



OFFICE OF THE CHIEF JUSTICE
REPUBLIC OF SOUTH AFRICA

PAIA MANUAL

**Prepared in terms of
Section 14 of the Promotion of Access to Information Act 2 of 2000
(as amended)**

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1. LIST OF ACRONYMS AND ABBREVIATIONS

- | | | |
|-----|------------------------|--|
| (a) | Department | Office of the Chief Justice |
| (b) | DIO | Deputy Information Officer |
| (c) | IO | Information Officer |
| (d) | Minister | Minister of Justice and Constitutional Development |
| (e) | OCJ | Office of the Chief Justice |
| (f) | PAIA | Promotion of Access to Information Act No. 2 of 2000 (as amended) |
| (g) | PFMA | Public Finance Management Act No.1 of 1999 as amended |
| (h) | POPIA | Protection of Personal Information Act No.4 of 2013 |
| (i) | Public Body | Office of the Chief Justice |
| (j) | Regulator | Information Regulator |
| (k) | SG | Secretary General |
| (l) | Superior Courts | Constitutional Court; Supreme Court of Appeal; The High Court of South Africa, consisting of Divisions; and Specialised Courts (Competition Appeal Court, Electoral Court, Labour Court, Labour Appeal Court and Land Claims Court). |



2. PURPOSE OF PAIA MANUAL

2.1 This PAIA Manual is useful for the public to:

- (a) check the nature of the records which may already be available at the Office of the Chief Justice (OCJ), without the need for submitting a formal PAIA request;
- (b) understand how to make a request for access to a record of the OCJ;
- (c) access all the relevant contact details of the persons who will assist the public with the records they intend to access;
- (d) know all the remedies available from the OCJ regarding request for access to the records, before approaching the Information Regulator or the Courts;
- (e) access the description of the services available to members of the public from the OCJ, and how to gain access to those services;
- (f) be provided with the guide on how to use PAIA, as updated by the Information Regulator and how to obtain access to it; and
- (g) know whether the Office of the Chief Justice has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. ESTABLISHMENT OF THE OFFICE OF THE CHIEF JUSTICE

3.1 The Constitution provides that the judicial authority of the Republic is vested in the courts. It also provides that the Chief Justice is the Head of the Judiciary and exercises responsibility over the establishment and monitoring of norms and standards for the performance of judicial functions of all courts. Section 165(4) of the Constitution enjoins organs of State to assist and protect the courts to ensure their independence, impartiality, dignity, accessibility and effectiveness. The OCJ was established to support the Judiciary to give effect to section 165(4) of the Constitution which requires that organs of State to assist and protect the courts to ensure their independence, impartiality, dignity, accessibility and effectiveness. The OCJ was established as a National Department in order to give effect to this constitutional provision and pursuant to a proclamation by the President of the Republic of South Africa in *Gazette* number 335500 published on 23 August 2010 in terms of the Public Service Act, 1994 (Proclamation 103 of 1994).

3.2 Subsequent to the Proclamation of the OCJ as a National Department, the Minister for Public Service and Administration (DPSA) made determination regarding the purpose and objectives of the OCJ as follows:



- (a) To provide effective administrative and technical support to the Chief Justice as the Head of the Judiciary and as Head of the Constitutional Court as well as to render administrative, operational and governance support to the Judiciary.
- (b) To enhance the institutional, administrative and financial independence of the OCJ;
and
- (c) To improve organisational governance and accountability, and the effective and efficient use of resources.

4. STRUCTURE OF THE OFFICE OF THE CHIEF JUSTICE

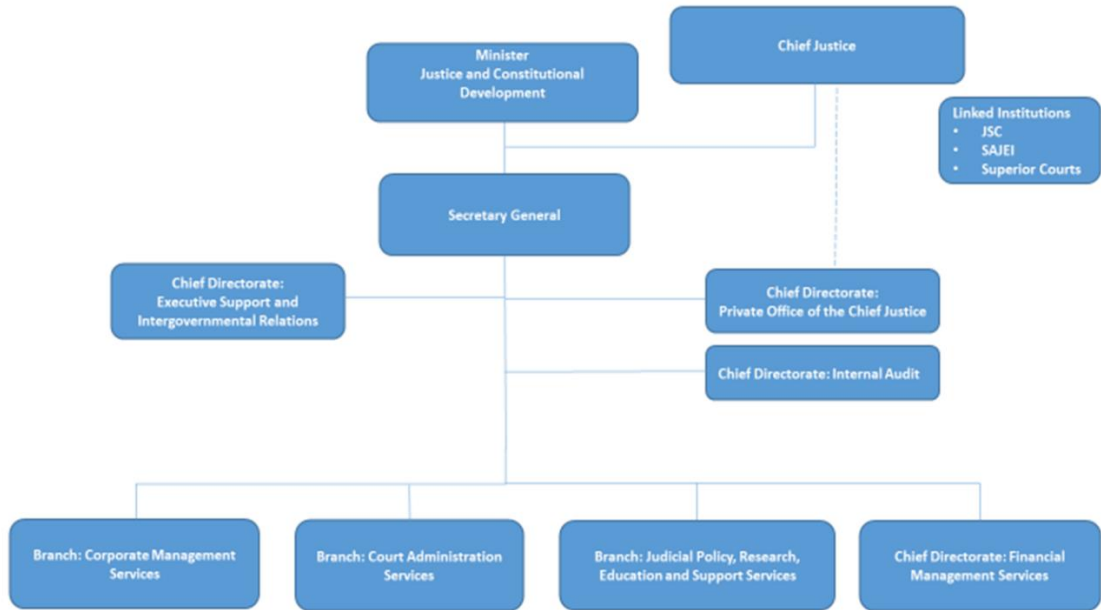
4.1 Structure

4.1.1 The OCJ consists of a National Office situated in Midrand, Gauteng, Constitutional Court in Braamfontein, Supreme Court of Appeal in Bloemfontein and Provincial Service Centres in all Provinces, namely:

- (a) Eastern Cape, East London;
- (b) Free state, Bloemfontein;
- (c) Gauteng, Johannesburg;
- (d) KwaZulu-Natal, Durban;
- (e) Limpopo, Polokwane;
- (f) Mpumalanga, Mbombela
- (g) Northern Cape, Kimberley;
- (h) North West, Mafikeng;
- (i) Western Cape, Cape Town.



4.1.2 Below is the description of the OCJ organisational structure.



4.1.3 The OCJ Committees comprised:

- Executive Management Committee (EXCO);
- Operations Management Committee (OPSCO);
- Audit facilitation Committee (AFC);
- Legislation and Policy Compliance Committee; and
- Loss Control Committee.

4.2 Functions

4.2.1 The OCJ's function is to render support to the Chief Justice in executing administrative and judicial powers and duties as Head of the Judiciary and Head of the Constitutional Court.

