



National
Nuclear
Regulator

PROMOTION OF ACCESS TO
INFORMATION (PAIA) MANUAL

Compiled in terms of Section 14 of the Promotion of Access
to Information Act, 2000 (Act No. 2 of 2000)

TABLE OF CONTENTS

1. DEFINITIONS	3
2. LIST OF ACRONYMS AND ABBREVIATIONS	4
3. INFORMATION REGULATOR'S GUIDE ON THE ACT	5
4. PURPOSE OF PAIA MANUAL	5
5. INTRODUCTION TO THE NATIONAL NUCLEAR REGULATOR	6
6. CONTACT DETAILS FOR ACCESS TO INFORMATION FROM THE NNR	9
7. SUBJECT AND CATEGORIES OF RECORDS ON HELD BY THE NNR	10
8. AUTOMATIC AVAILABILTY OF CERTAIN RECORDS HELD BY THE NNR, WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS IN TERMS OF SECTION 15(2) OF THE ACT	15
9. PROCEDURE FOR REQUESTING ACCESS TO RECORDS HELD BY THE NNR	18
10. PUBLIC INVOLVEMENT IN THE FORMULATION OF POLICY AND THE EXERCISE OF POWERS OR PERFORMANCE OF DUTIES BY THE NNR	21
11. PROCESSING OF PERSONAL INFORMATION	22
12. CATEGORIES OF DATA SUBJECTS AND THEIR PERSONAL INFORMATION	23
13. THE RECIPIENTS OR CATEGORIES OF RECIPIENTS TO WHOM THE PERSONAL INFORMATION MAY BE SUPPLIED BY THE NNR.	24
14. PRESCRIBED FEES	25
15. RECORDS THAT CANNOT BE FOUND OR DO NOT EXIST	25
16. DISPOSAL OF RECORDS	26
17. INFORMATION SECURITY MEASURES	26
18. COMPLAINTS TO THE INFORMATION REGULATOR	27
19. AVAILABILTY OF THE MANUAL	27
20. UPDATING OF THE MANUAL	27

1. DEFINITIONS

- 1.1 “**Access fee**” means a fee prescribed for the purposes of section 22(6) or 54(6), as the case may be;
- 1.2 “**Data subject**” means the person to whom personal information relates;
- 1.3 “**Deputy Information Officer**” means the designated individual in the public or private body who is responsible for assisting the Information Officer with the PAIA Request;
- 1.4 “**Human Rights Commission**” means the South African Human Rights Commission referred to in section 181 (1) (b) of the Constitution;
- 1.5 “**Information officer**” means the Chief Executive Officer of the National Nuclear Regulator;
- 1.6 “**Information Regulator**” means the Information Regulator established in terms of section 39 of the Protection of Personal Information Act, 2013;
- 1.7 “**Internal appeal**” means an internal appeal to the relevant authority in terms of section 74;
- 1.8 “**Minister**” means the Cabinet member responsible for the administration of justice;
- 1.9 “**Person**” means a natural person or a juristic person;
- 1.10 “**Personal information**” means information relating to an identifiable natural person, including, but not limited to –
- a) information relating to the race, gender, sex, pregnancy, marital status,
 - b) national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;
 - c) information relating to the education or the medical, financial, criminal or employment history of the person;
 - d) any identifying number, symbol, email address, physical address, telephone number, location information, online identifier or other particular assigned to the person;
 - e) the biometric information of the person;
 - f) the personal opinions, views or preferences of the person;

- g) 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;
- h) 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, but excludes information about an individual who has been dead for more than 20 years;

1.11 “**personal requester**” means the person requesting access to a record containing personal information about the requester;

1.12 “**personnel**” means any person who works for, or provides services, to or on behalf of, the National Nuclear Regulator and receives or is entitled to receive any remuneration, including all permanent, temporary and part-time staff as well as contract workers;

1.13 “**record**” means any recorded information, regardless of form or medium, which is in the process or under the control of the National Nuclear Regulator, irrespective of whether it was created by the National Nuclear Regulator or not;

1.14 “**relevant authority**” means the Chief Executive Officer;

1.15 “**request**” means a request for access to a record of the National Nuclear Regulator;

1.16 “**requester**” means any person (other than a public body contemplated in paragraph (a) or (b)(i) of the definition of ‘public body’ in PAIA, or an official thereof) making a request for access to a record of the National Nuclear Regulator and includes any person acting on behalf of that person or requester;

