



Transparent Recovery Solutions (Pty) Ltd

(Registration Number: 2016/348666/07)

Manual in terms of section 51 of the Promotion of Access to Information Act 2 of 2000 (as amended)

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1. INTERPRETATIONS

1.1 Unless otherwise expressly stated, or the context otherwise requires, the words and expressions listed below shall, when used in this Manual, bear the meanings ascribed to them:

1.1.1 “Company” means Transparent Recovery Solutions (pty) Ltd, a private company duly registered and incorporated in accordance with the laws of the Republic of South Africa under registration number 2016/348666/07;

1.1.2 “Manual” means this manual together with all of its annexures, as amended from time to time;

1.1.3 “PAIA” means the Promotion of Access to Information Act No 2 of 2000, as amended, including any regulations made thereunder;

1.1.4 “Personal Information” means personal information as defined in POPIA; and

1.1.5 “POPIA” means the Protection of Personal Information Act No 4 of 2013, as amended, including any regulations made thereunder;

1.1.6 “Regulator” means the Information Regulator; and

1.1.7 “Record” means record as defined in PAIA.

1.2 In this Manual —

1.2.1 clause headings and the heading of the Manual are for convenience only and are not to be used in its interpretation;

1.2.2 an expression which denotes —

1.2.2.1 any gender includes the other genders;

1.2.2.2 a natural person includes a juristic person and *vice versa*;

1.2.2.3 the singular includes the plural and *vice versa*; and

1.2.2.4 a reference to a consecutive series of two or more clauses is deemed to be inclusive of both the first and last mentioned clauses.

2. PREAMBLE

2.1 The purpose of this Manual is to:

- 2.1.1 disclose the categories of Records held by the Company which are available without a person having to submit a formal PAIA request;
- 2.1.2 disclose the Company's Records which are available in accordance with any other legislation;
- 2.1.3 facilitate requests for access to Records maintained by the Company as provided for in PAIA;
- 2.1.4 access all the relevant contact details of the Information Officer who will assist the public with the Records they intend to access; and
- 2.1.5 inform data subjects about Company's processing activities and security measures in terms of POPIA.

2.2 PAIA gives effect to the Constitutional Right of Access to Information held by any other person. Requests to access information held by a private body must be made in accordance with this Manual and PAIA.

3. INTRODUCTION OF THE COMPANY

Accounts payable recovery audits.

4. CONTACT DETAILS FOR ACCESS TO INFORMATION OF THE COMPANY

4.1 Information Officer

Name: Alan Chavoshe
Telephone number:
E-mail address: alan.chavoshe@transparent.nl

4.2 The Company

Physical Address: Amsterdamseweg 206
1182 HL Amstelveen
The Netherlands
Telephone number: +31 20 468 4648
E-mail address: hello@transparentglobal.com

5. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE
- 5.1 The Regulator has, in terms of section 10(1) PAIA, as amended, updated and made available the revised Guide on how to use PAIA (“Guide”), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.
- 5.2 The Guide is available in each of the official languages and in braille.
- 5.3 The Guide contains the description of-
 - 5.3.1 the objects of PAIA and POPIA;
 - 5.3.2 the postal and street address, phone and, if available, electronic mail address of-
 - 5.3.2.1 the Information Officer of every public body, and
 - 5.3.2.2 every Deputy Information Officer of every public and private body designated in terms of section 17(1) PAIA and section 56 POPIA;
 - 5.3.2.3 the manner and form of a request for-
 - 5.3.2.3.1 access to a record of a public body contemplated in section 11 PAIA; and
 - 5.3.2.3.2 access to a record of a private body contemplated in section 50 PAIA;
 - 5.3.3 the assistance available from the Information Officer of a public body in terms of PAIA and POPIA;
 - 5.3.4 the assistance available from the Regulator in terms of PAIA and POPIA;
 - 5.3.5 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-
 - 5.3.5.1 an internal appeal;
 - 5.3.5.2 a complaint to the Regulator; and
 - 5.3.5.3 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;
 - 5.3.6 the provisions of sections 14 and 51 PAIA requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a

manual;

- 5.3.7 the provisions of sections 15 and 52 PAIA providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
 - 5.3.8 the notices issued in terms of sections 22 and 54 PAIA regarding fees to be paid in relation to requests for access; and
 - 5.3.9 the regulations made in terms of section 92 PAIA.
- 5.4 Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.
- 5.5 The Guide can also be obtained from the website of the Regulator.
- 5.6 Any enquiries regarding the Guide should be directed to the Information Regulator:

Postal Address: JD House
27 Stiemens Street
Braamfontein, Johannesburg, 2001

Postal Address: P.O Box 31533
Braamfontein, Johannesburg, 2017

Telephone Number: +27 (0) 10 023 5200

E-mail Address: enquiries@infoeregulator.org.za

Website: <https://infoeregulator.org.za/>

6. RECORDS HELD BY THE COMPANY

6.1 Records held in accordance with other legislation:

Basic Conditions of Employment Act No 75 of 1997	<ul style="list-style-type: none">• Employees' records
B-BBEE Act No 53 of 2003	<ul style="list-style-type: none">• B-BBEE records

Companies Act No 71 of 2008	<ul style="list-style-type: none"> • Memorandum of Incorporation • Record of directors • Copies of all reports presented at the annual general meetings of the company, annual financial statements and accounting Records • Notice and minutes of all meetings including all resolutions • Copies of all written communication sent to shareholders
Electronic Communications and Transactions Act 25 of 2002	<ul style="list-style-type: none"> • Electronically Personal information and the purpose for which the data was collected • A Record of any third party to whom the information was disclosed
Income Tax Act No 58 of 1962	<ul style="list-style-type: none"> • Ledgers, Journals, etc. • Records relating to taxable capital gain or assessed capital loss • Income tax required Records • Taxation returns and assessments • Annual financial statements • Payroll Records
Labour Relations Act No 66 of 1995	<ul style="list-style-type: none"> • Collective agreements • Arbitration awards • Disciplinary records • Prescribed details of any strike, lock-out or protest action involving its employees
Prescription Act 68 of 1969	<ul style="list-style-type: none"> • debt records
Protection of Personal Information Act No 4 of 2013	<ul style="list-style-type: none"> • Personal Information records
Promotion of Access to Information Act 2 of 2000	<ul style="list-style-type: none"> • PAIA Manual • Access requests
Skills Development Levies Act No 9 of 1999	<ul style="list-style-type: none"> • Employees' records
Skills Development Act No 97 of 1998	<ul style="list-style-type: none"> • Employees' records
Unemployment Insurance Contributions Act No 4 of 2002	<ul style="list-style-type: none"> • Employees' records
Unemployment Insurance Act No 63 of 2001	<ul style="list-style-type: none"> • Employees' records
Value Added Tax Act No 89 of 1991	<ul style="list-style-type: none"> • Record of all goods and services • Tax invoices • Records of importation of goods and documents

6.3. Categories of Records available on request in terms of PAIA:

6.1.1 The Company maintains Records on the categories and subject matters listed below.

6.1.2 These Records may be available on request. The Company values the significant and importance of privacy and confidentiality and access will only be given to Records in accordance with PAIA and where there is no lawful ground for refusal.

Auditor Records	<ul style="list-style-type: none">• Correspondence
Accounting Records	<ul style="list-style-type: none">• Annual financial statements and working papers• General ledger• Subsidiary ledgers (receivables, payables, etc)• Bank statements, cheque books, b cheques• Customer and supplier statements and invoices• Deposit slips• Cash books and petty cash books• Fixed asset register• Tax returns and assessments• VAT Returns• Lease or instalment sale agreements• Budgets and business plans• Insurance records• Investment records• Compiler's reports• Reviewer's report• Systems documentation• Management reviews• Capital expenditure• Credit agreements• Record of assets• Record of liabilities• Record of loans to related parties• Record of liabilities and obligations• Record of property held• Record of revenue• Record of expenses
Fixed Property Records	<ul style="list-style-type: none">• Building Plans• Leases
Information Technology Records	<ul style="list-style-type: none">• Agreements• Audits• Capacity and utilisation of current systems• Client database• Development of investment plans• Disaster recovery processes and procedures• Hardware• Internet• Intranet• Licenses

	<ul style="list-style-type: none"> • Systems support, programming and development • LAN installations • Operating systems • Software packages • Telephone exchange equipment • Telephone lines, leased lines and data lines
Insurance Records	<ul style="list-style-type: none"> • Claim records • Details of coverage, limits and insurers • Insurance policies
Legal, Agreements and Contracts	<ul style="list-style-type: none"> • Acquisition or disposal documentation • Agreements with contractors, suppliers and clients • Agreements with customers • Agreements with shareholders, officers or directors • Joint venture agreements, partnership agreements, participation, franchise, co-marketing, co-promotion, or other alliance agreements • Contracts, including lease agreements and finance agreements • Sale agreements • Settlement agreements
Personnel Records	<ul style="list-style-type: none"> • Collective agreements • Disciplinary records • Employee evaluation and performance records • Employee information records • Employee Loans • Employee remuneration • Employment applications • Employee date of birth • Employment contracts • Employment equity plan • Expense accounts • Incentive schemes • Letters of appointment • Leave applications • Maternity leave policy • Name and occupation of each employee • Organisational design • Payroll • Pension fund information • Personnel file • Policies and procedures • Records of foreign employees • Recruitment and appointments • Relocation policy • Salary and wage register • Salary slips and wage records • Scholarship and bursaries • Study assistance schemes • Training and development