4.2.2 The OCJ is responsible for providing support to the Judiciary to ensure effective and efficient court administration services.



5. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF THE OCJ

5.1 Chief Information Officer

Name: Adv Marelize Potgieter
Personal Assistant: Mr Desmond Moekoa
Tel: +27(0)10 493 8733
Email: DMoekoa@judiciary.org.za

5.2 Deputy Information Officer

Name: Adv Wilna Lambley
Tel: +27(0)10 493 2492
Email: WLambley@judiciary.org.za

5.3 Deputy Information Officer

Name: Adv Nelson Phakola
Tel: +27(0)10 493 2580
Email: NPhakola@judiciary.org.za
Paia@judiciary.org.za

5.4 Access to information general contacts

Telephone: 27(0)104932500
Email: Enquiries@judiciary.org.za
Website: www.judiciary.org.za

5.5 National / Head Office

Postal Address: Private Bag x 10
Marshalltown
Johannesburg,
2107

Physical Address: 188, 14th Road Noordwyk
Midrand
1685



Telephone: 27(0)104932500
Email: Enquiries@judiciary.org.za
Website: www.judiciary.org.za

6. DESCRIPTION OF ALL REMEDIES AVAILABLE IN RESPECT OF AN ACT OR A FAILURE TO ACT BY THE OCJ

6.1 Internal appeal

- 6.1.1 If the OCJ fails to comply with the provisions of PAIA, the requestor or any aggrieved person may, in accordance with section 74 of PAIA lodge an internal appeal with the relevant authority, who is the Minister of Justice and Constitutional Development.
- 6.1.2 The Internal appeal must be lodged within 60 days of the decision of the Information Officer/ Deputy Information Officer or in cases where notice is required to be given to the third party, within 30 days after the notice of the decision is given to the third party. In order to lodge an internal appeal, one must complete a “Form 4” attached in this Manual.
- 6.1.3 The person appealing must submit the “Form 4” to the Information Officer by sending it to Wilambley@judiciary.org.za and NPhakola@judiciary.org.za or by post to the address of the Information Officer.
- 6.1.4 The Deputy Information Officer shall help and guide the requester through the process of lodging an appeal.

6.2 Process for complaining to the Information Regulator or any regulatory body

- 6.2.1 A requester, appellant or third party may only submit a complaint to the Information Regulator after that requester, appellant or third party has exhausted the internal appeal procedure against a decision of the information officer of a public body. The complaint must be lodged by completing a “Form 5” and sending it to the Information Regulator.
- 6.2.2 This must be done within 180 calendar days of the Minister’s decision; and the Information Regulator shall help and guide the complainant through the process of lodging a complaint.

6.3 Process for approaching the Court with jurisdiction for appropriate relief

- 6.3.1 The application must be lodged within 180 calendar days of the decision of the Minister or that of the Information Regulator.
- (a) Application to a court for appropriate relief may only be brought after the requester or third party has exhausted the internal appeal procedure to the Minister or after



that requester or third party has exhausted the complaints procedure to the Information Regulator.

- (b) Every Magistrate Court has jurisdiction to hear the PAIA application; and
- (c) The Clerk or Registrar of the Court shall help and guide an applicant through the process of lodging an application to Court.

6.4 Complaints management in the OCJ

6.4.1 Complaints Officers

- (a) Court Managers or Acting Court Managers are designated as Complaints Officers for their respective courts. In courts where there are no Court Managers, the Office Manager or most senior official in that court becomes a Complaints Officer.
- (b) Court Managers are responsible for corporate support services in the courts they manage, and these include management of complaints relating to services rendered to members of the public.
- (c) The Secretary General has designated a National Complaints Officer who is responsible for the following functions:
 - (i) Referring complaints lodged directly at the National Office relating to service delivery at the courts, to the implicated courts for processing and resolution as complaints must be resolved at the service delivery point;
 - (ii) Co-ordinating the resolution of service delivery complaints against Business Units at the National Office and this shall include referring these complaints to the relevant Units for attention;
 - (iii) Processing and resolving any appeals from complainants dissatisfied with the handling and/ or outcomes of their complaints lodged at the courts as well as complaints lodged against officials at the National Office; and
 - (iv) Compilation of a quarterly report on complaints management and submission of this report to the Secretary General.

6.4.2 Mechanisms for lodging complaints

6.4.2.1 Members of the Public can lodge complaints through letter / emails or by completing a complaints form (accessible from the website) and submitted same to the complaints officer at complaints@judiciary.org.za.

6.4.2.2 Complaints may be lodged through the following mechanisms or platforms:

- (a) A verbal expression after the alleged deficient act or action/omission with respect to the service;



- (b) A complaints and suggestion box;
- (c) A walk-in by the complainant;
- (d) A telephone to a call centre or office;
- (e) A fax to a call centre or office;
- (f) A letter or e-mail to the call centre or office;
- (g) A complaint or enquiry form on the OCJ website; and
- (h) Any other mechanism that is user- friendly and accessible to people with special needs.

6.4.3 Complaints handling process

- (a) The Department will acknowledge receipt of a complaint in writing within 3 working days and provide a written response to all complaints within 25 working days of receipt.
- (b) No detriment or prejudice will be suffered by the complainant for making a complaint.
- (c) No fees are charged for making a complaint or providing feedback.
- (d) Received complaints are to be acknowledged promptly, addressed according to urgency, and the complainant should be kept informed throughout the process. This can prevent dissatisfaction growing or further complaints as a result of delays.
- (e) Where a delay is unavoidable, the complainant will be kept informed of progress and told when an outcome can be expected.
- (f) Each complaint will be managed in an objective and unbiased manner; conflicting interests will not interfere with the management and resolution of complaints.
- (g) All investigations will be conducted in an open and non-defensive manner.
- (h) The privacy of the complainant and any staff member who is the subject of the complaint should be respected.
- (i) Where a decision is made to resolve a complaint, the reason behind the decision will be communicated to ensure that the complainant understands the facts and reasoning that formed the basis for the decision.

6.4.4 Appeals (relating to complaints)

- (a) Complainants dissatisfied with the handling and /or outcomes of their complaints lodged at the courts as well as complaints lodged against officials at the National Office may appeal to the National Complaints Officer at complaints@judiciary.org.za.



- (b) The Secretary General of the OCJ shall be the last appeal point for complainants dissatisfied with the handling and or outcomes of their appeals from the National Complaints Officer.

6.5 Process of lodging a complaint against a Judicial Officer/ Judge

- 6.5.1 Complaints of misconduct against judges are submitted to the Secretariat of the Judicial Service Commission at jsc@judiciary.org.za. The Secretariat then refers this complaint to the Chairperson of the Judicial Conduct Committee (JCC), which is usually the Chief Justice or the Deputy Chief Justice (if delegated by the CJ).
- 6.5.2 The Chairperson of the JCC conducts an initial 'screening' process, where he considers whether the complaint is valid to be considered, and whether it is so serious constitute misconduct or gross misconduct. After the Chairperson screens the complaint, he then decides on which route the complaint must take and the chairperson may dismiss the complaint on the grounds that it is frivolous and lacks merit, or it is hypothetical.
- 6.5.3 A Judge may be removed from office by the President if the JSC finds that the Judge suffers from incapacity, is grossly incompetent or is guilty of gross misconduct.

7. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

- 7.1 The Regulator has, in terms of section 10(1) of PAIA, updated and made available the revised Guide on how to use PAIA Guide.
- 7.2 The purpose of the aforesaid Guide is to provide information that is needed by any person who wishes to exercise any right contemplated in PAIA and POPIA.
- 7.3 The Guide is available in three official languages.
- 7.4 The aforesaid Guide contains the description of:
 - 7.4.1. the objects of PAIA and POPIA;
 - 7.4.2. the postal and street address, phone and fax number and, if available, electronic mail address of -
 - (a) the Information Officer of every public body, and



- (b) every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;

7.4.3 The manner and form of a request for -

- (a) access to a record of a public body contemplated in section 11³; and
- (b) access to a record of a private body contemplated in section 50⁴ of PAIA;

7.4.4 the assistance available from the Information Officer of a public body in terms of PAIA and POPIA;

7.4.5 the assistance available from the Regulator in terms of PAIA and POPIA;

7.5. all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-

7.5.1. an internal appeal;

7.5.2. a complaint to the Regulator; and

7.5.3. an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;

7.5.4. the provisions of sections 14⁵ and 51⁶ requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;

¹ Section 17(1) of PAIA- *For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.*

² Section 56(a) of POPIA- *Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.*

³ Section 11(1) of PAIA- *A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

⁴ Section 50(1) of PAIA- *A requester must be given access to any record of a private body if-*

- a) *that record is required for the exercise or protection of any rights;*
- b) *that person complies with the procedural requirements in PAIA relating to a request for access to that record; and*
- c) *access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

⁵ Section 14(1) of PAIA- *The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.*

⁶ Section 51(1) of PAIA- *The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.*



- 7.5.5. the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
 - 7.5.6. the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and
 - 7.5.7. the regulations made in terms of section 92¹¹.
- 7.6. Members of the public can inspect or make copies of the Guide from the OCJ offices, including the office of the Regulator, during normal working hours. The Guide can also be obtained:
- 7.6.1 From the Government *Gazette*;
 - 7.6.2 upon request to the Information Officer or the Regulator;
 - 7.6.3 from the website of the Regulator (<https://www.justice.gov.za/inforeg/>).

8. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD BY THE OFFICE OF THE CHIEF JUSTICE

- 8.1 Section 14(1) (d) of the PAIA provides that a body must provide details of records in its possession in order to give effect to requests for access to information. The OCJ, just like any other government department, has two main categories regarding information or records in its possession, namely:
- a) records that relate to the core business of the OCJ, namely, court records; and
 - b) records from the programmes that are responsible for support functions.

⁷ Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access

⁸ Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access

⁹ Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹⁰ Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹¹ Section 92(1) of PAIA provides that: "The Minister may, by notice in the Gazette, make regulations regarding-

- (a) any matter which is required or permitted by this Act to be prescribed;
- (b) any matter relating to the fees contemplated in sections 22 and 54;
- (c) any notice required by this Act;
- (d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and
- (e) any administrative or procedural matter necessary to give effect to the provisions of this Act."



Subjects on which the body holds records	Categories of records held on each subject
Strategy & Systems	Annual Reports, Strategic Plan, Annual Performance Plan.
Human Resources	<ul style="list-style-type: none"> - HR policies and procedures. - Advertised posts. - Employees records. - Learning and development e.g. skills development and training plans. - Employment equity plan. - Salary advices / payslips. - Reports on background checks such as criminal records. Medical certificates for official who are or were on sick leave. - Employee wellness reports. - Records of job applicants which include curriculum vitae and qualifications. - Disciplinary proceedings records. - Moderation records.
Finance and SCM	Financial Accounting, Financial Reporting, Contracts and Tender Administration, Asset Management / Register, Management Accounting, Estimates, Statements, Budgets, Reports, Audit Records, Revenue Statements, Reports and Returns, Service Level Agreements.
Legal Services	<ul style="list-style-type: none"> - Legal advisory opinions; - Litigation files: <ul style="list-style-type: none"> ❖ concerning the OCJ as the Party to the proceedings. ❖ in which an official of the OCJ is a party in such capacity including Judges.
Supply Chain Management	- Bids documents.



Subjects on which the body holds records	Categories of records held on each subject
	<ul style="list-style-type: none"> - Bids application by various service providers which include amongst others SARS information, ID copies. - Bids evaluation reports and awards. - All files and information relating to bids not older than three years. - OCJ contracts and Service Level Agreements not older than three years.
Judicial Remuneration and Conditions of Service Unit	<ul style="list-style-type: none"> - Information of all Judges including their Spouses, widows and etc. - Payslips of Judges. - Bank details. - Leave application forms and other information relevant to the processing of remuneration to the Judges.
South African Judicial Education Institute (SAJEI)	<ul style="list-style-type: none"> - Necessary particulars of Judicial Officers who attend training and educational programs offered by SAJEI. - Training and educational materials. - Reports on training of Judicial Officers. - Annual Reports.
Judicial Services Commission and Judicial Conduct Tribunal	<ul style="list-style-type: none"> - Curriculum Vitae's of Judges which includes ID's and academic qualifications. - Minutes of the meetings which include meetings about recommendations of appointments of Judges. - Litigation files not older than 3 years in which the JSC is a party. - Complaints not older than 3 years against the Judges.



Subjects on which the body holds records	Categories of records held on each subject
	<ul style="list-style-type: none"> - Records of interviews of Judges not older than 3 years. - Records of hearings of the Tribunal regarding misconduct levelled against a Judge. - Records of investigation emanating from misconduct against a Judge. - JSC Annual Reports. - Criteria for Judicial Appointment. - Judicial vacancies. - Judges' Registrable Interests. - IEC vacancies. - Regulations and proclamation of Judge's interest. - Register of Judges' Registrable interests. - List of Members for the JSC.
Audit & Risk Management	<ul style="list-style-type: none"> - Reports on vetting of qualification. - Risk Management reports not older than 3 years. - Audit reports not older than 3 years.
Facilities Management, Asset and Security	<ul style="list-style-type: none"> - Particulars of all Visitors to the OCJ facilities including some Courts where visitors are required to sign in by providing names and id numbers or where the id or driving licence is scanned prior to entering the facility. - Lease agreements and details of the Lessor. - Information about persons accessing ITC services. - Registers of some persons visiting OCJ facilities. - Assets register.



