




**MANUAL IN TERMS OF SECTION 14 OF  
PROMOTION OF ACCESS TO INFORMATION ACT NO. 2 OF 2000 (PAIA)**

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1 **DEFINITIONS**

<b>Applicable Laws</b>	All laws, including regulations with which NEDLAC is required to comply.
<b>Biometric(s)</b>	A technique of personal identification that is based on physical, physiological or behavioural characterisation including blood typing, fingerprinting, DNA analysis, retinal scanning and voice recognition.
<b>Consent</b>	Any voluntary, specific and informed expression of will in terms of which permission is given for the Processing of Personal Information.
<b>Data subject(s)</b>	Individual employees, service providers, social partners, external members of governance structures and other stakeholders to whom the Personal Information relates.
<b>De-Identify</b>	To delete any information that identifies a Data Subject or which can be used by a reasonably foreseeable method to identify, or when linked to other information, that identifies the data subject.
<b>ECT Act</b>	The Electronic Communications and Transactions Act, No. 25 of 2002.
<b>Executive Director</b>	The Executive Director appointed by NEDLAC
<b>Information Officer</b>	The Information Officer is responsible for ensuring the organisation's compliance with POPIA. Where no Information Officer is appointed, the Executive Director of the organisation will be responsible for performing the Information Officer's duties. Once appointed, the Information Officer must be registered with the South African Information Regulator established under POPIA prior to performing his or her duties. Deputy Information Officers can also be appointed to assist the Information Officer.
<b>IT</b>	Information Technology.

<b>Manual</b>	This information Manual in terms of section 14 of PAIA, read with POPIA.
<b>NEDLAC</b>	The National Economic Development and Labour Council (NEDLAC) established in accordance with the NEDLAC Act. NEDLAC is a Public Body as contemplated in PAIA.
<b>NEDLAC Act</b>	The National Economic Development and Labour Council Act 35 of 1994.
<b>Operator</b>	A person who processes Personal Information for a Responsible Party in terms of a contract or mandate, without coming under the direct authority of that party. For example, a third-party service provider that has contracted with NEDLAC to shred documents containing Personal Information. When dealing with an Operator, it is considered good practice for a Responsible Party to include an indemnity clause.
<b>PAIA</b>	Promotion of Access to Information Act, No.2 of 2000.
<b>PAIA Regulations</b>	The regulations published in GNR.757 of 27 August 2021 relating to the Promotion of Access to Information, 2021 (Government Gazette No. 45057).
<b>Person</b>	A natural person or juristic person.
<b>Personal information</b>	As defined in the Protection of Personal Information Act, No. 4 of 2013, Personal Information means information about an identifiable, living, natural person and where it is applicable, an identifiable, existing juristic person, including but not limited to: <ul style="list-style-type: none"> <li>(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 individual;</li> <li>(b) information relating to the education or the medical, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved;</li> </ul>

	<p>(c) any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assigned to the individual;</p> <p>(d) the biometric address (e.g. fingerprints or blood type) of the individual;</p> <p>(e) the personal opinions, views or preferences of the individual, except where they are about another individual or about a proposal for a grant, an award or a prize to be made to another individual;</p> <p>(f) correspondence sent by the individual that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;</p> <p>(g) the views or opinions of another individual about the individual;</p> <p>(h) the views or opinions of another individual about a proposal for a grant, an award or a prize to be made to the individual, but excluding the name of the other individual where it appears with the views or opinions of the other individual; and</p> <p>(i) The name of the individual where it appears with other Personal Information relating to the individual or where the disclosure of the name itself would reveal information about the individual, but excludes information about an individual who has been dead for more than 20 years.</p> <p>The terms Personal Information when used in this Manual also includes Special Personal Information as defined.</p>
<b>POPIA</b>	Protection of Personal Information Act, No.4 of 2013.
<b>Processing or Processed</b>	<p>Any operation or activity or any set of operations, whether or not by automatic means, concerning Personal Information, including:</p> <p>(a) the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration,</p>

