Complaints Management Procedure

for

Platinum Portfolios (Pty) Ltd

Authorised FSP Platinum Portfolios (Pty) Ltd

FSP no. 641

Version	1
Publishing Date	20 November 2020
Last Review Date	April 2026
Frequency of Review	Annually
Next Review Date	April 2027
Plan Owner	Platinum Portfolios
Responsible Business Unit	Compliance

POLICY ADOPTION

By signing this document, I authorise the organisation's approval and adoption of the processes and procedures outlined herein.

Name & Surname	Charolyn Pedlar
Capacity	Key Individual
Signature	
Date	

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1) DOCUMENT REVIEW ROSTER

The Complaints Policy is a working document that must be reviewed periodically.

It is advisable to review the policy on an annual basis. Any amendments must be indicated on the document review roster and relevant staff members must be informed of any updates.

Review Date	March 2026
Comments / Amendments	Staff confirmation sheet on page 5 updated to include new staff members. Contact details of the Information Regulator has been updated.
Next Review Date	March 2027
Responsible Person Signature	

2) STAFF CONFIRMATION SHEET

I confirm that I have read and understand the contents of this document and that I am aware of my duties in respect thereof		
Name	Date	Signature
CHAROLYN PEDLAR		AS SIGNED ABOVE

I confirm that I have read and understand the contents of this document and that I am aware of my duties in respect thereof		
Name	Date	Signature
MEL MELTZER		

I confirm that I have read and understand the contents of this document and that I am aware of my duties in respect thereof		
Name	Date	Signature
STUART GREEN		

I confirm that I have read and understand the contents of this document and that I am aware of my duties in respect thereof		
Name	Date	Signature
SHERINA NAIDOO		

I confirm that I have read and understand the contents of this document and that I am aware of my duties in respect thereof		
Name	Date	Signature
ROCHELLE BERNARD		

I confirm that I have read and understand the contents of this document and that I am aware of my duties in respect thereof		
Name	Date	Signature
LYSCHELLE COVELÉ		

I confirm that I have read and understand the contents of this document and that I am aware of my duties in respect thereof		
Name	Date	Signature
ANSONETTE ESTERHUIZEN		

3) DEFINITIONS

Complaint means an expression of dissatisfaction by a person to a provider or, to the knowledge of the provider, to the provider's service supplier relating to a financial product or financial service provided or offered by that provider which indicates or alleges, regardless of whether such an expression of dissatisfaction is submitted together with or in relation to a client query, that -

(a) the provider or its service supplier has contravened or failed to comply with an agreement, a law, a rule, or a code of conduct which is binding on the provider or to which it subscribes;

(b) the provider or its service supplier's maladministration or wilful or negligent action or failure to act, has caused the person harm, prejudice, distress or substantial inconvenience; or

(c) the provider or its service supplier has treated the person unfairly;

Complainant means a person who submits a complaint and includes a -

(a) client;

(b) person nominated as the person in respect of whom a product supplier should meet financial product benefits or that persons' successor in title;

(c) person whose life is insured under a financial product that is an insurance policy;

(d) person that pays a premium or an investment amount in respect of a financial product;

(e) member;

(f) person whose dissatisfaction relates to the approach, solicitation marketing or advertising material or an advertisement in respect of a financial product, financial service or related service of the provider, who has a direct interest in the agreement, financial product or financial service to which the complaint relates, or a person acting on behalf of a person referred to in (a) to (f);

Ombud means the Ombud for Financial Services Providers.

Internal Complaint Resolution System means the system and procedures established and maintained by Platinum Portfolios in accordance with the General Code of Conduct for the resolution of complaints by clients.

Rejected in relation to a complaint means that a complaint has not been upheld and the provider regards the complaint as finalised after advising the complainant that it does not intend to take any further action to resolve the complaint and includes complaints regarded by the provider as unjustified or invalid, or where the complainant does not accept or respond to the provider's proposals to resolve the complaint.

Resolution or **Internal Resolution** in relation to a complaint and an FSP, means the process of resolving a complaint through and in accordance with the internal complaint resolution system and procedures of the FSP.