Subjects on which the body holds records	Categories of records held on each subject
Information Technology	<ul style="list-style-type: none"> - Incidents and Service Requests. - Asset Issuing and Custodian Information. - System Event Logs. - System Performance Logs. - Systems Maintenance Check lists. - Monthly Operations Reports. - ICT Policies and Procedure Manuals. - Network maintenance. - System Development lifecycle documents.
Communication Services, media & Publications	<ul style="list-style-type: none"> - Internal communications - Press releases, Radio and TV Interviews, Statements, Participation details, Official/Judges Speeches and Messages, Gifts and Awards, Website content and Corporate identity and infographs. - Booklets, Books, Periodicals, Journals, Reports, Newsletters, Bulletins, Magazines, Pamphlets, E-Publications. - Slides, Photographs, Films, Videos.
Operational Policies, Plans or Procedures or Frameworks	<ul style="list-style-type: none"> - Protocols Agreements, Supply Chain Management, Procurement Plans, Specific Tenders & Contracts, Donations, Funds, Suppliers, Risk Management, Audit, IT, Finance Management, Human Resources, Marketing and Branding Records Management.
Court Administration	<ul style="list-style-type: none"> - Court Records.



9. CATEGORIES OF RECORDS OF THE OFFICE OF THE CHIEF JUSTICE WHICH ARE AUTOMATICALLY AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

Category	Document Type	Available on Website	Available upon request
Strategic documents	<ul style="list-style-type: none"> - Strategic plans. - Annual Performance Plans. - Organisational profile (Overview, Objectives, Functions, Architecture). - Annual Reports. 	X	
Legislation /Regulations	<ul style="list-style-type: none"> - Public Service Regulations. - Public Service Act. - Proclamation for the establishment of OCJ. - Legal instruments: Judiciary. 	X	
Human Resource	<ul style="list-style-type: none"> - HR policies and procedures. - Vacancies. - Advertised posts. - Executive Committee Structure. 	X	
Communication, media & Publications	<ul style="list-style-type: none"> - Press statements. - Media accreditation. - Speeches. - Multimedia Slides, Photographs, Films, Videos. 	X	
Tender	<ul style="list-style-type: none"> - Supplier database. - Advertised bids. 	X	



Category	Document Type	Available on Website	Available upon request
Complaints	- Complaints form.	X	
Access to the Superior Courts	- Contact details of Court Managers and Directors of Court Operations of the Superior Courts.	X	
Reports / Minutes / Decisions	- Conferences Research & Findings; - Monitoring and Evaluation; - Statistics; - Surveys; - Submissions on legislation.	X	
Supply Chain Matters	- BID documents; - Contracts / SLAs; - Purchases Orders; - Quotations; - Tenders; - Terms of Reference and Leases; - List of applicants for Tenders; - List of Tenders Awarded.	X	

10. CATEGORIES OF RECORDS OF THE OFFICE OF THE CHIEF JUSTICE WHICH ARE AVAILABLE FOR INSPECTION

10.1 The public part of the Register of the Judges registrable interests is available for inspection by any person at the office of the Registrar or any other venue agreed to by the Registrar as provided for in regulation 5(2) of the Regulations on Judges Registrable Interest (made in terms of section 13 (8) of the Judicial Service Commission Act, 1994.



11. CATEGORIES OF RECORDS OF THE OFFICE OF THE CHIEF JUSTICE THAT MAY BE SUBJECT TO THE GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

- 11.1 The records listed in the categories below may be formally requested, but access to parts of these records or the whole record may be refused on legal grounds, including those listed in sections 33 to 46 and sections 62 to 70 of PAIA.
- 11.2 The OCJ further reserves the right to refuse access to records where the processing of the record will result in a substantial and unreasonable diversion of its resources.
- 11.3 Access will also be refused where requests are clearly frivolous and / or vexatious.
- 11.4 However, the Information Officer or Deputy Information Officer (s) of the OCJ may grant a request for access to a record of the OCJ, if:
 - (a) the disclosure of the record would reveal evidence of a substantial contravention of, or failure to comply with the law; and
 - (b) the public interest in the disclosure of the record clearly outweighs the harm contemplated in any of the grounds for refusal of access to records.

Category of Record	On Request form only
OCJ's Compliance Assessment Reports (PAIA and POPIA)	X
Security related information	X
OCJ internal communiques	X
Records held by Legal Service Unit	X
Executive management internal confidential communication	X
Research conducted by Service Providers for the OCJ or programs subject to contractual exemptions on disclosure	X
Confidential client communications	X



Category of Record	On Request form only
Privileged information: held in the course of investigations, conciliation, closed hearings, attorney client information, national security-based information or third-party information	X
Specific Human Resource Personnel Information, including, but not limited to files relating to disciplinary process and records, medical information and personal information	X
Asset disclosures and asset protection procedures	X
Service Level Agreements	X
Certain Tender Documentation	X
Agendas and Minutes of Meetings and correspondence	X
Draft reports, policies and discussions documents	X
Research papers and legal opinions	X
<ul style="list-style-type: none"> - Enforcement Notices; - Settlement between the parties; - Assessment reports; - Information Notice. 	X
Invoices and proof of payments	X
Certain forensic reports	X

12. SERVICES AVAILABLE TO MEMBERS OF THE PUBLIC FROM THE OFFICE OF THE CHIEF JUSTICE AND HOW TO GAIN ACCESS TO THOSE SERVICES.



12.1 Powers, duties and function of the OCJ:

12.1.1 Section 165(4) of the Constitution enjoins organs of State to assist and protect the courts to ensure their independence, impartiality, dignity, accessibility and effectiveness. The OCJ was established to support the Judiciary to give effect to section 165(4) of the Constitution. The OCJ was established as a National Department in order to give effect to this constitutional provision and pursuant to a proclamation by the President of the Republic of South Africa in *Gazette* number 335500 published on 23 August 2010 in terms of the Public Service Act, 1994 (Proclamation 103 of 1994).

12.1.2 Subsequent to the Proclamation of the OCJ as a National Department, the Minister for Public Service and Administration (DPSA) made determination regarding the purpose and objectives of the OCJ as follows:

- (a) To provide effective administrative and technical support to the Chief Justice as the Head of the Judiciary and as Head of the Constitutional Court as well as to render administrative, operational and governance support to the Judiciary.
- (b) To enhance the institutional, administrative and financial independence of the OCJ; and
- (c) To improve organisational governance and accountability, and the effective and efficient use of resources.

12.1.3 The OCJ provides services through the three programmes, namely:

- (a) Administration;
- (b) Superior Court Services; and
- (c) Judicial Education and Support.

12.1.4 Administration is responsible for providing strategic leadership, management and support services to the Department. There are five sub-programmes which are:

- (a) Management;
- (b) Corporate Services;
- (c) Financial Administration;
- (d) Internal Audit; and
- (e) Office accommodation.