2. LIST OF ACRONYMS AND ABBREVIATIONS

2.1	CEO	Chief Executive Officer
2.2	Constitution	Constitution of the Republic of South Africa, Act No. 108 of 1996
2.3	NNR	National Nuclear Regulator
2.4	NPP	Nuclear Power Plants
2.5	NTN	Nuclear Technology and Naturally Occurring Radioactive Material
2.6	NORM	Naturally Occurring Radioactive Material

2.7	PAIA	Promotion of Access to Information Act No. 2 of 2000
2.8	PFMA	Public Finance Management Act No. 1 of 1999 as amended
2.9	POPIA	Protection of Personal Information Act 4 of 2013
2.10	RITS	Regulatory Improvement and Technical Services
2.11	SAHRC	South African Human Rights Commission

3. INFORMATION REGULATOR'S GUIDE ON THE ACT

The Information Regulator has, in terms of section 10(1) of PAIA, as amended, updated the PAIA Guide, as initially compiled by the SAHRC. 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. This Guide will specifically assist a person, also called a data subject, on how to access his/her or its personal information in terms of section 23 of POPIA.

The guide is available in all official languages from the Information Regulator. The contact details for the Information Regulator are as follows:

P.O. Box 31533
 BRAAMFONTEIN
 2017
 Telephone: +27 10 023 5200
 Website: www.inforegulator.org.za
 Email: inforeg@justice.gov.za

4. PURPOSE OF PAIA MANUAL

This NNR PAIA Manual has been compiled in accordance with the requirements of PAIA, read with the relevant sections of POPIA. This manual can be used by members of the public to -

- 4.1 establish the nature of the records which may already be available at the National Nuclear Regulator (NNR) without the need for submitting a formal PAIA request;
- 4.2 have an understanding of how to make a request for access to a record of the NNR;
- 4.3 access all the relevant contact details of the persons who will assist the public with the records they intend to access;
- 4.4 know all the remedies available from the NNR regarding request for access to the records, before approaching the Courts;

- 4.5 describe the services available to members of the public from the NNR and how to gain access to those services;
- 4.6 outline the description of the guide on how to use PAIA, as updated by the NNR and how to obtain access to it;
- 4.7 understand if the NNR will process personal information, the purpose of processing of personal information, the description of the categories of data subjects and of the information or categories of information relating thereto;
- 4.8 know if the NNR has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- 4.9 know whether the NNR has appropriate security measures to ensure the confidentiality, integrity and availability of the information which is to be processed.

5. INTRODUCTION TO THE NNR

The NNR is listed as a national public entity in Schedule 3 Part A of the Public Finance Management Act (Act No. 1 of 1999, as amended). It was established in terms of Section 3 of the National Nuclear Regulator Act, (Act No. 47 of 1999). It is engaged in activities at the highest professional level to provide for the protection of persons, property and the environment against nuclear damage, through the establishment of safety standards and regulatory practices.

5.1 The objects of the NNR are to:

- a) Provide for the protection of persons, property and the environment against nuclear damage through the establishment of safety standards and regulatory practices;
- b) Exercise regulatory control related to safety over the siting, design, construction, operation, manufacture of component parts, and decontamination, decommissioning and closure of nuclear installations;
- c) Exercise regulatory control over other actions, to which this Act applies, through the granting of nuclear authorisations;
- d) Provide assurance of compliance with the conditions of nuclear authorisations through the implementation of a system of compliance inspections;
- e) Fulfil national obligations in respect of international legal instruments concerning nuclear safety; and

- f) Ensure that provisions for nuclear emergency planning are in place.