	<p>consultation or use;</p> <p>(b) dissemination by means of transmission, distribution or making available in any other form; or</p> <p>(c) merging, linking as well as restriction, degradation, erasure or destruction of information.</p>
<b>Public Body</b>	<p>This means:</p> <p>(a) any department of state or administration in the national or provincial sphere of government or any municipality in the local sphere of government; or</p> <p>(b) any other functionary or institution when:</p> <p>(ii) exercising a power or performing a duty in terms of the Constitution or a provincial constitution; or</p> <p>(iii) exercising a public power or performing a public function in terms of any legislation.</p>
<b>Record</b>	<p>Any recorded information, regardless of format or medium (i.e. paper and electronic, including e-mails and other records), which has been created, received, used, accessed and maintained by NEDLAC (and/or its predecessors) which should be retained as evidence and in pursuance of its legal obligations or in the transaction of business. Included are e-mails, records in electronic form and records other than correspondence.</p> <p>Records include documents that have been made final and are no longer meant to be altered or are meant to be kept as evidence of what was communicated or decided as well as of what action was taken.</p>
<b>Responsible Party</b>	<p>The entity that needs the Personal Information for a particular reason and determines the purpose of and means for Processing the Personal Information. In this Compliance Framework, NEDLAC is the Responsible Party.</p>

<b>Request</b>	In relation to NEDLAC, means a request for access to a Record of NEDLAC in terms of section 11 of PAIA.
<b>Requester</b>	In relation to NEDLAC, means any person (other than a public body contemplated in paragraph (a) or (b) (i) of the definition of “public body” in PAIA, or an official thereof) making a Request for access to a Record of NEDLAC; or a person acting on behalf of such person.
<b>Responsible Party</b>	The entity that needs the Personal Information for a particular reason and determines the purpose of and means for Processing the Personal Information. In this Compliance Framework, NEDLAC is the Responsible Party.
<b>Special Personal Information</b>	As defined in the Protection of Personal Information Act, No. 4 of 2013, Special Personal Information means the religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life, criminal behaviour to the extent that it relates to the alleged commission by a Data Subject or any proceedings in respect of an offence allegedly committed by a Data Subject or the disposal of such proceedings or biometric information of a Data Subject.
<b>Third Party</b>	This may include recruitment agencies, verification agencies, advertising and public relations agencies, service providers, travel service providers, tax advisors, auditors, legal practitioners, organs of state, government, provincial and municipal bodies, who may Process Personal Information.
<b>User(s)</b>	All NEDLAC employees, service providers, social partners, and external members of governance structures who have access to NEDLAC’s ICT infrastructure.

## 2 INTRODUCTION

2.1 NEDLAC is established as a juristic entity in terms of section 2 of the NEDLAC Act. NEDLAC is a Public Body for the purposes of PAIA and must comply with its obligations as a Public Body under PAIA.



- 2.2 In order to execute its statutory and public functions, NEDLAC Processes a significant amount of information, including Personal Information.
- 2.3 This Manual is published in terms of Section 14 of PAIA, read with POPIA. Its purpose is to outline:
- 2.3.1 the procedures to be followed and the criteria to be met by any Requester for access to Records in the possession or under the control of NEDLAC; and
  - 2.3.2 some of the mechanisms in place ensuring that NEDLAC Processes Personal Information lawfully, in its capacity as a Responsible Party, as contemplated under POPIA, the further details of which can be found in NEDLAC's POPIA Compliance Framework, which can be accessed on the NEDLAC website, using the following link: <https://www.nedlac.org.za>;
  - 2.3.3 or by requesting a copy from NEDLAC's Information Officer and / or Deputy Information Officer, whose details appear in paragraph 5 of this Manual.

### **3 STRUCTURE**

- 3.1 NEDLAC is governed by an Executive Council and its work is carried out through a number of committees. NEDLAC is a juristic person.
- 3.2 NEDLAC consists of
- (a) members who represent organised business;
  - (b) members who represent organised labour;
  - (c) members who represent organised community and development interests; and
  - (d) members who represent the State.

### **4 FUNCTIONS OF NEDLAC**

- 4.1 The legislated objectives, powers and functions of NEDLAC are to:
- 4.1.1 strive to promote the goals of economic growth, participation in economic decision making and social equity;
  - 4.1.2 seek to reach consensus and conclude agreements on matters pertaining to social and economic policy;
  - 4.1.3 consider all proposed labour legislation relating to labour market policy before it is introduced in Parliament;

- 4.1.4 consider all significant changes to social and economic policy before it is implemented or introduced in Parliament; and
- 4.1.5 encourage and promote the formulation of co-ordinated policy on social and economic matters.