The following definitions are useful in understanding POPI:

Personal information

Personal information is any information that can be used to reveal a person's identity. Personal information related to an identifiable, living, natural person and where applicable an identifiable existing juristic person and includes bhut not limited to information concerning:

- race, gender, sex, pregnancy, marital status, national or ethnic origin, colour, sexual orientation, age, physical or mental health, disability, religion, conscience, belief, culture, language and birth of a person;
- Information relating to the education of the medical, financial, criminal or employment history of the person;
- any identifying number, symbol, email address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
- the biometric information of the person;
- the personal opinions, views or preferences of the person;
- correspondence sent by the person that is implicitly or explicitly of a private or confidential nature further correspondence that would reveal the contents of the original correspondence;
- views or opinions of another individual about the person;
- 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.

Data subject

This refers to the natural or juristic person to whom personal information relates, such as an individual client, customer or a company the supplies the organisation with products or other goods.

Responsible Party

The responsible party is the entity that needs the personal information for a particular reason and determines the purposes of and means for processing the personal information. In this case Platinum Portfolios is the responsible party.

Processing means any operation or activity, whether or not by automatic means, concerning personal information, and includes the collection, receipt, recording, organisation, collation, storage, updating or modification, destruction, etc. of personal information. In short, if a person or organisation is in possession of (retains) personal information, they are "processing" personal information. Processing really comes down to any use of personal information.

4) PURPOSE OF A COMPLAINTS POLICY

The organisation is an authorised Financial Services Provider and as such we have certain specific duties to you, our client. One of these duties is the establishment of a formal complaints resolution procedure, which will enable you to exercise your rights as provided for in the Financial Advisory and Intermediary Services Act, the Protection of Personal Information Act and the Promotion of Access to Information Act.

The purpose of this document is to inform you of the procedure that must be followed in order to submit a formal complaint with us. Please be advised that our internal complaints resolution procedure may be amended by us at any time.

In terms of section 17(1)(a) of the General Code of Conduct for Authorised Financial Services Providers and Representatives ("the General Code of Conduct") a provider must establish, maintain and operate an adequate and effective complaints management framework, in order to ensure the effective resolution of complaints and the fair treatment of complainants.

The complaints management framework must be based on the following outcomes:

- **Transparency and Visibility**
  Ensuring that complainants have full knowledge of the procedures that will be followed when submitting a complaint.

- **Accessibility of Facilities**
  Ensuring that clients are provided with an easily accessible facility in order to submit a complaint at any office or branch of the FSP.

- **Fairness**
  - Ensuring that the complaint resolution process is fair to both a complainant and the FSP.
  - Enables complaints to be considered after taking reasonable steps to gather and investigate all relevant and appropriate information and circumstances, with due regard to the fair treatment of complainants.
  - Does not impose unreasonable barriers to complainants.

- **Relevance**
  - Is proportionate to the nature, scale and complexity of the provider's business and risks.
  - Is appropriate for the business model, policies, services, and clients of the provider.

In order to achieve these outcomes, Platinum Portfolios has adopted a complaints policy outlining our commitment towards the fair resolution of complaints. Platinum Portfolios will also ensure that the complaints management framework is regularly reviewed in order to ensure the effectiveness of same.

5) COMMITMENT TOWARDS THE FAIR RESOLUTION OF COMPLAINTS

Platinum Portfolios is committed towards rendering financial services with proper due skill and diligence and in the best interests of clients and the integrity of the financial services industry.

Despite our high service standards there may be instances where a client nevertheless prefers to submit a formal complaint. In such instances the following the complaints management framework as outlined below, will be followed:

Platinum Portfolios is committed towards a transparent and accessible complaints resolution process that is fair to all parties involved. In order to achieve these outcomes Platinum Portfolios undertakes as follows:

- Platinum Portfolios complaints management framework incorporates the following features, which will be enforced at all times -
  - Relevant objectives, key principles and the proper allocation of responsibilities for dealing with complaints across the business;
  - Appropriate performance standards and remuneration and reward strategies (internally and where any functions are outsourced) for complaints management to ensure objectivity and impartiality;
  - Documented procedures for the appropriate management and categorisation of complaints which include expected timeframes and provides for circumstances under which these timeframes may be extended;
  - Documented procedures which clearly define the escalation, decision-making, monitoring, oversight and review processes within the complaints management framework;
  - Appropriate complaint record keeping, monitoring and analysis of complaints, and reporting to executive management, the board of directors and any relevant committee of the board on –
    - Identified risks, trends and action taken in response thereto; and
  - The effectiveness and outcomes of the complaints management framework. Appropriate communication with complainants and persons representing complainants on the complaints and the complaints processes and procedures;
  - Appropriate engagement between the organisation and the relevant Ombud;
  - Compliance with requirements for reporting to the Regulator and public reporting in accordance with part XI of the General Code of Conduct.
  - A process for managing complaints relating to the organisation’s representatives and service suppliers, insofar as such complaints relate to services provided in connection with the organisation’s financial products, financial services or related services, which process will:
    - Enable Platinum Portfolios to reasonably satisfy itself that the representative or service supplier has adequate complaints management processes in place to ensure the fair treatment of complainants;

  - Provide for the monitoring and analysis by Platinum Portfolios of aggregated complaints data in relation to the complaints received by its representatives and service suppliers and their outcomes;
  - Include effective referral processes between the Platinum Portfolios and its representatives and service suppliers for handling and monitoring complaints that are submitted directly to either of them and require referral to the other for resolution; and
  - Include processes to ensure that complainants are appropriately informed of the process being followed and the outcome of the complaint.
- Platinum Portfolio will regularly monitor the complaints management framework.

- Platinum Portfolio will resolve client complaints by means of a practical resolution process that is managed effectively as set out below: The appropriate procedures in order to submit a complaint are openly disclosed and made readily available to clients in writing.
- We will resolve client complaints by means of a practical resolution process that is managed effectively.
- We train and empower all relevant staff members to facilitate and resolve complaints.
- We will deal with complaints in a timely and fair manner, with each compliant receiving proper due consideration.
- We take the necessary steps to investigate and respond promptly to a complainant.
- Where deemed necessary, we will appoint an independent mediator in order to resolve the complaint.
- Where the complaint is resolved in favour of the complainant, we will offer the appropriate level of redress to the complainant without delay.
- Where the complaint is not resolved in favour of the complainant, we will provide written reasons for our decision and inform the complainant of any rights afforded to the complainant to escalate the complaint to the appropriate Ombudsman, governing body or Regulator.
- We will maintain a record of all complaints for a period of 5 years together with an indication of whether or not the complaint has been resolved.
- We will investigate, and where necessary, take appropriate action in order to avoid and prevent similar circumstances that gave rise to the complaint.
- We will ensure the recording of complaints and complaints-related information in an accurate, efficient and secure manner, and will establish and maintain appropriate processes for reporting of complaints related information to its governing body.
- We are committed to ensuring that its complaints processes and procedures are transparent, visible, and accessible through channels that are appropriate to the organisation's clients.

6) INTERNAL COMPLAINTS RESOLUTION PROCEDURE

Where a complaint has been received or where a client has indicated his, her or its intention to submit a formal complaint with Platinum Portfolios, the following procedure will be followed:

- Review the FSP's Complaints Procedure as provided for in Annexure B and furnish the complainant with a copy of the procedure.
- Where the complainant has previously communicated the grievance verbally, request the complainant to submit the complaint in writing.
- As soon as the complaint is received in writing, proceed to record the complaint in the Complaints Register **within 1 (one) working day.**
- Provide the complainant with a written acknowledgement of receipt of the complaint **within 1 (one) working day.**
- Inform the senior manager in charge of the relevant department for allocation to a trained and skilled person who is able to respond to the complaint i.e. the Complaint Dispute Facilitator
- Review the Professional Indemnity Cover policy wording and if necessary, inform the relevant insurers of the complaint and potential claim.
- The Complaint Dispute Facilitator will investigate the complaint and review the file/transaction which gave rise to the complaint.
- The Complaint Dispute Facilitator will discuss his or her preliminary findings with all internal parties concerned.
- Revert to the complainant in writing **within 7 (seven) working days** with the preliminary findings and request supporting documents and/or additional information from the complainant where necessary. In all instances reasons are to be provided for any decisions taken and communicate any anticipated deviation from the specified timelines.
- Where necessary the matter will be referred to the relevant product supplier for a response and the complainant will be informed of this process and any further development.
- The Complaints Dispute Facilitator will, in consultation with the management committee and Compliance Officer formulate a joint response to the complaint. Where deemed necessary, an independent mediator will be appointed.
- Revert to the complainant with a proposed solution with the option of escalating the matter to the Managing Director of the business **within 14 (fourteen) working days of receipt** of the complaint. In all instances provide reasons for any decisions taken and communicate any anticipated deviation from the specified timelines
- The FSP's response may comprise the following:
  - Any proposed settlement deemed appropriate
  - Suggested remedy for the complaint
  - Dismissal of the complaint and reasons why
  - Apology (if applicable) and any disciplinary action that may be undertaken
  - Identified problems, breach or failed control measure identified within the business and how they will be resolved
- Where the complaint has not been resolved to the satisfaction of the complainant, the complainant will be informed of his, her or its right to escalate matter to the relevant Ombud, governing body or Regulator **within 6 (six) weeks from date of receipt.**