5.2 The functions of the NNR are to:

- a) Grant or amend nuclear authorisations;
- b) Employ assets and deploy resources (hire, purchase, acquire);
- c) Collaborate with other institutions for the collection and dissemination of scientific and technical information regarding nuclear energy;
- d) Collaborate with other institutions regarding provision of instruction for or training of persons required by the NNR;
- e) Provide financial and other assistance for the training of people to enable the NNR to perform its functions;
- f) Insure itself against loss, damage, risk or liability;
- g) Advise the Minister on matters associated with any action or condition which;
 - i. Are capable of causing nuclear damage;
 - ii. The Minister refers to the NNR; or
 - iii. The NNR thinks necessary to advise the Minister on;
- h) Act as national competent Authority in connection with International Atomic Energy Agency's Regulations for the Safe Transport of Radioactive Material;
- i) Conclude contracts, enter into agreements or perform any act, whether in the Republic or elsewhere, whereby its objects are carried into effect or which is calculated, directly or indirectly, to enhance the value of the services which the NNR renders towards the achievement of its objects or which may be prescribed;
- j) Produce and submit to the Minister an annual report on the health and safety related to workers, the public and the environment associated with all sites including, but not limited to, the prescribed contents.

5.3 Structure of the NNR

5.3.1 The NNR consists of a Head Office situated in Centurion, a Laboratory in Pretoria, a Center for Nuclear Safety and Security situated in Pretoria and a Site Office situated in Cape Town.

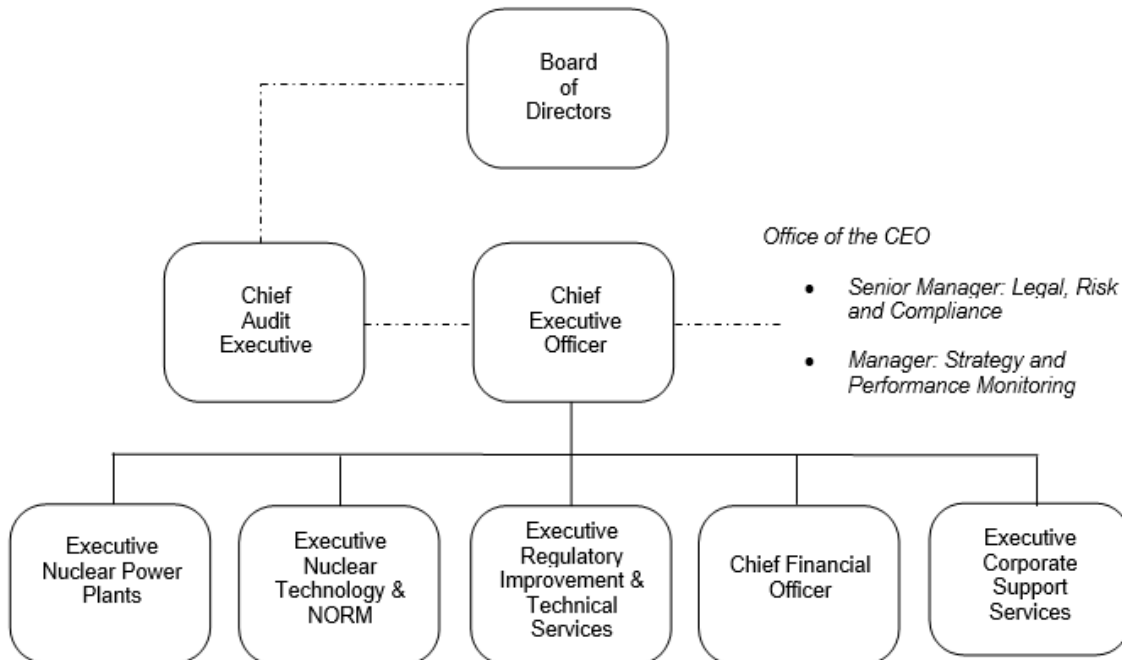
5.3.2 The Minister of the Department of Mineral Resources and Energy serves as

the Executive Authority of the NNR. In terms of Section 8 (1) and (2) of the NNR Act, the NNR is governed and controlled by a Board of Directors to ensure that the objectives of the NNR Act are carried out, and to exercise general control over the performance of the NNR's functions. The Board comprises nine non-executive Directors who are independently appointed by the Minister of Mineral Resources and Energy, and an Executive Director which is the Chief Executive Officer (CEO). Board members, including the CEO, hold office for a maximum of three years, but are eligible for re-appointment.

5.3.3 The Executive Committee of the NNR consist of the CEO and five (5)

Executives, namely: Executive: Nuclear Power Plants (NPP); Executive: Nuclear Technology and Naturally Occurring Radioactive Material (NTN), Executive: Regulatory Improvement and Technical Services (RITS), Chief Financial Officer and Executive: Corporate Services.

