PAIA dispute checklist

Complimentary client resource | South Africa

NKWALI
COMPLIANCE CONSULTANTS

Use this checklist when an access-to-records request is refused, disputed or escalated. Open a restricted case file and appoint someone to track the matter.

Organisation / case reference: _____

Case owner: _____ Date opened: _____

1. Build the case file

- ☐ Save the original request, date of receipt, correspondence and any extension notices.
- ☐ Keep the decision, reasons and proof of delivery. Secure the records in dispute and relevant versions.

2. Confirm the escalation route

- ☐ Identify whether the client is a public or private body. Check whether an internal appeal applies and record its outcome, if any.
- ☐ Record any Information Regulator complaint, reference number, outcome and delivery date.

3. Check court deadlines with counsel

- ☐ Identify the applicable section 78 event and have counsel confirm the 180-day deadline. Escalate immediately if court papers arrive or a deadline may have passed.
- ☐ For a court application, give counsel the chronology and evidence for the notice of motion and affidavit. If late, flag the need for condonation.

4. Close the loop

- ☐ Record the outcome, follow-up actions and owner. Update the request register and keep supporting evidence in the case file.

Section 78 trigger / date: _____ Filing deadline: _____

Next action / owner: _____

New court rules apply from **11 December 2026**. Use this checklist to prepare the file and refer court strategy and filing to legal counsel.

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