- Update the status of the complaint in the FSP's Complaints Register and file all relevant correspondence for a period of 5 years.
- If during the course of the enquiry, the Complaint Dispute Facilitator becomes aware that the complaint is of a non-routine or serious nature, the following steps will apply:
  - The supervisor will refer the matter to the FSP's Compliance Officer
  - The Compliance Officer will make a recommendation on how to proceed with the complaint. The Compliance Officer's response may suggest that the matter be referred to the Ombud, governing body or Regulator for adjudication or that the matter be referred to an external arbitrator for an opinion.
- Review the reasons that gave rise to the complaint and implement remedial actions in order to avoid and prevent similar complaints in the future.

7) INTERNAL COMPLAINTS RESOLUTION FLOWCHART

Provide the complainant with a copy of the FSP's Complaints Procedure

Where complaint is received in writing record the complaint in the FSP's Complaints Register

Provide the complainant with written acknowledgement of receipt of the complaint

Allocate complaint to the Complaint Dispute Facilitator

Inform the relevant insurer where Professional Indemnity Cover is held of the complaint

Investigate the complaint and review the file/transaction which gave rise to the complaint

Revert to the complainant with preliminary findings and request supporting documents and/or additional information from the complainant where necessary **within seven working days**

Formulate a response to the complainant **within fourteen working days of receipt** of the complaint

Where the complaint has not been resolved to the satisfaction of the complainant, inform the complainant of his, her or its right to escalate matter to the relevant Ombud or regulator **within 6 weeks from date of receipt**

Update the status of the complaint in the FSP's Complaints Register and file all relevant correspondence for a period of 5 years

Review the reasons that gave rise to the complaint and implement remedial actions in order to avoid and prevent similar complaints in the future

8) COMPLAINT HAS TO BE RELEVANT

In terms of the FAIS Act, a "complaint" means an expression of dissatisfaction by a person to a provider or, to the knowledge of the provider, to the provider's service supplier relating to a financial product or financial service provided or offered by that provider which indicates or alleges, regardless of whether such an expression of dissatisfaction is submitted together with or in relation to a client query, that -

(a) the provider or its service supplier has contravened or failed to comply with an agreement, a law, a rule, or a code of conduct which is binding on the provider or to which it subscribes;

(b) the provider or its service supplier's maladministration or wilful or negligent action or failure to act, has caused the person harm, prejudice, distress or substantial inconvenience; or

(c) the provider or its service supplier has treated the person unfairly;

The financial services environment is complex. We will endeavour to address all reasonable requests from our clients, but may also refer you to a more appropriate facility. Where the complaint relates to any aspect of our service, or any disclosures that ought to be made by us, we will endeavour to address those complaints in writing, within seven days.

In instances where the complaint relates to any matter that is not within our control, such as product information or investment performance, we will forward the complaint to the product supplier concerned. Please be advised that we reserve the right to recover costs or damages that we suffer as a result of clients making frivolous, vexatious or unreasonable claims.

9) DECISIONS RELATING TO COMPLAINTS

Where a complaint is upheld, any commitment by the organisation to make a compensation payment, goodwill payment or to take any other action, must at all times be carried out without undue delay and within the agreed timeframes.

Where a complaint is rejected, the organisation will provide the complainant with clear and adequate reasons for the decision and will also inform the complainant of the organisation's escalation or review process. The organisation will also inform the complainant of any time limits relevant to the escalation or review process.

