



**strate**

**Promotion of Access to Information Manual**

Version 1.0

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## 1. INTRODUCTION

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- 1.1 The Promotion of Access to Information Act 2 of 2000, (“**the Act**”) gives effect to section 32 of the Constitution, which provides that everyone has the right to access information held by the State, as well as information held by another person (or private body) when such privately-held information is required for the exercise and protection of rights.
- 1.2 More broadly, the Act aims to underline the importance of access to information by fostering a culture of transparency and accountability. The Act does this by requiring public and private bodies to create both a manual describing the type of records they hold, and procedures for others to access that information.
- 1.3 This Promotion of Access to Information Manual (“**the Manual**”) has been compiled in accordance with section 14 of the Act. The aim of this Manual is to facilitate the requests for access to records from Strate as contemplated under the Act.

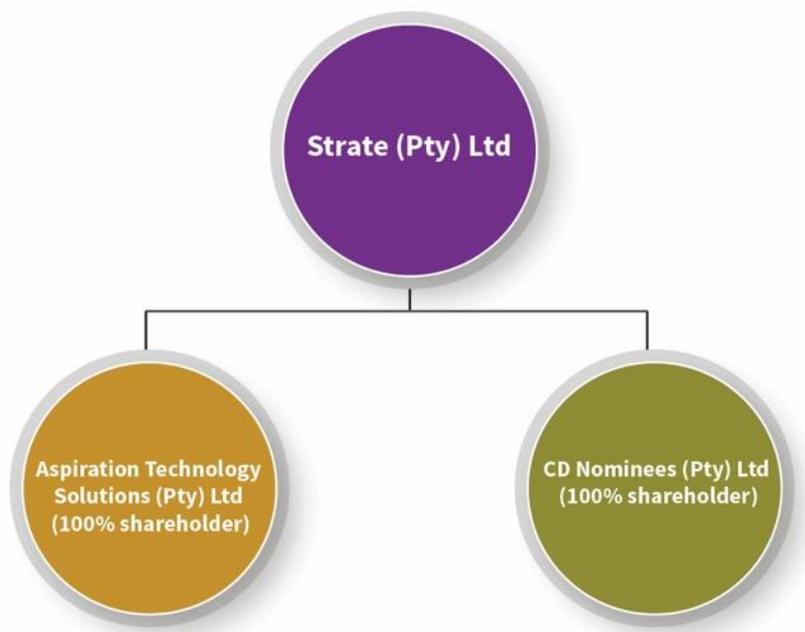
## 2. FUNCTIONS OF STRATE

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- 2.1 Strate is a Central Securities Depository. It is an FCSA-licensed financial market infrastructure that owns technology to securely hold equities, bonds and money market securities in electronic form so that buyers and sellers can exchange ownership of these securities once they are successfully traded.
- 2.2 Given that records are electronic, rather than transferring physical certificates, Strate records the transaction via book entry. This shareholder database held at Strate is recognised as the legal record of ownership in South Africa.
- 2.3 Strate is an independent company, serving multiple stock exchanges in South Africa as well as their respective issuer clients and the Namibian Stock Exchange. It also facilitates corporate action (such as dividends) payments for those issuers, as well as other services in terms of South African legislation. Other features of Strate include disclosure of beneficial shareholders to issuers through a Beneficiary Download (BND), and automated securities lending and borrowing.
- 2.4 In addition, value-adding services are available, such as collateral management, IT services, Legal Entity Identifier and training. Strate offers an asset servicing product range which augments the services it offers to issuers in terms of the Financial Markets Act and Companies Act.