5.3.4 High level organisational structure of the NNR;



6. CONTACT DETAILS FOR ACCESS TO INFORMATION FROM THE NNR

6.1 Request for access to records and internal appeals

All requests for access to records of the NNR must be addressed to the Deputy Information Officer. Any internal appeal in terms of section 74 of PAIA, must be submitted to the Information Officer. The Information Officer can be contacted at the NNR's Head Office in Centurion.

6.2 Information Officer

Miss Ditebogo Kgomo

Telephone: +27 (0) 12 674 7122

Fax: +27 (0) 12 663 5513

Email: DKgomo@nnr.co.za

6.3 Deputy Information Officer

Thiagaraj Gino Moonsamy

Telephone: +27 12 674 7111

Fax: 0865884450

Email: gmoonsamy@nnr.co.za

6.4 Head Office

Postal Address: PO Box 7016, Centurion, 0046

Physical Address;

Eco Glades Office Park, Eco Glades 2

Block G, Witch Hazel Avenue

Highveld Ext 75

Eco Park

Centurion

0157

Email: paia@nnr.co.za

enquiry@nnr.co.za

Website: www.nnr.co.za

6.5 Site Office

Postal Address: P.O. Box 46055, Kernkrag, 7441

Physical Address;
12 Raatz Drive
Delphi Arch Building
Tableview
Cape Town

Telephone: +27 21 553 9500. Fax: +27 21 553 1361

7. SUBJECT AND CATEGORIES OF RECORDS ON HELD BY THE NNR

- 7.1 Records held by the NNR are generated through the various internal programmes/
/sub-programmes in alignment with the core operational processes under both PAIA and POPIA.
These records relate specifically to the outputs of the programmes/sub-programmes and
operational records in the course of organisational operations.
- 7.2 Certain records held by the NNR are acquired through the nature of the work
conducted by the NNR and in certain instances records are received from public and private
bodies in accordance with PAIA and POPIA.
- 7.3 The NNR reserves the right to transfer requests for records to relevant bodies where
these bodies were the primary holders or generators of the information requested, or where the
NNR no longer has possession of such record.
- 7.4 The NNR also reserves the right to create new categories of records where this is
necessary. This Manual will be updated to reflect changes in categories of records accordingly.
- 7.5 Subjects and categories of information held by the NNR
- 7.5.1 The records held under the various subjects are not automatically available and access
to the records are subject to the nature of the information contained in the record. Below is a
list of records and information which are available from the NNR and may be requested by
way of the PAIA request process. The list is not exhaustive and may be amended as and
when required.

Subject	Categories of records
Corporate Governance	<ul style="list-style-type: none"> - Organisational Policies and Procedures - Delegation of Authority - Audit - Strategic Planning - Risk Management - Fraud Prevention - Information Communication Technology (Digital) - Stakeholder Management - Minutes of Meetings - Declaration of Interests
Legal	<ul style="list-style-type: none"> - NNR Legislation - National Cooperation Agreements - International Cooperation agreements - Contracts and Memoranda of Understanding - Legal Opinions and Interpretations - Litigation - Appeals
Strategic Documents, Plans and Reports	<ul style="list-style-type: none"> - Convention on Nuclear Safety Report - Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management Report - Technical and Scientific Reports - Nuclear Authorisations - Certificate of Registration - Compliance Assurance Reports - Research Reports - Technical Assessment Reports - Security Management - Special Projects - Regulatory Reports - Peer Review Reports - IAEA Mission Reports - International Cooperation and Collaboration - Annual Report - Strategic Plan - Annual Performance Plan

Human Resources	<ul style="list-style-type: none"> - Code of Conduct - Conditions of Service - Policies and Procedures - Performance Management - Remuneration - Succession Planning - Job Profiles/Description - Job Evaluation - Advertised Posts - Employee Records - Skills Development and Training - Employment Equity Plan and Statistics - Occupational Health and Safety - Employment Equity - Employee Wellness - Labour Relations
Financial Management	<ul style="list-style-type: none"> - Financial Planning and Management - Accounting - Revenue - Cash Flow Information - MTEF - Budget Monitoring and Expenditure Control Reports
Supply Chain Management	<ul style="list-style-type: none"> - Bid Documents - Contracts - Terms of Reference - Purchase Orders - Quotations - Tender Administration - Asset Management
Information Services	<ul style="list-style-type: none"> - Knowledge Management - Records Management - PAIA - ICT Plans, Policies and Procedures
Corporate Communications	<ul style="list-style-type: none"> - Policies and Procedures - Images and Photographs - Audio Visual Recording - Corporate Identity and Branding - Editorials and Publications