The organisation will clearly and transparently communicate the availability and contact details of the relevant Ombud to complainants at the start of the relationship, and in relevant periodic communications. The organisation will also display and make available information regarding the relevant Ombud on its website.

10) COMPLAINT MUST BE IN WRITING

In order for any complaint to receive the attention that it deserves, we request that your complaint be submitted to us in writing. This may be sent by e-mail, post or courier. Please ensure that where the complaint is delivered by any other means, ensure that you obtain and keep proof of delivery.

11) FAIS COMPLAINTS PROCEDURE

Our internal complaints resolution process is intended to provide fair and effective resolution of complaints. Therefore, through the adoption of this policy, Platinum Portfolio establishes an appropriate internal complaints escalation and review process.

The time periods set-out in this procedure will be adhered to as strictly as possible but may be varied if necessary. The following step-by-step guideline sets out the procedures we will adopt and shows how a FAIS complaint will be dealt with, once received by us:

- Your complaint and all communications in connection with your complaint must be in writing. All verbal communications made in connection with the complaint must be confirmed in writing within three days of the communication.

- Please indicate the following information:

  - Your name, surname and contact details
  - A complete description of your complaint and the date on which the financial service that led to your complaint was rendered
  - The name of the person who furnished the financial advice or rendered the intermediary service that led to your complaint
  - How you would prefer to receive future communications regarding your complaint i.e. by e-mail, fax or post

- The complaint will be entered into our Complaints Register on the same day that it is received and written confirmation of receipt will be forwarded to you. We will keep record of the complaint and maintain such record for 5 years as required by legislation. Please take into consideration that the method of communication chosen by you will determine how quickly you will receive a response to your complaint.

- The complaint will immediately be drawn to the attention of the senior manager in charge of the relevant department for allocation to a trained and skilled person who is able to properly respond to your complaint i.e. the Complaint Dispute Facilitator.

- The complaint will be investigated, and we will revert to you with our preliminary findings within seven working days from the date of receipt of the complaint. In all instances we will advise you of the reasons for our decisions.

- The preliminary findings will be discussed with all internal parties concerned, and a proposed solution will be communicated to you within a further seven working days. In all instances we will advise you of the reasons for our decisions.

- If you are not satisfied with our solution, you may refer the complaint to the Management Committee. The Management Committee may amend the solution or confirm it. In such a case we will communicate that fact to you, as well as the date on which a decision will be taken.

- If you still remain aggrieved and dissatisfied with the outcome, we will regard the complaint as being unsatisfactorily resolved. In such a case, you may refer the complaint the office of the Ombud for Financial Services Providers or take such other steps as may be advised by your legal representatives.

- The Ombud is appointed by the Financial Sector Conduct Authority to act as an adjudicator in disputes between clients and financial services providers. The referral to the office of the Ombud must be done in accordance with the provisions of section 21 of the Financial Advisory and Intermediary Services Act 2002 and the rules promulgated in terms of that section. www.faisombud.co.za

- In instances where we have not been able to arrive at a resolution within six weeks after you have submitted your complaint, the matter may be referred to the relevant Ombud/Regulatory body.

The FAIS Ombud

The FAIS Ombud acts independently and objectively and has jurisdiction in respect of complaints relating to advice or intermediary services which has arisen after 15 November 2002.

Platinum Portfolio is committed to transparent engagement with any relevant Ombud in relation to its complaints. We will monitor determinations, publications and guidance issued by any relevant Ombud with a view to identifying failings or risks in the organisation's policies, services or practices.

Platinum Portfolio will maintain open and honest communication and co-operation between itself and any Ombud with which it deals, at all times. Furthermore, we are also committed to resolving a complaint before a final determination or ruling is made by an Ombud, or through the organisation's internal escalation process, without impeding or unduly delaying a complainant's access to an Ombud.

- In the event that Platinum Portfolios were unable to resolve the complaint to your satisfaction, you are entitled to refer the matter to the Ombud, this must be done within six months from the date you received the final response from Platinum Portfolios. The FAIS Ombud has the authority to adjudicate matters up to a maximum value of R800 000.