12.1.5 Superior Court Services is responsible for providing court administration services to the Superior Courts. These services assist with the facilitation of access to justice for



members of the public. It is comprised of five sub-programmes namely:

- (a) Administration of Superior Courts;
- (b) Constitutional Court;
- (c) Supreme Court of Appeal;
- (d) High Court; and
- (e) Specialised Courts.

Access to these services / courts may be requested from Court Managers or Directors of Court Operations in the Superior Courts. Members of the public may access the services offered by the High Courts directly by visiting the Courts, Court Managers or Directors of Court Operations in the Superior Courts.

13. PROCEDURE FOR ACCESS TO RECORDS HELD BY THE OCJ

13.1 Section 18 of PAIA prescribes the procedure to be followed in making a request for access to information held by the Regulator. Section 23(1) of POPIA also provides the procedure to access personal information. Manner of access to personal information in terms of section 23 of POPIA should be in accordance with section 18 of PAIA.

13.2 A requester or data subject must use the prescribed form, **FORM 2**, when requesting access to a record or personal information. Form 2 is annexed hereto.

13.3 A requester is any person making a request for access to a record of the OCJ and in this regard, PAIA distinguishes between two types of requesters for access to information, i.e. Personal Requester, (data subject) and other Requester.

- (a) A data subject is a requester who, having provided adequate proof of identity, is seeking access to a record containing personal information about the data subject. Subject to the provisions of PAIA and POPIA, the Regulator will provide the requested information or give access to any record with regard to the data subject's personal information within a reasonable time, (at a prescribed fee, if any) in a reasonable manner and format and in a form that is generally understandable. The prescribed fee for reproduction of the personal information requested will be charged by the Regulator.
- (b) A person falling in the category of Other Requester is entitled to request access to information pertaining to third parties. However, the OCJ is not obliged to grant



access prior to the requester fulfilling the requirements for access to information in terms of PAIA and POPIA.

- (c) The prescribed fee for reproduction of the information requested may be charged by the OCJ.

13.4 The **Form 2** must be addressed and submitted to the Information Officer by hand, post, per fax or e-mail, which details are set out in paragraph 8 above.

13.5 The requester must provide sufficient information of the record(s) requested in order for the Information Officer or Deputy Information Officer, if any, to identify the record(s). The prescribed form must be filled in with enough particularity to at least enable the Information Officer to identify:

- (a) the identity of the requester;
- (b) particulars of record requested;
- (c) type of record;
- (d) form of access; and
- (e) manner of access.

13.6 Some additional important points to remember when completing the request form:

- (a) each section of the form contains instructions that should be followed to improve the likelihood of the request being granted with minimal delay being experienced;
- (b) if records are requested on behalf of another person, please provide a copy of the mandate authorising you to act on behalf of another person;
- (c) a detailed description of the records being requested must be provided to enable the Information Officer or Deputy Information Officer to identify it accurately.

13.7 The requester must indicate, as per section 29(2) of PAIA, the form of access that is required.

13.8 The requester must indicate whether the requested record(s) is preferred in any particular language.



- 13.9 The requester should indicate the manner in which he / she wishes to be informed of the decision on the request and the necessary particulars to be informed accordingly.
- 13.10 The requester will receive the information in such manner as indicated. Section 29(3) of PAIA¹² indicates that making the information available will depend on whether the request will not interfere unreasonably with the effective administration of the OCJ, be detrimental to the preservation of the record(s) or infringe any copyright not owned by the State.
- 13.11 According to section 29(4) of PAIA, should access in the form as requested, be refused as per section 29(3) of PAIA, but access is given in an alternative form, then the fee charged may not exceed the amount that would have been charged for access in the form initially requested.
- 13.12 If, in addition to a written reply to the request for the record, the requester wants to be informed of the decision in any other manner, the requester must specify the manner and provide the necessary particulars to be informed accordingly.
- 13.13 Where the requester is making a request for the information on behalf of another person, he or she must provide proof of the capacity in which the request is being made.
- 13.14 An oral request for access to a record(s) may be made, if the requester does not have a formal education or has a disability. The Information Officer or Deputy Information Officer will assist the requester to complete the prescribed form on behalf of such requester and provide him/her with a copy of the completed form.
- 13.15 The requester will be notified of the prescribed fee payable, if any, the method of payment and the office to which he/she can make such payment or submit proof of payment before a request for information is processed further. Please note that the requester is exempted from paying an access fee¹³ to the Regulator if:

¹² Section 29(3) of PAIA provides that- if a requester has requested access in a particular form, access must, subject to section 28, be given in that form, unless to do so would

- (a) interfere unreasonably with the effective administration of the public body concerned;
- (b) be detrimental to the preservation of the record; or
- (c) amount to an infringement of copyright not owned by the State or the public body concerned.

¹³ As per Government Notice R991 of 14 October 2005.



- (a) the requester is a single person whose annual income, after permissible deductions, such as PAYE and UIF, is less than **R14 712** a year; or
- (b) the requester is married and his/her joint income, after permissible deductions, such as PAYE and UIF, is less than **R27 192** per year.

13.16 The request for information will, in terms of Section 25 of PAIA, be processed by the Information Officer within 30 days after receipt of the request or as soon as is reasonably possible, whereafter the Information Officer will inform the requester of his/her decision, either to grant or reject the request for access to records. The decision must, if it is reasonably possible, be communicated in the manner requested by the requester.

13.17 Section 26 of PAIA¹⁴ prescribes the instances where the period of thirty (30) days referenced in Section 25 of PAIA¹⁵, may be extended once for a further 30 days. The period of 30 days may be extended once for a further period of not more than 30 days, if-

- (a) the request is for a large number of records or requires a search through a large number of records and compliance with the original period would unreasonably interfere with the activities of the OCJ;
- (b) the request requires a search for records in, or collection thereof from, an office of the OCJ not situated in the same town or city as the office of the Information Officer and cannot reasonably be completed within the original period;
- (c) consultation among divisions of the OCJ or with another public body is necessary or desirable to decide upon the request and such decision-making process cannot reasonably be completed within the original period;

¹⁴ Section 26(1)- The information officer to whom a request for access has been made or transferred, may extend the period of 30 days referred to in section 25 (1) (in this section referred to as the 'original period') once for a further period of not more than 30 days, if-

a) the request is for a large number of records or requires a search through a large number of records and compliance with the original period would unreasonably interfere with the activities of the public body concerned;

b) the request requires a search for records in, or collection thereof from, an office of the public body not situated in the same town or city as the office of the information officer that cannot reasonably be completed within the original period;

c) consultation among divisions of the public body or with another public body is necessary or desirable to decide upon the request that cannot reasonably be completed within the original period;

d) more than one of the circumstances contemplated in paragraphs (a), (b) and (c) exist in respect of the request making compliance with the original period not reasonably possible; or

e) the requester consents in writing to such extension.

¹⁵ Section 25 of PAIA deals with the requirement for a decision on request to be taken within 30 days and the requirement of notifying the requester about the decision to his or her request.