**5 INFORMATION OFFICER, DEPUTY INFORMATION OFFICER(S) AND CONTACT DETAILS**

5.1 The Executive Director is the Information Officer of NEDLAC. The Information Officer's details are as follows:

<b>Information Officer</b>	<b>Ms Lisa Seftel</b>
<b>Postal Address</b>	PO Box 1775 SAXONWOLD 2132
<b>Physical Address</b>	NEDLAC House 14A Jellicoe Avenue Rosebank Johannesburg, 2196
<b>Phone</b>	011 328 4200
<b>Email</b>	Lisas@nedlac.org.za; Nkhesani@nedlac.org.za.

5.2 The Executive Director has in accordance with s17(3) of PAIA delegated her duties and responsibilities in terms of PAIA to the Deputy Information Officer. All Requests must be made in terms of PAIA to the Deputy Information Officer with the below details:

<b>Deputy Information Officer</b>	<b>Ms Moipone Molete</b>
<b>Postal Address</b>	PO Box 1775 SAXONWOLD 2132
<b>Physical Address</b>	NEDLAC House 14A Jellicoe Avenue

	Rosebank Johannesburg 2196
<b>Phone</b>	011 328 4200
<b>Email</b>	Moipone@nedlac.org.za; Cindy@nedlac.org.za

## 6 INFORMATION REGULATOR GUIDE ON HOW TO USE THE PAIA ACT

6.1 The Information Regulator has, in terms of section 10 of PAIA compiled a guide on how use PAIA. The guide contains information that will assist any person wishing to exercise a right contemplated by PAIA and is available in all the official languages of South Africa.

6.2 Members of the public can inspect or make copies during normal working hours of the guide which is available as follows:

6.2.1 from the Government Gazette;

6.2.2 upon request from the Information Regulator; and

6.2.3 from the website of the Information Regulator which is provided for below.

6.3 Any queries with regard to the guide that is published by the Information Regulator can be directed to the following contact details of the Information Regulator:

**Postal Address:**

P.O. Box 31533, Braamfontein ,2017

**Business Address:**

JD House, 27 Stiemens Street, Braamfontein, Johannesburg ,2001

Email: enquiries@info regulator.org.za

Website: [www.info regulator.org.za](http://www.info regulator.org.za)

## 7 AVAILABILITY OF THIS MANUAL

7.1 In accordance with paragraph 9(1) of the PAIA Regulations, this Manual is available on NEDLAC'S website, it is also available for inspection at NEDLAC's premises during office hours, it will also be made available to

any person upon request and upon payment of the prescribed fees; and to the Information Regulator upon request.

## **8 THE INFORMATION AND CATEGORIES OF RECORDS HELD BY NEDLAC**

This section of the Manual sets out the subject and categories of Records held by NEDLAC. The inclusion of any subject or category of Records should not be taken as an indication that Records falling within those subjects and/or categories will be made available under PAIA. In particular, certain grounds of refusal set out in PAIA may be applicable to a Request for such Records.

8.1 The following information is available to the public and does not require an application for access under PAIA:

8.1.1 Any information that is available on NEDLAC's website at <https://www.nedlac.org.za>;

8.1.2 Any information published by NEDLAC in any material form and that has been made available to the public by NEDLAC.

8.2 The information referred to in paragraph 8.1 may include without limitation, the following:

8.2.1 Statutes, rules, regulations, codes and policies of NEDLAC.

8.2.2 Strategic Plans.

8.2.3 Annual Performance Plans.

8.2.4 Annual Reports.

8.2.5 Newsletters, media statements.

8.2.6 Corporate governance structures.

8.2.7 Other public corporate information as contained on the website.

8.2.8 Fees payable when requesting access to any Records.

8.3 The following information is available without recourse to PAIA only if the Requester is requesting access to their own Personal Information, alternatively, where a Requester is requesting such Personal Information on behalf of a person in respect of whom the Requester has a special power of attorney and can provide a certified copy of the identity document of the person on whose behalf the Request is made:

8.3.1 records of merit awards or mentions;

8.3.2 records of extra-curricular activities; and

8.3.3 records of disciplinary hearings and/or verdicts.