Physical Address:

125 Dallas Avenue
Menlyn Central
Waterkloof Glen
Pretoria

Postal address:

P.O Box 41
Menlyn Park
0063

Telephone: +27 12 762 5000 / +27 12 470 9080 **E-mail Address:** info@faisombud.co.za

Sharecall: 086 066 3247 **Website:** www.faisombud.co.za

12) POPI COMPLAINTS PROCEDURE

Data subjects have the right to complain in instances where any of their rights under POPIA have been infringed upon. Platinum Portfolios takes all complaints very seriously and will address all POPI related complaints in accordance with the following procedure:

- POPI complaints must be submitted to the organisation in writing. Where so required, the Information Officer will provide the data subject with a "POPI Complaint Form".

- Where the complaint has been received by any person other than the Information Officer, that person will ensure that the full details of the complaint reach the Information Officer **within 1 (one) working day**.

- The Information Officer will provide the complainant with a written acknowledgement of receipt of the complaint **within 2 (two) working days**.

- The Information Officer will carefully consider the complaint and in considering the complaint, the Information Officer will endeavour to resolve the complaint in a fair manner and in accordance with the principles outlined in POPIA.

- The Information Officer must also determine whether the complaint relates to an error or breach of confidentiality that has occurred and whether it may have a wider impact on the organisation or any other data subjects.

- Where the Information Officer has reason to believe that the personal information of data subjects has been accessed or acquired by an unauthorised person, the Information Officer will consult with the organisation's governing body where after the affected data subjects and the Information Regulator will be informed of this breach.

- The Information Officer will revert to the complainant with a proposed solution with the option of escalating the complaint to the organisation's governing body **within 7 (seven) working days** of receipt of the complaint. In all instances, the organisation will provide reasons for any decisions taken and communicate any anticipated deviation from the specified timelines.

- The Information Officer's response to the data subject may comprise any of the following:

- A suggested remedy for the complaint,
- A dismissal of the complaint and the reasons as to why it was dismissed,
- An apology (if applicable) and any disciplinary action that has been taken against any employees involved.

- Where the data subject is not satisfied with the Information Officer's suggested remedies, the data subject has the right to complain to the Information Regulator.

- The Information Officer will review the complaints process to assess the effectiveness of the procedure on a periodic basis and to improve the procedure where it is found wanting. The reason for any complaints will also be reviewed to ensure the avoidance of occurrences giving rise to POPI related complaints.

The contact details of the Regulator are:

Physical Address:	Woodmead North Office Park, 54 Maxwell Dr, Woodmead, Johannesburg
Tel:	010 023 5200
Toll Free:	0800 017 160
General Enquiries:	enquiries@inforegulator.org.za

Should your PAIA request be denied or there is no response from a public or private bodies for access to records you may use this email address to lodge a complaint.

PAIAComplaints@inforegulator.org.za

Should you feel that your personal information has been violated, you may use this e-mail address to lodge a complaint.

POPIAComplaints@inforegulator.org.za

POPI COMPLAINT FORM

We are committed to safeguarding your privacy and the confidentiality of your personal information and are bound by the Protection of Personal

Information Act.

Please submit your complaint to the Information Officer:	
Full Name	
Contact No.	
Email Address:	

Where we are unable to resolve your complaint, to your satisfaction you have the right to complaint to the Information Regulator.

The Information Regulator: Adv Pansy Tlakula

A. Particulars of Complainant	
Full Name	
Identity No.	
Postal Address	
Contact No.	
Email Address	
B. Details of Complaint	
C. Desired Outcome	
D. Signature Page	
Signature:	
Date	

Address: JD House, 27 Stiemens Street
Braamfontein, Johannesburg, 2001
P.O. Box 31533
Braamfontein, Johannesburg, 2017
Tel: 010 023 5200
Email:PAIAComplaints@infoRegulator.org.za

COMPLAINT FORM

FORM 5
[Regulation 10]

NOTE:

1. This form is designed to assist the Requester or Third Party (hereinafter referred to as "the Complainant") in requesting a review of a Public or Private Body's response or non-response to a request for access to records under the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) ("PAIA"). Please fill out this form and send it to the following email address: **PAIAComplaints@infoRegulator.org.za** or complete online complaint form available at **https://www.justice.gov.za/inforeg/.**
2. PAIA gives a member of the public a right to file a complaint with the Information Regulator about any of the nature of complaints detailed in part F of this complaint form.
3. It is the policy of the Information Regulator to defer investigating or to reject a complaint if the Complainant has not first given the public or private body (herein after referred to as "the Body") an opportunity to respond to and attempt to resolve the issue. To help the Body address your concerns prior to approaching the Information Regulator, you are required to complete the prescribed **PAIA Form 2** and submit it to the Body.
4. A copy of this Form will be provided to the Body that is the subject of your complaint. The information you provide on this form, attached to this form or that you supply later, will only be used to attempt to resolve your dispute, unless otherwise stated herein.
5. The Information Regulator will only accept your complaint once you confirm having complied with the prerequisites below.
6. **Please attach copies of the following documents, if you have them**:
   a. Copy of the form to the Body requesting access to records;
   b. The Body's response to your complaint or access request;
   c. Any other correspondence between you and the Body regarding your request;
   d. Copy of the appeal form, if your compliant relate to a public body;
   e. The Body's response to your appeal;
   f. Any other correspondence between you and the Body regarding your appeal;
   g. Documentation authorizing you to act on behalf of another person (if applicable);
   h. Court Order or Court documents relevant to your complaint, if any.
7. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.

CAPACITY OF PERSON/PARTY LODGING A COMPLAINT
(Mark with an "X")

☐ Complainant Personally

☐ Representative of Complainant

☐ Third Party

PREREQUISITES				
Did you submit request (PAIA form) for access to record of a public/private body?	Yes		No	
Has 30 days lapsed from the date on which you submitted your PAIA form?	Yes		No	
Did you exhaust all the internal appeal procedure against a decision of the Information officer of a public body?	Yes		No	
Have you applied to Court for appropriate relief regarding this matter?	Yes		No	

FOR INFORMATION REGULATOR'S USE ONLY				
Received by: (Full names)				
Position				
Signature				
Complaint accepted	*Yes*		*No*	
Reference Number				
Date stamp				

Postal address	Facsimile	Other electronic communication *(Please specify)*

PART A **PERSONAL INFORMATION OF COMPLAINANT**				
Full Names				
Identity Number				
Postal Address				
Street Address				
E-Mail Address				
Contact numbers	Tel. (B)		Facsimile	
	Cellular			

PART B **REPRESENTATIVE INFORMATION** *(Complete only if you will be represented. A Power of Attorney must be attached if complainant is represented, failing which the complaint will be rejected)*				
Full Names of Representative				
Nature of representation				
Identity Number / Registration Number				
Postal Address				
Street Address				
E-mail Address				
Contact Numbers	Tel. (B)		Facsimile	
	Cellular			

PART C **THIRD PARTY INFORMATION** *(Please attach letter of authorisation)*				
Type of Body	Private		Public	
Name of Public / Private Body				
Registration Number (if any)				
Name, Surname and Title of person authorised to lodge a complaint				
Postal Address				
Street Address				
E-mail Address				

Contact Numbers	Tel. (B):		Facsimile	
	Cellular			

PART D
BODY AGAINST WHICH THE COMPLAINT IS LODGED

Type of body	Private		Public	
Name of public / private body				
Registration number (if any)				
Name, surname and title of person you dealt with at the public or private body to try to resolve your complaint or request for access to information				
Postal Address				
Street Address				
E-mail Address				
Contact Numbers	Tel. (B):		Facsimile	
	Cellular			
Reference Number given *(if any)*				

PART E
COMPLAINT
Tell us about the steps you have taken to try to resolve your complaint (Complaints should first be submitted directly to the public or private body for response and possible resolution)

Date on which request for access to records submitted.				
Please specify the nature of the right(s) to be exercised or protected, if a compliant is against a private body.				
Have you attempted to resolve the matter with the organisation?	Yes		No	
If yes, when did you receive it? (Please attach the letter to this application.)				
Did you appeal against a decision of the information officer of the public body?	Yes		No	
If yes, when did you lodge an appeal?				
Have you applied to Court for appropriate relief regarding this matter?	Yes		No	
If yes, please indicate when was the matter adjudicated by the Court? Please attach Court Order, if there is any.				