Sales and Marketing	<ul style="list-style-type: none"> • Brochures, newsletters and marketing material • Customers • Media releases • Products • Public relations policies and procedures • Sales • Service and product information
Statutory Company Records	<ul style="list-style-type: none"> • Annual Statutory Returns • Certificate of Change of Name • Certificate of Incorporation • Certificate to Commence Business • Memorandum and Articles of Association • Memorandum of Incorporation and alterations/amendments • Notice and minutes of shareholders' meetings • Minutes of directors' meetings • Minutes of directors' committee meetings • Register of directors and officers • Register of past directors • Registration Certificate • Register of beneficial interest holders • General resolutions • Special resolutions • Resolutions • Shareholders' agreements • Shareholders' register
Tax Records	<ul style="list-style-type: none"> • Income tax returns • Provisional tax returns • Tax assessments • Records relating to taxable gain or assessed capital loss • VAT documents • Vendors information

7. PROSESSING OF PERSONAL INFORMATION IN TERMS OF POPIA

7.1 The Company processes Personal Information in the ordinary course of its business. The Company primarily uses Personal Information only for the purpose for which it was originally collected. The Company uses Personal Information for a secondary purpose only if such purpose constitutes a lawful legitimate interest and is closely related to the original purpose for which the Personal Information was collected.

7.1.1 The Company processes Personal Information for, amongst others –

7.1.1.1 providing its goods and services;

7.1.1.2 complying with obligations in terms of contractual relationships;

7.1.1.3 complying with legal obligations and applicable law;

- 7.1.1.4 developing and improving our businesses, goods, services and offerings;
- 7.1.1.5 recruitment;
- 7.1.1.6 statistical purposes;
- 7.1.1.7 relationship management and marketing purposes in relation to goods and services, account management and for marketing activities;
- 7.1.1.8 internal management and management reporting purposes; and
- 7.1.1.9 safety and security purposes.

7.2 Categories of data subjects and Personal Information

The Company processes the following personal information and special personal information relating to the following categories of data subject, including but not limited to:

Data Subjects	Personal Information
HR/ Employees	<ul style="list-style-type: none"> • name • gender • physical address • telephone number • birth date • pregnancy (please keep in mind maternity leave) • well-being (please keep in mind sick leave) • marital status • nationality • ID / passport number • email address • medical, financial, criminal or employment history • tax information • financial and credit history • banking details
Customers	<ul style="list-style-type: none"> • name • physical address • telephone number • company registration number • email address • tax information • banking details
Suppliers	<ul style="list-style-type: none"> • name • physical address • telephone number • company registration number • email address • tax information

	<ul style="list-style-type: none"> • banking details
Service Providers	<ul style="list-style-type: none"> • name • physical address • telephone number • company registration number • email address • tax information • banking details

7.3 Disclosure of Personal Information to third parties

- 7.3.1 The Company relies on third-party service providers to provide its goods and services. This requires disclosing of Personal Information with these third parties.
- 7.3.2 The Company may disclose Personal Information to our its associates and service providers, for legitimate business purposes, in accordance with applicable law and subject to applicable professional and regulatory requirements regarding confidentiality.
- 7.3.3 In addition, the Company may disclose Personal Information –
- 7.3.3.1 if required by law;
 - 7.3.3.2 to legal and regulatory authorities, upon request, or for the purposes of reporting any actual or suspected breach of applicable law or regulation;
 - 7.3.3.3 to third party operators;
 - 7.3.3.4 where it is necessary for the purposes of, or in connection with, actual or threatened legal proceedings or establishment, exercise or defense of legal rights;
 - 7.3.3.5 to any relevant party for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including, but not limited to, safeguarding against, and the prevention of threats to, public security; and
 - 7.3.3.6 to any relevant third party acquirer(s), in the event that we sell or transfer all or any portion of our business or assets (including, but not limited to, in the event of a reorganization, dissolution or liquidation).
- 7.3.4 If the Company discloses Personal Information to third parties, the latter will be obliged to only use that personal information for the reasons and purposes the information was disclosed for and provide adequate security safeguards.

7.4 International transfer of Personal Information

- 7.4.1 The Company may transfer Personal Information to recipients outside of the Republic of South Africa.

7.5 Security of Personal Information

- 7.5.1 The Company provides adequate protection for the Personal Information in its possession. The Company implements appropriate technical and organisational security measures to protect Personal Information in its possession against accidental or unlawful destruction, loss, alteration, unauthorised disclosure, unauthorised access, in accordance with applicable law.
- 7.5.2 In dealings with third parties, the Company imposes appropriate security, privacy and confidentiality obligations on them to ensure that the Personal Information disclosed to them is kept secure. The Company ensures that anyone to whom Personal Information is passed onto agrees to treat such Personal Information with the same level of protection as the Company is obliged to.