Public Participation	<ul style="list-style-type: none"> - Public Hearings - Meetings, Conferences and Events - Public Notices - Public Comments - Stakeholder Presentations - Attendance Registers - Affidavits - Reports, Minutes, Decisions - Public Safety Information Forums - Chairperson and Deputy Chairperson of the Public Safety Information Forums - Observers participating in the Nuclear Regulatory Emergency Exercise
Media	<ul style="list-style-type: none"> - Media Statements - Speeches - Response to Enquiries - Reports

7.6 Categories of record that may be subject to the grounds for refusal of access to records.

7.6.1 The category of records listed below may be formally requested, but access to parts of these records or the whole record may be refused on legal grounds listed in sections 33 to 46 and sections 62 to 70 of PAIA. The list is not exhaustive, but may be amended from time to time.

7.6.2 The NNR 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.

7.6.3 Access will also be refused where requests are clearly frivolous and or vexatious.

7.6.4 However, the Information Officer or Deputy Information Officer of the NNR may grant a request for access to a record of the NNR, 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
Security related information
Compliance assurance reports (Nuclear Safety and Security)
Privileged information: held in the course of investigations, conciliation, closed hearings, attorney client information, national security based information or third party information
Safety Case documentation in support of nuclear authorisation applications
Confidential authorisation holder or applicant communications
Research conducted by Service Providers for the NNR
Records held by NNR Legal Risk and Compliance department
NNR Internal Communications
Executive Management internal confidential communications
Specific Human Resource Personnel information, including, but not limited to files relating to disciplinary process and records, medical information and personal information
Specific medical information relating to occupation exposure at NNR regulated facilities
Asset disclosures and asset protection procedures
Certain Service Level Agreements
Certain Tender Documentation
Agendas and Minutes of Meetings and correspondence
Draft reports, policies and discussions documents
Research papers and Legal opinions <ul style="list-style-type: none"> - Enforcement Notices; - settlement between the parties; - Assessment report; - Information Notice; - Search warrants; and - - Subpoenas.
Invoices and proof of payments
Certain forensic reports

8.AUTOMATIC AVAILABILITY OF CERTAIN RECORDS HELD BY THE NNR, WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS IN TERMS OF SECTION 15(2) OF THE ACT.

8.1 The following information is directly accessible from NNR website: www.nnr.co.za

Category	Document Type
Regulations and Government Notices	<ul style="list-style-type: none"> - No R388: Safety Standards and Regulatory Practices (SSRP) - No 716: Contents of the Annual Public Report on the Health and Safety related to workers, the public and the environment related to all sites on which a Nuclear Installation - No R927: Licensing of sites for new Nuclear Installations - No R968: Establishment for a Public Safety Information Forum by the holders of a nuclear installation license to inform persons living in the Municipal area in respect of which an Emergency Plan has been established - No R1342: Categorization of the various nuclear installations – Level of Financial security to be provided - GN 709: Cooperative Governance in respect of the Monitoring and Control of radioactive material or exposure to ionizing radiation - GN 778: Keeping of a record of all Persons in a Nuclear accident defined area - GN 1219: Format for the application for a Nuclear Installation License or a Certificate of Registration or a Certificate of Exemption <p>LTO Regulation: Regulations on LTO of nuclear installations</p>
Regulatory Requirements Documents	<ul style="list-style-type: none"> - RD 004: Requirements for a Radioactive Waste Management Mining and Minerals Processing - RD 005: Quality Management Requirement for Activities involving Radioactive Material Mining and Minerals Processing - RD 006: Requirements for the Control of Radiation Hazards Mining and Minerals Processing - RD 007: Requirements for the Control over Radioactive Effluent Discharges and Environmental Surveillance Miners and Minerals