- (d) more than one of the circumstances contemplated in paragraphs 13.17.1, 13.17.2 and 13.17.3 exist in respect of the request making compliance with the original period not reasonably possible; or
- (e) the requester consents in writing to such extension.

13.18 If the period has been extended, the information officer must as soon as possible and within 30 days of first receiving the request inform the requester of that extension.

13.19 If a request for access to a record has been refused, delayed or granted subject to unreasonable fees or is granted in an unacceptable form, the requester may lodge an internal appeal as per section 74 of PAIA.

13.20 Section 74 of PAIA allows for appeals against the decision of the Information Officer of the Regulator and the appeal processes (which are not compulsory) are detailed in paragraph 6.1 above.

13.21 According to section 78 of PAIA, a requester or third party referred to in section 74, may only apply to a Court for appropriate relief in terms of section 82 of the Act, after having exhausted the internal appeal procedure against a decision of the Information Officer. As indicated in paragraph 9.3 above, appeal processes are not compulsory and the requester or thirds party may, at any time, within the prescribed period of 180 days, approach the court for appropriate relief.

13.22 A requester, who is aggrieved by the decision of the information officer of the OCJ under PAIA, cannot lodge a complaint with the OCJ and must proceed in accordance with paragraph 6.3 above.

14. PUBLIC INVOLVEMENT IN THE FORMULATION OF POLICY OR THE EXERCISE OF POWERS OR PERFORMANCE OF DUTIES BY OFFICE OF THE CHIEF JUSTICE

14.1 The OCJ is mandated to provide administrative support to one of the three Arms of State, the Judiciary. Policy formulation falls outside the mandate of the OCJ. Policy making falls within the preview of Parliament.

14.2 Members of the public may influence the performance of the OCJ by making use of suggestion boxes placed at all the Superior Courts.



15. PROCESSING OF PERSONAL INFORMATION.

15.1 Purpose of processing of personal information of data subject by the Office of the Chief Justice.

The OCJ process personal information of data subjects under its care in the following ways:

- (a) Conduct of Court or Judicial Service Commission proceedings;
- (b) Processing of pleadings, Court records and information for the conduct proceedings in Court or Tribunal or as obliged by the law.
- (c) Enrolment of Judicial Officers on training;
- (d) Register of Judges' Registrable interests;
- (e) Appointments of Judges;
- (f) Processing of Judge's remuneration and benefits to Judge's widows;
- (g) Registration of caseline and Court online users;
- (h) Staff administration and Job applicants;
- (i) Keeping of accounts and records;
- (j) Procurement process;
- (k) Contracts drafting;
- (l) Visitors to any premises of the OCJ including Courts;
- (m) Complying with other relevant legislations, such as PFMA, Regulations under it and National Treasury Instruction Notes/Directives;
- (n) Executing its statutory obligations under PAIA and POPIA;
- (o) Handling or processing of complaints; and
- (p) Information verification.



15.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto.

Categories of Data Subjects	Personal Information that may be Processed
Natural Persons	<p>Names and surname; contact details (contact number(s), fax number, email address); Residential, postal or business address; Unique Identifier/Identity</p> <p>Number and confidential correspondence; gender, pregnancy; marital status; race; age, language, educational information (qualifications); financial information; ID number; physical and postal address; contact details(contact number(s), fax number, email address); criminal behaviour; well-being, medical, sex, nationality, ethnic or social origin, physical or mental health, wellbeing, disability, language, biometric information of the person, employment history and references, Banking and financial details, Details of payments to third parties (deductions from salary), medical aid records, Pension Fund records, remuneration/salary.</p>
Judges, Employees and Job Applicants	<p>Gender, pregnancy; marital status; Race age, language, educational information (qualifications); financial information; ID number; physical and postal address; contact details(contact number(s), fax number, email address); criminal behaviour; well-being and their relatives (family members) medical, sex, nationality, ethnic or social origin, sexual orientation, physical or mental health, wellbeing, disability, religion, conscience, belief, culture, language, biometric information of the person, Employment history and references, Banking and financial details, Details of payments to third parties (deductions from salary), employment contracts, medical aid records, Pension Fund records, remuneration/salary records, performance appraisals, Disciplinary records, Leave records, Training records;</p>



Categories of Data Subjects	Personal Information that may be Processed
Bidders, Vendors, Suppliers and Service Providers	Identity and/or company information and directors' information, names of contact persons; physical and postal address; contact details (contact number(s), fax number, email address); registration number; financial, commercial, scientific or technical information and trade secrets, Banking and financial information, Information about products or services, information related to tax status and broad-based black economic empowerment status, and other information not specified but reasonably required to be processed for business operations.
Requesters/Third Parties/Appellants	Identity and/or company information and directors' information, shareholders, names of contact persons; physical and postal address; contact details (contact number(s), fax number, email, correspondences, gender and other information that could be provided in the request, representations or internal appeal.
Litigants, Accused, Complainant/ Respondents/ Witnesses/Legal Representatives.	In addition to information processed under natural or juristic person, the following information may be processed in relation to this category: amount claimed, judgement debts, legal costs, relief sought, insolvency or liquidation status, granted relief, amount of claim or damages awarded, the nature of the cause of action and defence, opinion or arguments, medical records, disability; views or preferences of the person; (correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence; the views or opinions of another individual about the person; and 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 and registration with relevant statutory bodies.



15.3 The recipients or categories of recipients to whom the personal information may be supplied and the purpose of processing personal information.

15.3.1 For employees and applicants for employment:

- (i) Verification and evaluation of applicant’s information during recruitment process including considerations of employment equity.
- (ii) Verification of employee’s doing business with the State.
- (iii) General matters relating to employees such as:
 - ❖ General benefits;
 - ❖ Pension;
 - ❖ Medical aid;
 - ❖ Payroll;
 - ❖ Disciplinary action;
 - ❖ Leave management;
 - ❖ Performance management;
 - ❖ Training;
 - ❖ Security Clearance.
- (iv) Any other reasonably required purpose relating to the employment or possible employment relationship.

Category of personal information	Recipients or Categories of Recipients
Identity number and names, for criminal checks	South African Police Services/other private bodies/ persons/ entities offering similar services/ JSC or any Institution of the Judiciary.
Qualifications, for qualification verifications	South African Qualifications Authority Courts.
Credit and payment history, for credit information	Credit Bureaus. SARS.
Disciplinary hearing records	Chairperson, Arbitrators or any other relevant person or body such as Bargaining Council or CCMA or even Courts.



15.3.2 For Bidders, Vendors, Suppliers and Service Providers:

- (a) Verifying information and performing reference and other prescribed checks for purposes relating to the agreement or business relationship or possible agreement or business relationships between the parties.
- (b) Payment of invoices.
- (c) Complying with the Department’s regulatory and other obligations.
- (d) Any other reasonably required purpose relating to the Department’s business.

