

SOUTH AFRICAN POLICE SERVICE



SUID-AFRIKAANSE POLISIEDIENS

REQUEST FOR ACCESS TO RECORD OF THE SOUTH AFRICAN POLICE SERVICE

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

A. Particulars of public body

The name and postal or street address, fax number or e-mail address of the Deputy Information Officer must be stated below.

The 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 recorded below.
- (b) Provide an email address, an address and/or fax number to which the record must be sent.
- (c) In the case of a personal requester (i.e. a requester requesting access to a record which contains his or her own personal information), attach a copy of your ID to this form and ensure that the certificate on the last page of this form is completed and signed by a peace officer or justice of the peace who must also place an office date stamp.
- (d) If the request is made on behalf of a personal requester, documentary proof of the capacity of the requester to make the request on behalf of another person must be attached to this form. Such documentary proof may, amongst other, be —
- (i) a general or specific power of attorney and a copy of the client's ID / passport;
 - (ii) a certified copy of the birth certificate of a minor and a certified copy of the identity document of the parent;
 - (iii) the letter of appointment as the executor of an estate issued by the Master of the High Court, together with proof of identity in the case of a request on behalf of a deceased estate;
 - (iv) where the request is made on behalf of a corporate body, a letter by an authorised person which authorizes the requester to make the request; or
 - (v) a copy of the page(s) of an insurance contract where the client have signed and where it is stated that the insurance company may act on behalf of the client.
- (e) If the person on whose behalf the request is made, has orally authorised the requester or by means of a letter to make the request on his or her behalf, the certificate at the end of paragraph C must be completed by the person on whose behalf the request is made in the presence of a peace officer or justice of the peace who must also complete his or her part of the certificate. A copy of the ID of the person on whose behalf the request is made must be attached to this form.

Full names and surname: _____

Identity number: _____

Postal address: _____

Postal code: _____

Telephone number: _____ Fax number: _____

E-mail address: _____

C. Particulars of person on whose behalf request is made

- (a) This paragraph must be completed if a request for information is made on behalf of another person.
- (b) The ***certificate** at the end of this paragraph must be completed if —
- (i) the person on whose behalf the request is made, has orally authorised the requester or by means of a letter to make the request on his or her behalf; or
 - (ii) documentary proof of capacity (see paragraph B(d)(i) to (v) above) to act on behalf of another person cannot be attached or is not attached to this form.

Full names and surname: _____

Identity number: _____

Capacity in which request is made on behalf of another person: _____

***Certificate:**

I, _____, hereby authorise the requester to request access to the aforementioned record on my behalf.

My identity number is: _____

SIGNATURE OF PERSON ON WHOSE BEHALF REQUEST IS MADE

I, _____, hereby certify that I am satisfied that the person on whose
(state rank, name and surname of peace officer or justice of the peace)
the request is made, is the person that signed the letter authorising the requester to submit the request on his or her behalf or is satisfied that the person whose identity number appears on this certificate, is one and the same person that signed this certificate.

Signed on _____ (date) at _____ (place).

OFFICE STAMP

SIGNATURE OF PEACE OFFICER / JUSTICE OF THE PEACE

(i.e. the signature of a magistrate, judge, police official or correctional official, etc. as defined in Act 51 of 1977 & Act 16 of 1963. Although the legal representative of a requester (e.g. an attorney or lawyer) or other person, may be regarded as a "commissioner of oath", he or she is not regarded as a Peace Officer or a Justice of Peace.)

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.

Description of record or relevant part of the record: _____

Reference number, if available: _____

E. The record is requested for:

Mark with "X"

- | | |
|--------------------------|---|
| <input type="checkbox"/> | (a) The purpose of civil proceedings that has commenced <i>(Civil proceedings commences when a summons is issued and it does not commence when a notice of intended institution of legal proceedings in terms of section 3(1) of the Institution of Legal Proceedings against Certain Organs of State Act, 2002 (Act No 40 of 2002), is received. When such notice is received and a summons has not been issued, the PAIA will apply to a request for access to record.)</i> |
| <input type="checkbox"/> | (b) The purpose of criminal proceedings that has commenced <i>(i.e. a prosecutor been appointed or consulted by the investigating officer, or the prosecutor "charged" the suspect)</i> |
| <input type="checkbox"/> | (c) Any other purpose not mentioned in (a) or (b) |