### 3. STRATE'S STRUCTURE

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### 4. CONTACT DETAILS

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#### 4.1 General Information

Name of Company: Strate (Pty) Ltd  
Postal Address: PO BOX 78608, Sandton, 2146  
Physical Address: The Marc, Tower 1, 5th Floor, 129 Rivonia Road, Sandown, Sandton, 2146  
Telephone Number: + 27 11 759 5300  
Telefax Number: +27 11 759 5502

#### 4.2 Contact Details

	Information Officer	Deputy Information Officer
Name:	Andre Nortje (Chief Executive Officer)	Anne Njoroge (Senior Legal Counsel)
E-mail:	<a href="mailto:andren@strate.co.za">andren@strate.co.za</a>	<a href="mailto:annen@strate.co.za">annen@strate.co.za</a>
Telephone:	+ 27 11 759 5300	+ 27 11 759 5318
Fax:	+27 11 759 5502	+27 11 759 5502

## 5. THE SECTION 10 GUIDE ON HOW TO USE THE ACT

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The South African Human Rights Commission (“the SAHRC”) has compiled a guide in terms of section 10 of the Act and is available on the SAHRC website ([www.sahrc.org.za](http://www.sahrc.org.za)). The guide contains such information as may be reasonably required by a person who wishes to exercise any right contemplated in the Act. Please direct any enquiries regarding this guide to:

### The South African Human Rights Commission

PAIA Unit

Postal address: Private Beg X2700, Houghton, 2041

Telephone: +27 11 877 3600

Fax: +27 11 403 0625

E-mail: [paia@sahrc.org.za](mailto:paia@sahrc.org.za)

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

## 6. ACCESS TO THE RECORDS HELD BY STRATE (SECTION 14(1))

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### 6.1 Automatic Disclosure

No notice has been published in terms of section 15 of the Act. However, all the documents or information available on Strate’s website ([www.strate.co.za](http://www.strate.co.za)) can be accessed without request. This information consists of the following:

- a. Strate’s Central Securities Depository Rules.
- b. Strate’s Integrated Report.
- c. Fees and Charges.
- d. Strate’s Products and Services.
- e. Strate Training and Exams related information.
- f. List of Strate’s Central Securities Depository Participants and Business Partners.
- g. List of Strate’s approved Nominees.
- h. Corporate Profile.
- i. Strate’s Regulatory framework and related information.
- j. Press Releases.
- k. Newsletters.
- l. This Manual

### 6.2 Records held by the company as contemplated in section 14(1)(d)

This section of the Manual sets out the categories and descriptions of records held by Strate. The inclusion of any category of records should not be taken to mean that records falling within that category will be made available under the Act.

CATEGORIES OF RECORD	DESCRIPTION OF RECORD
Financial Records	<ul style="list-style-type: none"> <li>• Annual financial statements</li> <li>• Accounting records</li> <li>• Banking records</li> <li>• Invoices in respect of Strate’s debtors and creditors</li> <li>• Salary information, register and records</li> <li>• Bank facilities and account information</li> <li>• Procurement records</li> <li>• Income tax records, taxation returns and assessments</li> <li>• VAT records and documentation</li> <li>• Allotment sheets and return allotment sheets</li> <li>• Procurement related information</li> <li>• Costings of hardware and software</li> <li>• Details of penalties or fines imposed and related information</li> </ul>
Company Records	<ul style="list-style-type: none"> <li>• Documents of incorporation</li> <li>• Share register and other statutory registers</li> <li>• CSD License</li> <li>• Company secretarial records</li> <li>• Internal and external audit reports</li> <li>• Risk assessments</li> <li>• List of employees</li> <li>• Contracts of employment with employees</li> <li>• Internal policies and procedures</li> <li>• Contracts and agreements</li> <li>• Memoranda of understanding</li> <li>• Legal opinions</li> <li>• Directives, Practice Notes and Guidance Notes</li> <li>• Documents pertaining to legal processes</li> <li>• Documents used or to be used in legal proceedings protected by attorney client privilege</li> </ul>
Personnel	<ul style="list-style-type: none"> <li>• Personnel records of each employee</li> <li>• Training and development information</li> <li>• Recruitment and selection records</li> <li>• Payroll records</li> <li>• Pension fund records</li> <li>• Disciplinary, grievance, arbitration and labour disputes records</li> <li>• Statutory records</li> <li>• Compensation or redundancy payments</li> <li>• Records relating to conditions of employment</li> <li>• Employment Equity Plan</li> <li>• Employee tax information</li> </ul>

