

- 11.5 The attention of the requester is drawn to the provisions of Chapter 4 of Part 3 of the Act in terms of which the company may refuse, on certain specified grounds, to provide information to a requester.

12. Information requested about a Third Party

12.1 Section 71 of the Act makes provision for a request for information or records about a third party.

12.2 In considering such a request, the company will adhere to the provisions of sections 71 to 74 of the Act.

12.3 The attention of the requester is drawn to the provisions of Chapter 5 of Part 3 of the Act in terms of which the company is obliged, in certain circumstances, to advise third parties. In addition, the provisions of Chapter 2 of Part 4 of the Act entitle third parties to dispute the decisions of the head of the company or the request liaison officer by referring the matter to the High Court.

13 Updating of Manual

The company may update this manual every six months or at such intervals as may be necessary.

14 Process of requesting

14.2 A request shall be made on the prescribed form. A copy of the form is attached marked annexure “A” (“the prescribed form”). The form is also available from the website of the HRC, or the website of the Department of Justice and Constitutional Development at www.doj.gov.za.

14.3 The prescribed form shall be submitted to the request liaison officer at their address or email address who shall then hand it to the head of the company.

14.4 The same procedure as set out in 14.1 and 14.2 applies if the requester is requesting information on behalf of another person or on behalf of a permanent employee of the company.

14.5 The head of the company, as soon as reasonably possible and within thirty days after the request has been received, shall decide whether or not to grant the request.

14.6 The requester will be notified of the decision of the head of the company or the request liaison officer in the manner indicated by the requester.

14.7 If the request is granted, the requester shall be informed by the head of the company or the request liaison officer in the manner indicated by the requester in the prescribed form.

14.8 Notwithstanding the afore going, the company will advise the requester in the manner stipulated by the requester in the prescribed form of-

14.8.1 the access fee to be paid for the information (in accordance with paragraph 10);

- 14.8.2 the format in which access will be given and;
- 14.8.3 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.
- 14.9 After access is granted, actual access to the record requested will be given as soon as reasonably possible.
- 14.10 If the request for access is refused, the head of the company or the request liaison officer shall advise the requester in writing of the refusal. The notice of refusal shall state:
 - 14.10.1 Adequate reasons for the refusal;
 - 14.10.2 That the requester may lodge an appeal with a court of competent jurisdiction against the refusal of the request (including the period) for lodging such an appeal.
- 14.11 Upon the refusal by the head of the company or the request liaison officer, the deposit paid by the requester will be refunded.
- 14.12 If the head of the company or the request liaison officer fails to respond within thirty days after a request has been received, it is deemed, in terms of section 58 read together with section 56(1) of the Act, that the head of the company or the request liaison officer has refused the request.
- 14.13 The head of the company may decide to extend the period of thirty days (“original period”) for another period of not more than thirty days if:
 - 14.13.1 the request is for a large number of records;
 - 14.13.2 the search for the records is to be conducted at premises not situated in the same town or city as the head office of the company;
 - 14.13.3 consultation among divisions or departments, as the case may be, of the company is required;
 - 14.13.4 the requester consents to such an extension in writing; and
 - 14.13.5 The parties agree in any other manner to such an extension.
- 14.14 Should the company require an extension of time, the requester shall be informed in the manner stipulated in the prescribed form of the reasons for the extension.
- 14.15 The requester may lodge an appeal with a court of competent jurisdiction against any extension or against any procedure set out in this section.

Annexure A

Form A



REPUBLIC OF SOUTH AFRICA

FORM A

REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

(Section 18(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))

[Regulation 6]

<p>FOR DEPARTMENTAL USE</p> <p>Reference number:</p> <p>Request received by (State rank, name and surname of information officer/deputy information officer) on (date) at(place).</p> <p>Request fee (if any): R.....</p> <p>Deposit (if any): R.....</p> <p>Access fee: R.....</p> <p>.....</p> <p>SIGNATURE OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER</p>
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A. Particulars of public body

The Information Officer/Deputy Information Officer

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.

Full names and surname:

.....
.....

Identity number:

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Postal address:

Telephone number: +27 (011) 437 2600

E-mail address: Africa@JohnDeere.com

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 another person.