F. Fees

- (a) A **Request Fee** as prescribed by the Regulations on the PAIA is payable before the request will be considered and the relevant Deputy Information Officer will notify you of such payment to be made.
- (b) If access is granted to the record or part of the record, an **Access / Reproduction Fee** as prescribed by the Regulations on the PAIA is payable before such access be provided and the relevant Deputy Information Officer will notify you of such payment to be made. The Access Fee depends on the form in which access is required and the reasonable time required to search and prepare the record and if applicable, the actual postage fee.
- (c) **The Request Fee is not payable by —**
 - (i) a requester who requests access to a section 15 automatically available record (e.g. person involved in the accident who requests access to the relevant accident report, etc.) or his or her authorised representative (e.g. attorney, lawyer, insurance company, next of kin, parents of the minor child, etc.).
- (d) **The following persons do not pay the Request Fee / any Access or Reproduction Fees:**
 - (i) The suspect, victim or complainant who requests a copy of his or her own statement in an open docket (i.e. the investigation is still open or ongoing); or
 - (ii) A person that is exempted by the Minister of Justice and Correctional Services by proclamation in the Gazette (e.g. a person who is incarcerated or he or she is unemployed or he or she receives an annual income, after permissible deductions which does not exceed R 14 712, 00 or he or she is married and his or her life partner whose annual income, after permissible deductions does not exceed R27 192, 00 per annum, etc.).

If you qualify for exemption from the payment of any fee, state the reason(s): _____

G. 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" to indicate the form in which you would prefer access to the record. (Note that it may not necessarily be possible to grant access to the record in the form or on the medium you requested. In such a case you will be informed of the form or medium in which access will be granted. Also note that the fee payable for access to the record, if any, will in part depend on 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 the 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 the record consists of recorded words or information which can be reproduced in sound —

| | | | | | |
|---|--|-----------------------------|--|---|--|
| listen to the soundtrack (audio cassette) | | transcription of soundtrack | | copy of the soundtrack (audio cassette) | |
|---|--|-----------------------------|--|---|--|

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

| | | | | | |
|-----------------|--|-----------------------------|--|---|--|
| view the record | | printed copy of the record* | | copy in computer readable form (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? **If so, the actual postal cost is payable.**

| | |
|-----|----|
| YES | NO |
|-----|----|

In which language would you prefer the record?

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.

H. Notice of decision regarding request for access

How would you prefer to be informed of the decision regarding your request for access to the record?

You will be notified in writing, please specify the manner (e.g. email, fax, post, etc.) in which you wish to be notified. Provide the necessary particulars to enable compliance with your request.

| |
|--|
| |
|--|

Signed at _____ on this _____ day of _____ 20__

SIGNATURE OF REQUESTER

Certificate for completion by the Peace Officer or Justice of Peace in the case of a personal requester (i.e. a requester requesting access to a record which contains his or her personal information):

I, _____, hereby certify that the requester, with Identity (state rank, name and surname of peace officer or justice of the peace)

Number: _____ has signed the request form in my presence (of person who is requesting information about himself or herself)

and that I have satisfied myself that the person who signed the form and the person whose identity number appears on the form, is one and the same person.

Signed on _____ (date) at _____ (place).

OFFICE STAMP

SIGNATURE OF PEACE OFFICER / JUSTICE OF THE PEACE

(i.e. the signature of either a magistrate, judge, police official or correctional official, etc. as defined in Act 51 of 1977 & Act 16 of 1963. Although the legal representative of a requester (e.g. an attorney or lawyer) or other person, may be regarded as a "commissioner of oath", he or she is not regarded as a Peace Officer or a Justice of Peace.)

FOR DEPARTMENTAL USE

Request received by _____ (state rank, name and surname of deputy information officer)

on _____ (date) at _____ (place).

SIGNATURE OF DEPUTY INFORMATION OFFICER