Processing

- RD 008: Requirement for Emergency Preparedness Mining and Minerals Processing
- RD 009: Verbal Emergency Communication with the National Nuclear Regulator: Naturally Occurring Radioactive Material
- RD 010: Requirements for Radiation Dose Limitation Mining and Minerals Processing
- RD 011: Requirements for Medical Surveillance and Control of Persons Occupationally exposed to Radiation Mining and Minerals Processing
- RD 012: Notification Requirements for Occurrences Mining and Minerals Processing
- RD 013: Requirements on Public Information Document (PID) to be produced by Applicants for new Authorisations
- RD 014: Emergency Preparedness and Response Requirements for Nuclear Installations
- RD 016: Requirements for Authorization Submissions involving Computer Software and Evaluation Models for Safety Calculations
- RD 018: Basic Licensing Requirements for the Pebble Bed Modular Reactor
- RD 022: Dose limitation for Koeberg Nuclear Power Station
- RD 024: Requirements on Risk Assessment and Compliance with Principal Safety Criteria for Nuclear Installations
- RD 026: Decommissioning of Nuclear Facilities
- RD 028: Interim Guide Final
- RD 034: Quality and Safety Management Requirements for Nuclear Installations
- RD 038: Notification for events at facilities and activities authorized by NNR Nuclear Technology and Waste Project Department
- LD 1012: Requirements in Respect of Proposed Modifications to the Koeberg Nuclear Power Station
- LD 1023: Quality Management Requirements for Koeberg Nuclear Power Station

- LD 1077: Requirements for Medical and Psychological Surveillance and Control and Koeberg Nuclear Power Station
- LD 1079: Requirements in Respect of License Change Requests to the National Nuclear Regulator
- LD 1081: Requirements for Operator License Holders at Koeberg Nuclear Power Station
- LD 1092: Requirements for initial Operator Licensing and Koeberg Nuclear Power Station
- LD 1093: Requirements for the Full Scope Operator Training Simulator at Koeberg Nuclear Power Station

Regulatory Position
Papers

- PP-0008: Design Authorization Framework
- PP-0009: Authorization for Nuclear Installations
- PP-0012: Manufacturing
- PP-0014: External Events for Nuclear Installation
- PP-0015: Emergency Technical Basis for New Nuclear Installations
- PP-0016: Conformity Assessment Framework in South Africa
- PP-0017: Design and implementation of Digital Instrumentation and Control for Nuclear Installations

PAIA

- PAIA Manual
- PAIA Request for Access to Records Forms (Form 2)
- List of Automatic availability of certain records held by NNR

Strategic Documents
(Plans and Reports)

- Convention on Nuclear Safety Report
- Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management Report
- Annual Report
- Strategic Plan
- Annual Performance Plan
- Published regulatory notices and media statements

8.1.1 The other automatically available information that is not posted on the NNR's website may be requested from the NNR without submitting a request in terms of PAIA. However, it must be noted that a prescribed fee for making copies may be levied, where applicable.

9. PROCEDURE FOR REQUESTING ACCESS TO RECORDS HELD BY THE NNR

9.1 Section 18 of PAIA prescribes the procedure to be followed in making a request for access to information held by the NNR. 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.

9.2 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.

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

9.3.1 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 NNR 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 NNR;

9.3.2 A person falling in the category of Other Requester is entitled to request access to information pertaining to third parties. However, the NNR is not obliged to grant access prior to the requester fulfilling the requirements for access to information in terms of PAIA and POPIA.

9.4 The Form 2 must be addressed and submitted to the Information Officer by hand, post, per fax or email, which details are set out in paragraph 6 above.

9.5 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:

- 9.5.1 the identity of the requester;
- 9.5.2 particulars of record requested;
- 9.5.3 type of record;
- 9.5.4 form of access; and
- 9.5.5 manner of access.

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

- 9.6.1 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;
- 9.6.2 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;'
- 9.6.3 a detailed description of the records being requested must be provided to enable the Information Officer or Deputy Information Officer to identify it accurately.

9.7 Any person requiring assistance with the completion of Form 2, may contact the Deputy Information Officer using the details are set out in paragraph 6 above.

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

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

9.10 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.

9.11 The requester will receive the information in such manner as indicated. Section 29(3) of PAIA indicates that making available the information will depend on whether the request will not interfere unreasonably with the effective administration of the NNR, be detrimental to the preservation of the record(s) or infringe any copyright not owned by the State.

9.12 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.