## 9 RECORDS HELD BY NEDLAC

NEDLAC holds the following categories of Records:

### 9.1 Finance and administration

- 9.1.1 Accounting records.
- 9.1.2 Management accounts.
- 9.1.3 Service Level Agreements.
- 9.1.4 Bid documents.
- 9.1.5 Procurement plans.
- 9.1.6 Terms of reference for inviting bidders.
- 9.1.7 Quotations.
- 9.1.8 Tenders.
- 9.1.9 Purchase orders.
- 9.1.10 Payments.
- 9.1.11 Business plans and budgets.
- 9.1.12 Banking details and bank account records.
- 9.1.13 Debtors/creditors statements and invoices.
- 9.1.14 Correspondences.
- 9.1.15 Tax records.
- 9.1.16 Contracts and agreements.
- 9.1.17 internal rules, regulations and policies, minutes of meetings, contracts, partnerships, tenders and service providers, PAIA data, statutory and other licences, and marketing records.
- 9.1.18 Other financial records of NEDLAC.

### 9.2 Human resources

- 9.2.1 Payroll records.
- 9.2.2 List of employees.
- 9.2.3 Professional development records and performance appraisals.

- 9.2.4 Personnel files including letters of appointment and employment contracts of employees of NEDLAC.
- 9.2.5 Job descriptions.
- 9.2.6 Leave records.
- 9.2.7 PAYE, UIF and SDL records and returns.
- 9.2.8 Employees' IRP 5 returns.
- 9.2.9 Employee policies and procedures.
- 9.2.10 Disciplinary records and documentation pertaining to disciplinary proceedings.
- 9.2.11 Other information relating to the employees of NEDLAC.

### **9.3 Information Technology**

- 9.3.1 Computer software, support and maintenance agreements.
- 9.3.2 Equipment registers.
- 9.3.3 Insurance records.
- 9.3.4 Service Providers database.
- 9.3.5 Telephone exchange equipment.
- 9.3.6 Telephone lines, leased lines and data lines.
- 9.3.7 Intranet.
- 9.3.8 Other documentation pertaining to information technology held by NEDLAC.

### **9.4 Operations**

- 9.4.1 Operational policies and procedures.
- 9.4.2 Reports and supporting documentation.
- 9.4.3 Security documents.
- 9.4.4 Any other information that relates to the operations of NEDLAC.

### **9.5 Miscellaneous agreements of NEDLAC**

- 9.5.1 Agreements with suppliers of NEDLAC.
- 9.5.2 Confidentiality and/or non – disclosure agreements.

9.5.3 Other relevant agreements.

**9.6 Information relating to legal proceedings**

9.6.1 Records relating to legal proceedings involving NEDLAC.

**9.7 Administration**

9.7.1 Correspondence with internal and external parties.

**9.8 Documents Produced by NEDLAC Structures:**

9.8.1 NEDLAC Reports.

9.8.2 Agreements.

9.8.3 Minutes.

9.8.4 Decision making matrixes, action plans, matters arising matrixes.

9.8.5 Implementation and work plans.

9.8.6 Social dialogue reports.

9.8.7 Confirmation of Demarcation Awards. Reports on the resolution of socio-economic disputes.

9.8.8 MANCO and EXCO reports.

9.9 **Personal Information** of governance office-bearers, NEDLAC personnel and/or employees, NEDLAC stakeholders, NEDLAC service providers, and other categories of Data Subject.

**10 INFORMATION AVAILABLE FOR INSPECTION IN TERMS OF OTHER LEGISLATION**

10.1 Information maintained by NEDLAC in terms of other legislation include but is not limited to the information required to be maintained in terms of:

10.1.1 Basic Conditions of Employment Act No. 75 of 1997;

10.1.2 Compensation for Occupational Injuries and Diseases Act No. 130 of 1993;

10.1.3 Electronic Communications and Transactions Act, 25 of 2002;

10.1.4 Constitution of South Africa Act No. 108 of 1996;

10.1.5 Employment Equity Act No. 55 of 1998;

10.1.6 Labour Relations Act No. 66 of 1995;

- 10.1.7 Occupational Health and Safety Act No. 85 of 1993;
- 10.1.8 Promotion of Equality and Prevention of Unfair Discrimination Act No. 4 of 2000;
- 10.1.9 Protected Disclosures Act No. 26 of 2000;
- 10.1.10 Skills Development Act No. 97 of 1998;
- 10.1.11 Skills Development Levy Act No. 9 of 1999;
- 10.1.12 Unemployment Insurance Act No. 63 of 2000;
- 10.1.13 Unemployment Insurance Contributions Act, 4 of 2002; and
- 10.1.14 Value Added Tax Act No. 89 of 1991.