Full names and surname:

.....
.....

Identity number:

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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:

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2. Reference number, if available:

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3. Any further particulars of record:

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E. Fees

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| <ul style="list-style-type: none">(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.(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:

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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 for in 1 to 4 below, state your disability and indicate in which form the record is required.

Disability: Form in which record is required:

Mark the appropriate box with an **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, etc.):					
	view the images		copy of the images*		transcription of the images*
3. If record consists of recorded words or information which can be reproduced in sound:					
	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 of record*		printed copy of information derived from the record*		copy in computer readable form*

					(stiffy or compact disc)	
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*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.	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.		
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
 year

.....

SIGNATURE OF REQUESTER /
 PERSON ON WHOSE BEHALF REQUEST IS MADE

C. Particulars of requester

This section must be completed ONLY if a third party (other than the requester) lodges the internal appeal.

Full names and surname:

.....

Identity number:

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D. The decision against which the internal appeal is lodged

Mark the decision against which the internal appeal is lodged with an X in the appropriate box:

	Refusal of request for access
	Decision regarding fees prescribed in terms of section 22 of the Act
	Decision regarding the extension of the period within which the request must be dealt with in terms of section 26(1) of the Act
	Decision in terms of section 29(3) of the Act to refuse access in the form requested by the requester
	Decision to grant request for access

E. Grounds for appeal

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

State the grounds on which the internal appeal is based:

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

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F. Notice of decision on appeal

You will be notified in writing of the decision on your 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 manner:

.....
.....

Signed at this day of
..... year.....

.....
SIGNATURE OF APPELLANT

FOR DEPARTMENTAL USE:

OFFICIAL RECORD OF INTERNAL APPEAL:

Appeal received on (date) by
.....

..... (state rank, name and surname of information officer/deputy information officer).

Appeal accompanied by the reasons for the information officer's/deputy information officer's decision and, where applicable, the particulars of any third party to whom or which the record relates, submitted by the information officer/deputy information officer on (date) to the relevant authority.

OUTCOME OF APPEAL:
.....
.....

**DECISION OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER
CONFIRMED/NEW DECISION SUBSTITUTED**

NEW DECISION:
.....
.....

DATE RELEVANT AUTHORITY

**RECEIVED BY THE INFORMATION OFFICER/DEPUTY INFORMATION OFFICER
FROM THE RELEVANT**

AUTHORITY ON (date):

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

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:

.....
.....

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

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

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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. |
| (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:

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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 for in 1 to 4 below, state your disability and indicate in which form the record is required.

Disability:	Form in which record is required:
Mark the appropriate box with an 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, etc.):					
	view the images		copy of the images*		transcription of the images*
3. If record consists of recorded words or information which can be reproduced in sound:					
	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 of 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? Postage is payable.	YES	NO
--	-----	----

G. 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 the exercise or protection of the aforementioned right:

.....

.....
.....

.....
.....

H. 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..... ofyear
.....

.....
SIGNATURE OF REQUESTER /
PERSON ON WHOSE BEHALF REQUEST IS MADE

.....
AVAILABLE FREE OF CHARGE IN TERMS OF SECTION 15(1)(a)(iii):	
.....

Form E



REPUBLIC OF SOUTH AFRICA

FORM E
AUTOMATICALLY AVAILABLE RECORDS AND ACCESS TO SUCH RECORDS:
(Section 52 of the Promotion of Access to Information Act, 2000 (Act 2 of 2000))
[Regulation 9A]

DESCRIPTION OF CATEGORY OF RECORDS AUTOMATICALLY AVAILABLE IN TERMS OF SECTION 52(1)(a) OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000	MANNER OF ACCESS TO RECORDS (e.g. website) (SECTION 52(1)(b))
FOR INSPECTION IN TERMS OF SECTION 52(1)(a)(i):	
<p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>	<p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
FOR PURCHASING IN TERMS OF SECTION 52(1)(a)(ii):	
<p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>	<p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
FOR COPYING IN TERMS OF SECTION 52(1)(a)(ii):	

.....
AVAILABLE FREE OF CHARGE IN TERMS OF SECTION 52(1)(a)(iii):	
.....

Department of Justice and Constitutional Development