Strate's Clients	<ul style="list-style-type: none"> <li>• Records generated by, or within Strate relating to its clients, including transactional records</li> <li>• Records provided to Strate by clients</li> <li>• Correspondence with clients and third parties</li> <li>• Client's instructions</li> </ul>
Operational	<ul style="list-style-type: none"> <li>• CSD Participants and business partners details and account information</li> <li>• Instructions and allegements</li> <li>• Electronic securities statements</li> <li>• Exception reports</li> <li>• Details of issuers' corporate action events</li> <li>• Ancillary books of account</li> <li>• Bank instructions</li> <li>• Suspense account reconciliations</li> <li>• Beneficial owner information</li> <li>• Equities dematerialisation schedules</li> <li>• Warrants dematerialisation schedules</li> <li>• Sub register information as sent to issuers</li> <li>• Text files as sent to transfer secretary</li> <li>• Trade details</li> <li>• Records related to Legal Entity Identifiers and testing</li> </ul>
Projects	<ul style="list-style-type: none"> <li>• Project briefs, mandates, minutes, presentations, reports, proposals, schedules, business cases</li> <li>• Proof of concepts</li> <li>• Product records</li> </ul>
Intellectual Property	<ul style="list-style-type: none"> <li>• Intellectual property information and certificates</li> <li>• Trademarks, copyrights and designs</li> <li>• Software licences</li> </ul>
Immovable and Movable Property	<ul style="list-style-type: none"> <li>• Fixed assets register</li> <li>• Agreements for the lease of immovable property by Strate</li> <li>• Agreements for the lease or sale of movable property by Strate</li> <li>• Records regarding insurance in respect of movable and immovable property</li> </ul>
Information Technology	<ul style="list-style-type: none"> <li>• Licensing agreements</li> <li>• Business requirement specifications</li> <li>• Systems analysis documentation</li> <li>• Systems design documentation</li> <li>• Systems procedures manuals</li> <li>• Disaster recovery plans</li> <li>• Change control documents</li> <li>• Release documents</li> <li>• Systems interface specifications</li> <li>• Systems and application access</li> <li>• Records regarding computer systems and programs held by Strate</li> </ul>
Marketing	<ul style="list-style-type: none"> <li>• Advertising, sponsorship and function and events orders or contracts</li> </ul>

	<ul style="list-style-type: none"> <li>• Documents relating to public relations events</li> <li>• Internal newsletters</li> <li>• Marketing strategies and plans</li> </ul>
Training	<ul style="list-style-type: none"> <li>• Training records</li> <li>• Training manuals</li> </ul>
Miscellaneous	<ul style="list-style-type: none"> <li>• Databases</li> <li>• Records on the intranet</li> <li>• Audio records, including audio records of meetings and telephone conversations</li> <li>• Internal correspondence</li> <li>• External correspondence</li> <li>• Records related to correspondence with regulators</li> </ul>

## 7. THE REQUEST PROCEDURES

### 7.1 Form of Request

- 7.1.1 Records, whether specifically listed in this Manual or not, will only be made available subject to the provisions of the Act.
- 7.1.2 Any person or entity requesting access to a record that is under the control of Strate must use the prescribed form to make the request for access to a record. A copy of the form is attached and marked annexure “A” (“the prescribed form”).
- 7.1.3 The request must be made in person or by e-mail, fax or post to the Deputy Information Officer listed in paragraph 4 of this Manual. If an acknowledgement of receipt for the request is not received within 14 days, please contact the Deputy Information Officer to ensure that the request has been received.
- 7.1.4 If any difficulties are experienced in completing the request form or if a disability prevents the requester from completing it, please do not hesitate to contact the Deputy Information Officer for assistance.
- 7.1.5 The same procedure as set out in 7.1.2 to 7.1.4 applies if the requester is requesting information on behalf of another person or on behalf of a permanent employee of the company.