PART F
DETAILED TYPE OF ACCESS TO RECORDS
(Please select one or more of the following to describe your complaint to the Information Regulator)

Unsuccessful appeal (Section 77A(2)*(a)* or section 77A(3)*(a)* of PAIA)	*I have appealed against the decision of the public body and the appeal is unsuccessful.*	
Unsuccessful application for condonation (Sections 77A(2)*(b)* and 75(2) of PAIA)	*I filed my appeal against the decision of the public body late and applied for condonation. The condonation application was dismissed.*	

Refusal of a request for access (Section 77A(2)*(c)*(i) or 77A(2)*(d)*(i) or 77A(3)*(b)* of PAIA)	*I requested access to information held by a body and that request was refused or partially refused.*	☐
The body requires me to pay a fee and I feel it is excessive (Sections 22 or 54 of PAIA)	*Tender or payment of the prescribed fee.*	☐
	The tender or payment of a deposit.	☐
Repayment of the deposit (Section 22(4) of PAIA)	*The information officer refused to repay a deposit paid in respect of a request for access which is refused.*	☐
Disagree with time extension (Sections 26 or 57 of PAIA)	*The body decided to extend the time limit for responding to my request, and I disagree with the requested time limit extension or a time extension taken to respond to my access request.*	☐
Form of access denied (Section 29(3) or 60*(a)* of PAIA)	*I requested access in a particular and reasonable form and such form of access was refused.*	☐
Deemed refusal (Section 27 or 58 of PAIA)	*It is more than 30 days since I made my request and I have not received a decision.*	☐
	Extension period has expired and no response was received.	☐
Inappropriate disclosure of a record (Mandatory grounds for refusal of access to record)	*Records (that are subject to the grounds for refusal of access) have inappropriately/unreasonable been disclosed.*	☐
No adequate reasons for the refusal of access (Section 56(3)*(a)* of PAIA)	*My request for access is refused, and no valid or adequate reasons for the refusal, were given, including the provisions of this Act which were relied upon for the refusal.*	☐
Partial access to record (Section 28(2) or 59(2) of PAIA)	*Access to only a part of the requested records was granted and I believe that more of the records should have been disclosed.*	☐
Fee waiver (Section 22(8) or 54(8) of PAIA)	*I am exempt from paying any fee and my request to waive the fees was refused.*	☐
Records that cannot be found or do not exist (Section 23 or 55 of PAIA)	*The Body indicated that some or all of the requested records do not exist and I believe that more records do exist.*	☐
Failure to disclose records	*The Body decided to grant me access to the requested records, but I have not received them.*	☐
No jurisdiction (exercise or protection of any rights) (Section 50(1)*(a)* of PAIA)	*The Body indicated that the requested records are excluded from PAIA and I disagree.*	☐
Frivolous or vexatious request (Section 45 of PAIA)	*The Body indicated that my request is manifestly frivolous or vexatious and I disagree.*	☐
Other *(Please explain)*		

PART G
EXPECTED OUTCOME

How do you think the Information Regulator can assist you? Describe the result or outcome that you seek.

PART H
AGREEMENTS

The legal basis for the following agreements is explained in the Privacy Notice on how to file your complaint document. In order for the Information Regulator to process your complaint, you need to check each one of the checkboxes below to show your agreement:

- [ ] *I agree that the Information Regulator may use the information provided in my complaint to assist it in researching issues relating to the promotion of the right of access to information as well as the protection of the right to privacy in South Africa. I understand that the Information Regulator will never include my personal or other identifying information in any public report, and that my personal information is still protected by the Protection of Personal Information Act, 2013 (Act No. 4 of 2013). I understand that if I do not agree, the Information Regulator will still process my complaint.*

- [ ] *The information in this Complaint Form is true to the best of my knowledge and belief.*

- [ ] *I authorize the Information Regulator to collect my personal complaint information (such as the information about me in this complaint form) and use it to process my human rights complaint relating to the right of access to information and / or the protection of the right to privacy.*

- [ ] *I authorise anyone (such as an employer, service provider, witness) who has information needed to process my complaint to share it with the Information Regulator. The Information Regulator can obtain this information by talking to witnesses or asking for written records. Depending on the nature of the complaint, these records could include personnel files or employer data, medical or hospital records, and financial or taxpayer information.*

- [ ] *If any of my contact information changes during the complaint process, it is my responsibility to inform the Information Regulator; otherwise my complaint could experience a delay or even be closed.*

Signed at ____________________ this ___________ day of ________________ 20 _________

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Complainant/Representative/Authorised person of Third party