## 11 HOW TO REQUEST ACCESS TO A RECORD OF NEDLAC

11.1 A Requester be given access to a Record of NEDLAC as a Public Body, if the Requester complies with all the procedural requirements of PAIA relating to the Request for access to that Record (except where the Record contains Personal Information about the Requester as contemplated in paragraph 8.3), and access to that Record is not refused on any grounds of refusal mentioned in PAIA. NEDLAC will make mandatory disclosures to the extent contemplated in PAIA. Note that PAIA only applies to Records which are in existence at the time of the Request.

11.2 In order to make a Request:

11.2.1 Requesters should first consider whether the information or Record they require is under NEDLAC's control. Requests for Records or information that are most likely to be held or be under the control of another body should be directed to that body. Requests to NEDLAC for Records that might possibly be referred to or held by another body, may delay the response to the Request. Information can also be viewed on the NEDLAC website at <https://nedlac.org.za> to ensure that the information or Records requested are not publicly available.

11.3 Any person who wishes to Request access to a Record of NEDLAC must–

11.3.1 use Form C in Annexure B to the PAIA Regulations. For ease of reference this form is reproduced as Schedule 1 to this Manual;

11.3.2 the Request must be submitted to the Deputy Information Officer of NEDLAC, together with the applicable Request fee at the address, fax number or electronic email provided for the Deputy Information Officer in paragraph 5.2.

11.4 The Request form must include the following information:



- 11.4.1 Sufficient particulars to enable NEDLAC to identify both:
  - 11.4.1.1. The Requester (including a certified copy of the Requester's Identity Document or in the case of a company, its MOI/Articles of Association and/or Registration Documents); and
  - 11.4.1.2. the Record(s) requested;
- 11.4.2 Indicate the form of access requested;
- 11.4.3 Specify the email address, postal address or fax number of the Requester in the Republic of South Africa;
- 11.4.4 Identify the right that the Requester is seeking to exercise or protect and provide an explanation of why the requested Record is required for the exercise or protection of that right;
- 11.4.5 If, in addition to a written reply, the Requester wishes to be informed of the decision on the Request in any other manner, to state that the manner and the necessary particulars to be so informed; and
- 11.4.6 If the Request is made on behalf of another person, to submit proof of the capacity in which the Requester is making the request, to the reasonable satisfaction of NEDLAC.

11.5 The Requester must pay the Request fee if applicable, contained in Annexure B of the PAIA Regulation, annexed to this Manual as Schedule 2 ("the access fee") before the Request is considered.

## 12 **PRESCRIBED FEES**

- 12.1 It may be necessary to pay fees for access to Records in terms of PAIA. These fees are contained in Annexure B of the PAIA Regulations, annexed to this Manual as Schedule 2 ("the access fee").
- 12.2 Note that it is the responsibility of the Requester to ensure that they are acquainted with the most up-to-date version of the fees payable in these circumstances and, should the Requester require clarity on such fees, the Requester may request such clarity from the Information Officer in the manner provided for elsewhere in this Manual.

## 13 **EXEMPTIONS FROM PAYING THE ACCESS FEE**

- 13.1 The following persons are exempt from paying the access fee contemplated in paragraph 12:
  - 13.1.1 A single person whose annual income, after permissible deductions, does not exceed R14 712.00 per annum.

13.1.2 Married persons or a person and his or her life partner whose annual income, after permissible deductions, does not exceed R27 192, 00 per annum.

13.2 The access fee does not apply:

13.2.1 where the cost of collecting any fee contemplated in paragraph 12 exceeds the amount charged;

13.2.2 to the personal Record of a Requester; and

13.2.3 to a Record requested by a maintenance officer or maintenance investigator for purposes of a maintenance investigation or inquiry in terms of the provisions of the Maintenance Act No. 99 of 1998 or the regulations made under section 44 of that Act.

#### **14 DECISIONS ON REQUEST AND NOTICE THEREOF**

14.1 NEDLAC will decide whether to grant or refuse a Request within 30 days of receiving a request and notify the Requester of the decision (“the Notice”).

14.2 The period within which to deal with the Request may be extended in accordance with section 26 of PAIA. However, if the Information Officer/Deputy Information Officer fails to give a decision for the Request within the prescribed period (including any extended period), then it will be regarded as having refused the Request.

14.3 Where the Requester wishes to be informed of the decision in a specified manner, then the Requester must be informed and the Notice provided in that manner, if it is reasonably possible to do so.

14.4 If the Request is granted, the Notice provided by the information officer will state, the access fee and the form in which the access will be given.