### 7.2 Fees

- 7.2.1 A requestor who seeks access to a record containing personal information about that requester is not required to pay the request fee. Any other request must be accompanied by the required request fee, which is currently R35.00.
- 7.2.2 The Deputy Information Officer must, by notice, require the requester (other than a personal requester) to pay the prescribed request fee before further processing the request.
- 7.2.3 If access to a record is granted by Strate, the requester may be required to pay an access fee. The access fees which are applicable are set out in clause 12 below. However, if the Information Officer, or the Deputy Information Officer is of the opinion that 6 hours will be exceeded to search, reproduce and/or prepare the

information requested, a deposit is payable at an amount of R30, 00 for each hour or part thereof, exceeding 6 hours.

7.2.4 State can withhold records until such access fees have been paid.

### **7.3 Processing of Requests**

7.3.1 The Information Officer, as soon as reasonably possible and within 30 days after the request has been received, shall decide whether or not to grant the request.

7.3.2 The Information Officer may decide to extend the period of 30 days (“original period”) for another period of not more than 30 days if –

- a. the request is for a large number of records;
- b. the search for the records is to be conducted at premises not situated in the same town or city as the head office of the company;
- c. consultation among divisions of the company is required;
- d. the requestor consents to such an extension in writing; or
- e. the parties agree in any other manner to such an extension.

7.3.3 Should the Information Officer require an extension of time, the requester shall be informed in the manner stipulated in the prescribed form of the reasons for the extension.

### **7.4 Decision on Request**

7.4.1 The requester will be notified of the decision of the Information Officer in the prescribed form and manner indicated by the requester.

7.4.2 Notwithstanding the foregoing, the public body will advise the requester in the manner stipulated by the requester in the prescribed form of –

- a. the access fee to be paid for the information;
- b. the format in which access will be given; and
- c. the fact that the requester may lodge an appeal with the High Court against the access fee charged or the format in which access is to be granted.

7.4.3 After access is granted, actual access to the record requested will be given as soon as reasonably possible.

7.4.4 If the request for access is refused, the Information Officer shall advise the requester in writing in a notice of refusal. The notice of refusal shall state –

- a. adequate reasons for the refusal; and
- b. that the requester may lodge an appeal with the High court against the refusal of the request (including the period) for lodging such an appeal.

7.4.5 Upon refusal by the Information Officer, the deposit paid by the requester will be refunded.

- 7.4.6 If the Information Officer fails to respond within 30 days after a request has been received, it is deemed, that the Information Officer has refused the request.
- 7.4.7 The requester may lodge an appeal with the High Court against any refusal to grant access to information or records, any extension to grant access to information, or against any procedure set out in this section.

## **7.5 Grounds for Refusal of Access**

- 7.5.1 The Act provides for grounds on which access to records may be refused and the grounds on which Strate could refuse access to records are as follows:
- a. mandatory protection of privacy of a third party who is a natural person;
  - b. mandatory protection of certain records of Strate;
  - c. mandatory protection of commercial information of a third party;
  - d. mandatory protection of certain confidential information and protection of certain other confidential information of a third party;
  - e. mandatory protection of safety of individuals and protection of property;
  - f. mandatory protection of police dockets in bail proceedings and protection of law enforcement and legal proceedings;
  - g. mandatory protection of records privileged from production in legal proceedings;
  - h. defence, security and international relations of the Republic;
  - i. economic interests and financial welfare of the Republic and commercial activities of public bodies;
  - j. mandatory protection of research information of a third party and protection of research information of a public body;
  - k. operations of public bodies; and
  - l. manifestly frivolous or vexatious requests or substantial and unreasonable diversion of resources.

## **8. INFORMATION OR RECORDS NOT FOUND**

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- 8.1 If a requested record cannot be found or if the records do not exist, the Information Officer must, by way of an affidavit or affirmation, notify the requester that it is not possible to give access to the requested record.
- 8.2 The affidavit or affirmation must provide a full account of all the steps taken to find the record or to determine the existence thereof, including details of all communications by the Information Officer with every person who conducted the search.
- 8.3 This notice will be regarded as a decision to refuse a request for access to the record concerned for the purposes of the Act.
- 8.4 If the record should later be found, the requester will be given access to the record in the manner stipulated by the requester in the prescribed form, unless access to the record is refused by the Information Officer on the grounds permitted by the Act.