9.13 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 fee to the NNR if -

9.13.1 the requester is a single person whose annual income, after permissible deductions, such as Pay As You Earn (PAYE) and Unemployment Insurance Fund (UIF), is less than R14 712 a year, or

9.13.2 the requester is married and his/her joint income, after permissible deductions, such as PAYE and UIF, is less than R27 192 per year.

9.14 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.

Section 26 of PAIA prescribes the instances where the period of thirty (30) days referenced in Section 25 of PAIA, 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-

9.14.1 the request is for a large number of records or requires a search through a large number of records and compliance with the original period would unreasonably interfere with the activities of the NNR;

9.14.2 the request requires a search for records in, or collection thereof from, an office of the NNR not situated in the same town or city as the office of the IO and cannot reasonably be completed within the original period;

9.14.3 consultation among divisions of the NNR 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;

9.14.4 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

9.14.5 the requester consents in writing to such extension.

9.15 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.

9.16 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.

9.17 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. The appeal processes are not compulsory and the requester or third party may, at any time, within the prescribed period of 180 days, approach the court for appropriate relief.

9.18 A requester, who is aggrieved by the decision of the Information Officer of the NNR under PAIA, cannot lodge a complaint with the NNR and must proceed by way of an application, within 180 days apply to a court for appropriate relief in terms of section 82.

10. PUBLIC INVOLVEMENT IN THE FORMULATION OF POLICY AND THE EXERCISE OF POWERS OR PERFORMANCE OF DUTIES BY THE NNR

10.1 In the exercise of its powers or performance of its duties in terms of PAIA and POPIA, the public are from time to time invited to make representations or to participate or influence the nuclear regulatory decision-making process of the NNR in accordance with section 21(4) of the NNR Act.

10.2 Members of the public can register to make representations to the NNR regarding the health, safety and environmental aspects as well as any other aspect that falls within the jurisdiction of the NNR's mandate.

10.3 The public are also encouraged to participate in public consultation and stakeholders engagement arranged by the NNR. The platform utilised for public

participation may either be through public hearings (physical or virtually), email or written submissions.

11. PROCESSING OF PERSONAL INFORMATION

11.1 Purpose of processing of personal information of data subject by the NNR

11.1.1 The NNR processes personal information of data subjects under its care in the following ways –

- a) Fulfilling or executing its statutory obligations under PAIA and POPIA, through -
 - i. staff administration and Job applicants;
 - ii. keeping of accounts and records;
 - iii. procurement process;
 - iv. receiving of complaints;
 - v. investigation of complaints;
 - vi. conducting compliance assessment;
 - vii. enforcement mechanism;
- b) processing of application for –
 - i. nuclear installations;
 - ii. nuclear vessel licence;
 - iii. certificates of registration;
 - iv. certificates of exemption;
- c) Staff administration and Job applicants;
- d) Keeping of accounts and records;
- e) Procurement process;
- f) Visitors to any premises of the NNR;
- g) Complying with other relevant legislations, such as PFMA, Regulations under it and National Treasury Instruction Notes.

12. CATEGORIES OF DATA SUBJECTS AND THEIR PERSONAL INFORMATION

The NNR may process records relating to suppliers, contractors, service providers, staff and authorisation holders:

Categories of Data Subjects	Personal information that may be processed
Complainants: Natural Persons	Names and surname; contact details (contact number(s), fax number, email address); Residential, postal or business address; Unique Identifier/Identity Number, and confidential correspondence.
Complainants: Responsible parties, Juristic Persons / Public Entities	Names of contact persons; Name of Legal Entity; Physical and Postal address; contact details (contact number(s), fax number, email address) and Registration Number.
Foreign Persons / Entities	Name; contact details (contact number(s), fax number, email address); physical and postal addresses.
Consultants	Names of contact persons; Name of Entity; Physical and Postal address and contact details (contact number(s), fax number, email address); Registration Number.
Contracted Service Providers	Names of contact persons; name of entity; name of directors and shareholders, physical and postal address and contact details (contact number(s), fax number, email address); financial information; registration number; founding documents; tax related information; authorised signatories, broad-based black economic empowerment (B-BBEE) status, affiliates entities, business strategies.
Employees / Members / Committee Members	Gender, pregnancy; marital status; race, age, language, education information (qualifications); financial information; employment history; ID numbers; physical and postal address; contact details (contact number(s), fax number, email address); criminal record; well-being and family members, medical, nationality, ethnic or social origin, physical or mental health, disability, biometric information of the person, employment history, professional affiliation and references.