14.5 NEDLAC may withhold the Requested Record(s) until such time as the prescribed fees are paid.

#### **15 EXTENTION OF PERIOD TO DEAL WITH REQUEST**

15.1 The Information Officer may extend the period of 30 days referred to in the above paragraph 14.2, in the following instances:

15.1.1 the Request is for a large number of Records or requires a search through a large number of Records and compliance with the original 30-day period would be unreasonable and interfere with the activities of NEDLAC;

15.1.2 if NEDLAC cannot reasonably obtain the information the Requester Requested within the original 30-day period; or

- 15.1.3 If the Requester consents to the extension in writing.
- 15.2 NEDLAC will notify the user in writing if NEDLAC requires an extension. In the event that the extension is granted the period of extension cannot be more than 30 days.
- 15.3 If NEDLAC does not give the Requester a decision on a Request for access to Records within the period stipulated above, it means that NEDLAC has refused the Request in terms of section 27 of PAIA.

## **16 REASONS WHY NEDLAC MAY REFUSE YOUR REQUEST**

- 16.1 The grounds for refusal as out in Chapter 4 of PAIA, include the mandatory or discretionary protection of:
  - 16.1.1 the privacy of a third party who is a natural person;
  - 16.1.2 the commercial information of a third party;
  - 16.1.3 certain confidential information of a third party;
  - 16.1.4 safety of individuals, and protection of property;
  - 16.1.5 Records privileged from production in legal proceedings;
  - 16.1.6 the economic interests and financial welfare of the Republic and the commercial activities of Public Bodies;
  - 16.1.7 commercial information of a third-party private body;
  - 16.1.8 research information of a third-party, and protection of research information of a private body; and
  - 16.1.9 the operations of Public Bodies.
- 16.2 The Request may also be refused if it is a manifestly frivolous or vexatious Request, or a substantial and unreasonable diversion of resources, as outlined in section 45 of PAIA, or if granting the Request would be in contravention of any other piece of legislation, including POPIA.
- 16.3 If the Record does not exist, NEDLAC will inform the Requester. If there are Records that NEDLAC cannot find despite a reasonable and diligent search, NEDLAC will notify the Requester.
- 16.4 If NEDLAC later finds the Records, NEDLAC will grant the Requester access to the Records unless the processing of the Records would result in a substantial and unreasonable diversion of NEDLAC's resources, or unless the Request is clearly frivolous or vexatious, or unless one of the grounds for refusal of access to a Record as set in the PAIA applied.

16.5 If the Request is refused, the Notice must *inter alia* state reasons for the refusal, including the provisions of PAIA relied upon.

## 17 WHAT THE REQUESTER CAN DO IF DISSATISFIED WITH A DECISION

17.1 Any Requester or affected third-party aggrieved by the decision of NEDLAC's Information Officer/Deputy Information Officer to refuse or grant access to a Record of NEDLAC, may within 15 (fifteen) days of receiving of Notice of the decision or within 15 (fifteen) days from the date on which it is deemed that the Request is refused, appeal to the Executive Council of NEDLAC against the decision.

17.2 If the internal appeal is lodged after the lapse of this period, the Executive Council may, upon good cause shown, allow the late lodging of the internal appeal. If the Executive Council disallows the late lodging of the internal appeal, it shall give notice of that decision to the appellant.

17.3 An appeal must –

17.3.1 be in writing;

17.3.2 be addressed to the Information Officer/Deputy Information Officer for the attention of the Executive Council of NEDLAC; and

17.3.3 set out the grounds for the appeal and any other relevant information.

17.4 Any Requester or affected third party who is aggrieved by a decision of the Executive Council of NEDLAC on appeal, may approach the relevant court for appropriate relief or lodge a complaint with the Information Regulator.

17.5 A Requester may apply to Court or lodge a complaint with the Information Regulator only after having complied with the internal appeal process provided for in this Manual.

17.6 In the event that an internal appeal, complaint to the Information Regulator, or an application to a court, whichever is applicable, is lodged against the granting of a Request for access to a Record, access to that Record will only be granted if the decision to grant the Request is finally confirmed pursuant to the internal appeal, Information Regulator complaint, or court application.

## 18 FORMS

18.1 The following PAIA Forms form a schedule to this PAIA Manual.

18.1.1 Form 02: [Request for Access to Record](#) [Regulation 7]

18.1.2 Form 03: [Outcome of Request and of fees payable](#) [Regulation 8]

18.1.3 Form 04: [Internal Appeal Form](#) [Regulation 9]