## **9. SERVICES AVAILABLE TO THE PUBLIC**

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## 9.1 Nature of Services

Strate offers training to the public relating to its Central Securities Depository Rules, Directives and procedures and the financial markets. In addition to the training, the public can register for and write Strate exams through the South African Institute of Financial Markets (“SAIFM”). Further, the public can purchase Strate training manuals from Strate. The details of Strate training services, training manuals and exams are as listed in the table below. The updated details of Strate’s training services, training manuals and exams can also be obtained from Strate’s website.

	Training services	Exams available?	Training Manuals available?
1	Strate Module 1	YES	YES
2	Strate Module 2. Equity I	YES	YES
3	Strate Module 3. Equity II	YES	YES
4	Strate Module 4. Bonds I	YES	YES
5	Strate Module 5. Bonds II	YES	YES
6	Strate Module 6. Money Market Module I	YES	YES
7	Strate Module 7. Money Market Module II	YES	YES
8	Strate Module 8. Money Market Module III	YES	YES
9	Strate Equities Settlement Officers Programme	YES	YES
10	Strate Bonds Settlement Officers Programme	YES	YES
11	Strate Money Market Settlement Officers Programme	YES	YES

## 9.2 How to gain Access to These Services

9.2.1 To gain access to or to register for Strate’s exams, or to obtain the relevant Strate exams study materials, a request or an enquiry can be directed to the SAIFM. SAIFM’s contact details are available from the SAIFM website ([www.saifm.co.za](http://www.saifm.co.za)).

9.2.2 To gain access to Strate’s training services, or to obtain Strate’s training manuals, a request or an enquiry can be directed to the Training Officer of Strate, Abigale Du Sart:

Telephone: +27 11 759-5300

Fax: +27 11 759-5502

E-mail: [academy@strate.co.za](mailto:academy@strate.co.za)

Physical Address: The Marc, Tower 1, 5th Floor, 129 Rivonia Road, Sandown, Sandton, 2146 Postal address:

## 10. ARRANGEMENTS ALLOWING FOR PUBLIC INVOLVEMENT IN THE FORMULATION OF POLICY AND THE EXERCISE OF POWER [section 14(1)(g)]

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Even though Strate is a public body in accordance with the definition of "public body" in the Act, it is a company controlled by its board of directors. As such, the formulation of policy, the exercise of powers or the performance of duties will be determined by its board of directors. Furthermore, the nature of services provided by Strate would not require public involvement in the formulation of any policy of Strate.

## 11. AVAILABILITY OF THE MANUAL [SECTION 14(13)]

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The manual is available in English, Afrikaans and isiZulu languages. Copies may be requested from the SAHRC and the main reception of Strate.

## 12. PRESCRIBED FEES FOR PUBLIC BODIES

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12.1 The fee for a copy of the manual as contemplated in regulation 5(c) is R0,60 for every photocopy of an A4-size page or part thereof.

12.2 The fees for reproduction referred to in regulation 7(1) are as follows:

Reproduction	Fee (Rand)
For every photocopy of an A4-size page or part thereof	0.60
For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0.40
For a copy in a computer-readable form on: <ul style="list-style-type: none"><li>• stiffy disc</li><li>• compact disc</li></ul>	5.00 40.00
For a transcription of visual images, for an A4-size page or part thereof	22.00
For a copy of visual images	60.00
For a transcription of an audio record, for an A4-size page or part thereof	12.00
For a copy of an audio record	17.00
The request fee payable by every requester, other than a personal requester, referred to in regulation 7(2)	35.00

12.3 The request fee payable by every requester, other than a personal requester, referred to in Regulation 7(2) is R35,00.