Category of personal information	Recipients or Categories of Recipients
Identity and/or company information and directors’ information, names of contact persons; physical and postal address; contact details (contact number(s), fax number, email address); registration number; financial, commercial, scientific or technical information and trade secrets, Banking and financial information, Information about products or services, information related to tax status and broad-based black economic empowerment status, and other information not specified but reasonably required to be processed for business operations	The OCJ may supply the personal information of the data subject to the employees of the OCJ, as part of carrying out its responsibilities in relation to the procurement processes and the provision of procured services and to the Auditor-General in relation to audit and oversight or even to other entities for verification purposes.

15.3.2 For persons complying with PAIA, POPIA and in terms of any legislation, including information and data collected from such persons in terms of any such legislation administered by the OCJ.

- (a) Verifying and evaluating information to fulfil its statutory obligations under the relevant legislation.
- (b) Complying with the OCJ’s regulatory and other obligations.
- (c) Monitoring and enforcing legislation as per statutory obligations.
- (d) Monitoring and enforcing conditions imposed.
- (e) Any other reasonably required purpose relating to the OCJ’s functions.



Category of personal information	Recipients or Categories of Recipients
Identity and/or company information and directors' information, names of contact persons; physical and postal address; contact details (contact number(s), fax number, email address); registration number; financial, commercial, scientific or technical information and trade secrets, Banking and financial information, Information about products or services, information related to tax status and broad-based black economic empowerment status, and other information not specified but reasonably required to be processed by law.	The OCJ may supply the personal information of the data subject to the employees of the OCJ, to fulfil its mandate or responsibilities as required under the applicable legislation or in terms of the law.
Identity and/or company information and directors' information, shareholders, names of contact persons; physical and postal address; contact details (contact number(s), fax number, email address); registration number.	South African Police Services in the event of non-compliance and statutory offences.
Financial and tax information	South African Revenue Services.
Broad-based black economic empowerment and Charter information	Verification bodies and Service Providers for purposes of audits

15.4 Recipients or categories of recipients to whom the personal information may also be supplied.

The OCJ may also supply the personal information of data subjects to –

- (a) any person entitled to access in terms of legislation;
- (b) any regulatory authority or tribunal, in respect of any matter or part thereof, that falls under their jurisdiction;
- (c) law enforcement agencies, such as the National Prosecuting Authority;



- (d) South African Police Service, for criminal investigation;
- (e) Courts, in respect of any matter taken on judicial review and for any legal proceedings
- (f) Court, tribunal or hearing records shall be supplied to the Judge/Magistrate/Chairperson /Prosecutor/Police/Clerk/ Registrar/ Court Manager/Court Official or OCJ Official for court proceedings.

15.5 Planned trans-border flows of personal information

15.5.1 The OCJ has not planned Transborder flows of personal information. However, should it become necessary to transfer personal information to another country for any lawful purposes, the OCJ will be contacted to ensure that anyone to whom it pass personal information is subject to a law, binding corporate rules or binding agreement which provides an adequate level of protection and the third party agrees to treat that personal information with the same level of protection as the Regulator is obliged under POPIA.

15.5.2 Any transfer of personal information cross border shall be with data subject's consent, however, should it not be reasonably practicable to obtain data subject's consent, the Regulator shall transfer the personal information if –

- (a) it will be for the data subject's benefit; and
- (b) the data subject would have given consent should it have been reasonably practicable to obtain such consent.

15.5.3 General Description of Information Security Measures to be implemented by the party responsible to ensure the confidentiality, integrity and availability of the information.

15.5.4 The OCJ continuously establishes and maintains appropriate, reasonable technical and organisational measures by taking appropriate, reasonable technical and organisational measures to prevent –

- (a) loss of, damage to or unauthorised destruction of personal information; and
- (b) unlawful access to or processing of personal information.

15.5.5 The OCJ has taken reasonable measures to:

- (a) identify all reasonably foreseeable internal and external risks to personal information in its possession or under its control;
- (b) establish and maintain appropriate safeguards against the risks identified;
- (c) regularly verify that the safeguards are effectively implemented; and
- (d) ensure that the safeguards are continually updated in response to new risks or deficiencies in previously implemented safeguards.



- 15.5.6 Measures taken by the OCJ includes, amongst others –
- (a) Long password and prohibition of dissemination of data over social media;
 - (b) Procurement of certain service through and from State Information Technology Agency (SITA) which is a specialist Agency;
 - (c) Access Control;
 - (d) Data Encryption;
 - (e) Defensive Measures;
 - (f) Robust Monitoring, Auditing and Reporting capabilities;
 - (g) Data Backups;
 - (h) Anti-virus and Anti-malware Solutions;
 - (i) Awareness and Vigilance; and
 - (j) Agreements are concluded with Operators to implement security controls.
- 15.6 This Manual is made available in the following three official languages-
- (a) English;
 - (b) Sesotho; and
 - (c) IsiZulu.
- 15.7 The Manual of the OCJ is made available in at least three official languages. A copy will be available –
- (a) on the website of the OCJ at <https://www.judiciary.org.za>;
 - (b) at the head office of the OCJ for public inspection during normal business hours;
 - (c) to any person upon request and upon the payment of a reasonable amount; and
 - (d) to the Information Regulator upon request.
- 15.8 A fee for a copy of the Manual, as contemplated in Annexure B, shall be payable per each A4 size photocopy made.

16. DISPOSAL OF RECORDS

- 16.1 The OCJ reserves the right to lawfully dispose of certain records in terms of authorities obtained from the National Archives and Records Service.
- 16.2 Requesters will be advised whether a particular requested record or its part has been disposed of.



- (a) In accordance with section 24(1) of POPIA, the Regulator may, upon receipt of the request from a data subject –
 - (i) correct or delete personal information about the data subject in its possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully; or
 - (ii) destroy or delete a record of personal information about the data subject that the Regulator is no longer authorised to retain in terms of section 14 of POPIA.

17. RECORDS THAT CANNOT BE FOUND OR DO NOT EXIST

- 17.1 The requester has the right to receive a response in the form of an affidavit or affirmation where records cannot reasonably be located, but to which a requester would have had access had the record been available.
- 17.2 The requester also has the right to receive a response in the form of an affidavit or affirmation where requested records do not exist.

18. PRESCRIBED FEES

- 18.1 Section 22(1) of PAIA states that fees payable for access to records of the OCJ are to be prescribed.
- 18.2 The prescribed fees are as set out in Annexure B, attached hereto. A requester who seeks access to any record may be required to pay a fee, unless an exempted from paying as shown hereunder.
- 18.3 The requester does not need to pay an access fee to a public body if –
 - (a) He or she is a single person whose annual income, after permissible deductions, such as PAYE and UIF, is less than R14 712 a year; or
 - (b) He or she is married and the joint income with his or her partner, after permissible deductions, such as PAYE and UIF, is less than R27 192 per year.