13. THE RECIPIENTS OR CATEGORIES OF RECIPIENTS TO WHOM THE PERSONAL INFORMATION MAY BE SUPPLIED BY THE NNR.

13.1 The NNR may supply the personal information of data subject to the Employees of the NNR, as part of executing its statutory mandate.

13.2 The NNR may supply the personal information of data subject to the Service Providers who render the following services –

13.2.1 Capturing and organising of personal information;

13.2.2 Storing of personal information;

13.2.3 Sending of emails and other correspondence to the public;

13.2.4 Conducting due diligence checks;

13.2.5 Conducting criminal checks;

13.2.6 Conducting qualification verifications;

13.2.7 Forensic investigation and any other investigation relating to the activities of the NNR;

a) Auditing;

b) Administration of the Provident, Pension Funds and medical

c) aids; and

d) ICT Infrastructure.

13.3 The NNR may also supply the personal information of data subjects to law enforcement agencies, such as the National Prosecuting Authority or South African Police Service, for criminal investigation; and to Courts, in respect of any matter taken on judicial review.

13.4 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 NNR shall transfer the personal information if –

13.4.1 it will be for the data subject's benefit; and

13.4.2 the data subject would have given consent should it have been

13.4.3 reasonably practicable to obtain such consent.

14. PRESCRIBED FEES

14.1 Section 22(1) of PAIA states that fees payable for access to records of the NNR are to be prescribed. The prescribed fees are as set out in annexure B, attached hereto.

14.2 A requester who seeks access to any record may be required to pay a fee, unless an exempted, as referred to in paragraph 14.3 below.

14.3 The requester does not need to pay an access fee to a public body if –

14.3.1 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

14.3.2 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.

15. RECORDS THAT CANNOT BE FOUND OR DO NOT EXIST

15.1 Requesters have 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.

15.2 Requesters also have the right to receive a response in the form of an affidavit or affirmation where requested records do not exist.

16. DISPOSAL OF RECORDS

16.1 The NNR 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 record has been disposed of where this is relevant to the records requested.

16.3 In accordance with section 24(1) of POPIA, the NNR may, upon receipt of the request from a data subject –

- 16.3.1 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
- 16.3.2 destroy or delete a record of personal information about the data subject that the NNR is no longer authorised to retain in terms of section 14 of POPIA.

17. INFORMATION SECURITY MEASURES

17.1 The NNR shall put in place security protocols to safeguard personal information from being accessed unlawfully and the following mechanisms will be enhanced-

- 17.1.1 ensuring that the correct classification of information is captured as employee data will need to be classified as 'personal information' or 'special personal information';
- 17.1.2 ensuring that security protocols are enhanced to guard against unauthorised access to information by implementing computer and network security measures such as passwords, implementing firewalls, install antivirus protection, ensuring data protection through data encryption and redaction of personal information, securing laptops and computers through passwords or biometric and securing the Virtual Private Network;
- 17.1.3 protocols on notifying employees or other persons when their personal information is compromised or when there is a privacy breach will be institutionalised; and
- 17.1.4 ensuring that stricter security protocols are adopted to restrict access by third parties the office environment, computer network, system, application software, data or another resource.

18. COMPLAINTS TO THE INFORMATION REGULATOR

18.1 A requester or third party may only submit a complaint to the Regulator in accordance with Chapter 1A of PAIA after that requester or third party has exhausted the internal appeal procedure against a decision of the IO.

18.2 A complaint to the Regulator must be made in writing and a complaint form must be

completed, either manually or online. A complaint form can be downloaded from the Regulator's website at: www.inforegulator.org.za

19. AVAILABILITY OF THE MANUAL

19.1 The Manual of the NNR is made available in three official languages. A copy will be available –

19.1.1 On the website of the NNR at: www.nnr.co.za

19.1.2 At the head office of the NNR for public inspection during normal business hours;

19.1.3 To any person upon request and upon the payment of a reasonable amount.

19.1.4 A fee for a copy of the Manual, as contemplated in annexure B, shall be payable per each A4 size photocopy made.

20. UPDATING OF THE MANUAL

The NNR will, if necessary, update and publish this Manual annually.

**Issued by
National Nuclear Regulator**