12.4 The access fees payable by a requester referred to in regulation 7(3) are as follows:

Access	Rand
For every photocopy of an A4-size page or part thereof	0.60
For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form	0.40
For a copy in a computer-readable form on: <ul style="list-style-type: none"><li>• Stiffy disc</li><li>• Compact disc</li></ul>	5.00 40.00
For a transcription of visual images, for an A4-size page or part thereof	22.00
For a copy of visual images	60.00
For a transcription of an audio record, for an A4-size page or part thereof	12.00
For a copy of an audio record	17.00

12.5 To search for and prepare the record for disclosure, R15,00 for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation.

12.6 For purposes of section 22(2) of the Act, the following applies:

- o Six hours must be exceeded before a deposit is payable and one third of the access fee is payable as a deposit by the requester.
- o The actual postage is payable when a copy of a record must be posted to requester.

12.7 The actual postage is payable when a copy of a record must be posted to a requester.

### **13. UPDATING OF THE MANUAL**

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Strate will update this Manual at such intervals as may be necessary.

Request for access to record of public body

[Section 18(1) of the Promotion of Access to Information Act, 2000 (Act 02 of 2000)]

[Regulation 6]

**FOR DEPARTMENTAL USE ONLY**

Reference number: \_\_\_\_\_

Request received by: \_\_\_\_\_

(state rank, name and surname of information officer/deputy information officer) on \_\_\_\_\_ (date) at \_\_\_\_\_ (place).

Request fee (if any): R .....

Deposit (if any): R .....

Access fees: R .....

SIGNATURE OF INFORMATION  
OFFICER/DEPUTY INFORMATION  
OFFICER

**A. Particulars of public body**

The Information Officer/Deputy Information Officer:

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**B. Particulars of person requesting access to the record**

- (a) *The particulars of the person who requests access to the record must be given below.*
- (b) *The address and/or fax number in the Republic to which the information is to be sent, must be given.*
- (c) *Proof of the capacity in which the request is made, if applicable, must be attached.*

Full names and surnames:

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Identity number:

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Postal address:

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\_\_\_\_\_ Fax number: \_\_\_\_\_

Telephone number: \_\_\_\_\_ E-mail address: \_\_\_\_\_

Capacity in which request is made, when made on behalf of another person: \_\_\_\_\_

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**C. Particulars of person on whose behalf request is made**

*This section must be completed ONLY if a request for information is made on behalf of another person.*

Full names and surname:

\_\_\_\_\_

Identity number:

\_\_\_\_\_

#### D. Particulars of record

*(a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.*

*(b) If the provided space is inadequate, please continue on a separate folio and attach it to this form.*

***The requester must sign all the additional folios.***

1. Description of record or relevant part of the record: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2. Reference number, if available: \_\_\_\_\_

3. Any further particulars of record: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

#### E. Fees

*(a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a **request fee** has been paid.*

*(b) You will be notified of the amount required to be paid as the request fee.*

*(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 for exemption from payment of fees: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 below, state your disability and indicate in which form the record is required.

Disability: _____ _____ _____	Form in which record is required: _____ _____ _____
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Mark the appropriate box with an X.

### NOTES:

(a) Compliance with your request for access in the specified form may depend on the form in which the record is available.

(b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.

(c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

<b>1. If the record is in written or printed form:</b>		
copy of record*	inspection of record	
<b>2. If record consists of virtual images:</b> (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):		
view the images	copy the images*	transcription of the images*
<b>3. If record consists of recorded words or information which can be reproduced in sound:</b>		
listen to the soundtrack (audio cassette)	Transcription of soundtrack* (written or printed document)	
<b>4. If record is held on computer or in an electronic or machine-readable form:</b>		
printed copy of record*	printed copy of information derived from the record*	copy in computer readable form* (stiffy or compact disc)

* If you requested a copy of transcription of a record (above), do you wish the copy of transcription to be posted to you? <b>Postage is payable</b>	YES	NO
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*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.*

In which language would you prefer the record? .....

**G. Notice of decision of regarding request for access**

*You will be notified in writing whether your request has been approved/denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.*

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

\_\_\_\_\_

\_\_\_\_\_

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE OF REQUESTER / PERSON  
ON WHOSE BEHALF REQUEST IS MADE