19. UPDATING OF THE MANUAL

- 19.1 The Office of the Chief Justice will, if necessary, update and publish this Manual annually.



Issued by



Adv M Potgieter: Information Officer (Acting)

August 2025



FORM 2 REQUEST FOR ACCESS



188, 14th Road, Noordwyk, Midrand, 1685
Private Bag X10, Marshalltown, 2107
Tel: +27 10 493 2500 (Switchboard)
E-mail: info@judiciary.org.za
www.judiciary.org.za

FORM 2

REQUEST FOR ACCESS TO RECORD

[Regulation 7]

NOTE:

1. Proof of identity must be attached by the requester.
2. If requests made on behalf of another person, proof of such authorisation, must be attached to this form.

TO: The Deputy Information Officer
Adv Nelson Lehlohonolo Phakola
188, 14th Road, Noordwyk, Midrand, 1685
Private Bag X10, Marshalltown, 2107
Tel: +27 10 493 2500
E-mail: info@judiciary.org.za/NPhakola@judiciary.org.za

Mark with an "X"

Request is made in my own name Request is made on behalf of another person.

PERSONAL INFORMATION	
Full Names	
Identity Number	
Capacity in which request is made	



(when made on behalf of another person)			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel. (B):		Facsimile:
	Cellular:		
Full names of person on whose behalf request is made (if applicable):			
Identity Number			
Postal Address			

Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		

PARTICULARS OF RECORD REQUESTED

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. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)

--	--



Description of record or relevant part of the record:	
Reference number, if available	
Any further particulars of record	
<p>TYPE OF RECORD <i>(Mark the applicable box with an "X")</i></p>	
Record is in written or printed form	
Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	
Record consists of recorded words or information which can be reproduced in sound	
Record is held on a computer or in an electronic, or machine-readable form	



FORM OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Printed copy of record <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i>	
Written or printed transcription of virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	
Transcription of soundtrack <i>(written or printed document)</i>	
Copy of record on flash drive <i>(including virtual images and soundtracks)</i>	
Copy of record on compact disc drive <i>(including virtual images and soundtracks)</i>	
Copy of record saved on cloud storage server	

MANNER OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Personal inspection of record at registered address of public/private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i>	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	



Cloud share/file transfer	
Preferred language <i>(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)</i>	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.

Indicate which right is to be exercised or protected	
Explain why the record requested is required for the exercise or protection of the aforementioned right:	

FEES

- a) *A request fee must be paid before the request will be considered.*
- b) *You will be notified of the amount of the access fee to be paid.*
- 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	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Facsimile	Electronic communication (Please specify)

Signed at _____ this _____ day of _____ 20

Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

Reference number:	
Request received by: (State Rank, Name And Surname of Information Officer)	
Date received:	
Access fees:	



<i>Deposit (if any):</i>	

***Signature of Deputy Information
Officer***

Adv: Nelson Lehlohonolo Phakola





FORM 4 INTERNAL APPEAL

188, 14th Road, Noordwyk, Midrand, 1685
 Private Bag X10, Marshalltown, 2107
Tel: +27 10 493 2500 (Switchboard)
E-mail: info@judiciary.org.za
 www.judiciary.org.za

INTERNAL APPEAL FORM

FORM 4

[Regulation 9]

Reference Number:

PARTICULARS OF PUBLIC BODY			
Name of Public Body			
Name and Surname of Information Officer:			
PARTICULARS OF COMPLAINANT WHO LODGES THE INTERNAL APPEAL			
Full Names			
Identity Number			
Postal Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		



E-Mail Address			
Is the internal appeal lodged on behalf of another person?	Yes		No
If answer is "yes", capacity in which an internal appeal on behalf of another person is lodged: <i>(Proof of the capacity in which appeal is lodged, if applicable, must be attached.)</i>			
PARTICULARS OF PERSON ON WHOSE BEHALF THE INTERNAL APPEAL IS LODGED <i>(If lodged by a third party)</i>			
Full Names			
Identity Number			
Postal Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
E-Mail Address			
DECISION AGAINST WHICH THE INTERNAL APPEAL IS LODGED <i>(mark the appropriate box with an "X")</i>			
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			



GROUNDINGS FOR APPEAL <i>(If the provided space is inadequate, please continue on a separate page and attach it to this form. all the additional pages must be signed)</i>	
State the grounds on which the internal appeal is based:	
State any other information that may be relevant in considering the appeal:	

You will be notified in writing of the decision on your internal appeal. Please indicate your preferred manner of notification:

Postal address	Facsimile	Electronic communication <i>(Please specify)</i>

Signed at _____ this _____ day of _____ 20__

Signature of Appellant/Third party



FOR OFFICIAL USE

OFFICIAL RECORD OF INTERNAL APPEAL

Appeal received by: <i>(state rank, name and surname of Information Officer)</i>				
Date received:				
Appeal accompanied by the reasons for the 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:			Yes	
			No	
OUTCOME OF APPEAL				
Refusal of request for access. Confirmed?	Yes		New decision <i>(if not confirmed)</i>	
	No			
Fees (Sec 22). Confirmed?	Yes		New decision <i>(if not confirmed)</i>	
	No			
Extension (Sec 26(1)). Confirmed?	Yes		New decision <i>(if not confirmed)</i>	
	No			
Access (Sec 29(3)). Confirmed?	Yes		New decision <i>(if not confirmed)</i>	
	No			
Request for access granted. Confirmed?	Yes		New decision <i>(if not confirmed)</i>	
	No			



Signed at _____ this _____ day of _____ 20____

Relevant Authority





FEES

188, 14th Road, Noordwyk, Midrand, 1685

Private Bag X10, Marshalltown, 2107

Tel: +27 10 493 2500 (Switchboard)

E-mail: info@judiciary.org.za

www.judiciary.org.za

FEES FOR THE OCJ FOR ACCESS TO RECORDS

Item	Description	Amount
1	The request fee payable by every requester	R100.00
2	Photocopy of A4-size page	R1.50 per page or part thereof.
3	Printed copy of A4-size page	R1.50 per page or part thereof.
4	For a copy in a computer-readable form on:	
	(i) Flash drive (to be provided by requestor)	R40.00
	(ii) Compact disc	
	• If provided by requestor	R40.00
	• If provided to the requestor	R60.00
5	For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on quotation from Service provider.
6	Copy of visual images	
7	Transcription of an audio record, per A4-size page	R24.00
8	Copy of an audio record on:	
	(i) Flash drive (to be provided by requestor)	R40.00
	(ii) Compact disc	
	• If provided by requestor	R40.00
	• If provided to the requestor	R60.00
9	To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation.	R100.00
	To not exceed a total cost of	R300.00



Item	Description	Amount
10	Deposit: If search exceeds 6 hours	One third of amount per request calculated in terms of items 2 to 8.
11	Postage, e-mail or any other electronic transfer	Actual expense, if any.