8. REQUEST PROCEDURE IN TERMS OF PAIA

- 8.1 To request a Record in terms of PAIA, the request must be made on the prescribed form (Annexure “A”). The request must be sent to the Company’s Information Officer.
- 8.2 The requester must provide sufficient details in the request to enable the Company to identify:
 - 8.2.1 the Record(s) requested;
 - 8.2.2 the requester (and if an agent is lodging the request, proof of capacity);
 - 8.2.3 the form of access required;
 - 8.2.4 the postal address or email address of the requester in South Africa, or if the requester wishes to be informed of the decision in any manner (in addition to written), the manner and particulars thereof; and
 - 8.2.5 the right which the requester is seeking to exercise or protect with an explanation of the reason the Records are required to exercise or protect the right.
 - 8.2.6 related processes to ensure Personal Information remains secure.

9. PRESCRIBED FEES

9.1 Requests made to the Company in terms of PAIA are subject to the following fees:

Item	Description	Amount
1.	The request fee payable by every requester	R140.00
2.	Photocopy/printed black & white copy of A4-size Page	R2.00 per page or part thereof
3.	Printed copy of A4-size page	2.00 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 A4size 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.	R145.00
	To not exceed a total cost of	R435.00
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.

9.2 Records may be withheld until the fees have been paid.

10. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

10.1 The Company may refuse a request for information in accordance with section 62 to 69 of PAIA.

- 10.2 The requester will be notified in writing on form 3 (Annexure “B”) as required by PAIA as to whether the request for information has been approved or denied.

11. AVAILABILITY AND UPDATING OF THIS MANUAL

11.1 A copy of the Manual is available:-

- 11.1.1. on <https://transparentglobal.com/privacy-policy/>
- 11.1.2. head office of the Company for public inspection during normal business hours; and
- 11.1.3. to any person upon request and upon the payment of the prescribed fees.

- 12.2. The Company may review and update this Manual from time to time. The latest version of this Manual is available on request.

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 Information Officer

(Address)

E-mail address:

--

Fax number:

--

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		

<p align="center">PARTICULARS OF RECORD REQUESTED</p> <p><i>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.)</i></p>			
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Description of record or relevant part of the record:	

Reference number, if available	
--------------------------------	--

Any further particulars of record	

<p align="center">TYPE OF RECORD (Mark the applicable box with an "X")</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 <i>(Please specify)</i>

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

Reference number:	
-------------------	--

<i>Request received by: (State Rank, Name And Surname of Information Officer)</i>	
<i>Date received:</i>	
<i>Access fees:</i>	
<i>Deposit (if any):</i>	

Signature of Information Officer

FORM 3
OUTCOME OF REQUEST AND OF FEES PAYABLE
 [Regulation 8]

Note:

1. If your request is granted the—
 - (a) amount of the deposit, (if any), is payable before your request is processed; and
 - (b) requested record/portion of the record will only be released once proof of full payment is received.
2. Please use the reference number hereunder in all future correspondence.

Reference number: _____

TO: _____

Your request dated _____, refers.

1. You requested:

Personal inspection of information at registered address of public/private body (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) is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you will be liable for the fees prescribed in Annexure B.	
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OR

2. You requested:

Printed copies of the information (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)	
Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)	
Transcription of soundtrack (written or printed document)	
Copy of information on flash drive (including virtual images and soundtracks)	
Copy of information on compact disc drive(including virtual images and soundtracks)	
Copy of record saved on cloud storage server	

3. To be submitted:

Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format (including transcriptions)	
E-mail of information (including soundtracks if possible)	
Cloud share/file transfer	
Preferred language: (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)	

Kindly note that your request has been:

☐

Approved

☐

Denied, for the following reasons:

--

4. Fees payable with regards to your request:

Item	Cost per A4-size page or part thereof/item	Number of pages/items	Total
Photocopy			
Printed copy			
For a copy in a computer-readable form on:			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor	R60.00		
• If provided to the requestor			
For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on the quotation of the service provider		
Copy of visual images			
Transcription of an audio record, per A4-size	R24.00		
Copy of an audio record			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor	R60.00		
• If provided to the requestor			
Postage, e-mail or any other electronic transfer:	Actual costs		
TOTAL:			

5. Deposit payable (if search exceeds six hours):

☐

Yes

☐

No

Hours of search	Amount of deposit (calculated on one third of total amount per request)

The amount must be paid into the following Bank account:

Name of Bank: _____
Name of account holder: _____
Type of account: _____
Account number: _____
Branch Code: _____
Reference Nr: _____
Submit proof of payment to: _____

Signed at _____ this _____ day of _____ 20 _____

Information officer