

# PAIA and POPIA manual for Esselaar Attorneys

Manual in terms of the Promotion of Access to Information Act no. 2 of 2000 and the Protection of Personal Information Act no. 4 of 2013

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## 1 Introduction

Esselaar Attorneys operates as a sole proprietor law firm in the name of Paul Esselaar. Esselaar Attorneys is a Private Body for the purposes of Promotion of Access to Information Act no. 2 of 2000 (PAIA) and Protection of Personal Information Act no. 4 of 2013 (POPIA) and accordingly has produced this Manual in compliance of both POPIA and PAIA.

## 2 Contact Details<sup>1</sup>

### 2.1 General contact details and details of Information Officer:

- Name of Information Officer: Paul Esselaar
- Postal address: Spaces, Dock Road Junction, V & A Waterfront, Cape Town, 8001
- Physical address: Spaces, Dock Road Junction, V & A Waterfront, Cape Town, 8001
- E-mail address: [paul@ea.law.za](mailto:paul@ea.law.za)
- Telephone number: +27 (0)21 403 6584
- Internet site address: [www.ea.law.za](http://www.ea.law.za)

## 3 PAIA

### 3.1 The Promotion of Access to Information Act<sup>2</sup>

PAIA grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.

Requests in terms of PAIA shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in sections 6 and 7 of PAIA.

The guideline on how to use them is available at [https://infoeregulator.org.za/wp-content/uploads/2020/07/PAIA-Guide-English\\_20210905.pdf](https://infoeregulator.org.za/wp-content/uploads/2020/07/PAIA-Guide-English_20210905.pdf) .

The contact details of the Information Regulator are:

Physical address: JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001

Complaints email: [PAIAComplaints@infoeregulator.org.za](mailto:PAIAComplaints@infoeregulator.org.za)

General enquiries email: [enquiries@infoeregulator.org.za](mailto:enquiries@infoeregulator.org.za)

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

### 3.2 Availability of this Manual

This Manual is made available in terms of Regulation R.187 of 15 February 2002 to PAIA and section 4 of the Regulations to POPIA.

This Manual is also available on the website of Esselaar Attorneys which is: [www.ea.law.za](http://www.ea.law.za)

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<sup>1</sup> In terms of s51(1)(a) of the Promotion of Access to Information Act no. 2 of 2000.

<sup>2</sup> In terms of s51(1)(b) of the Promotion of Access to Information Act no. 2 of 2000.

This Manual is further available at the offices of Esselaar Attorneys for inspection during normal business hours. Copies of the Manual can be obtained from the Information Officer.

### **3.3 Applicable legislation<sup>3</sup>**

The list of applicable legislation that affects Esselaar Attorneys can be found in appendix 7.1.

### **3.4 Schedule of Records<sup>4</sup>**

The schedule of records that affects Esselaar Attorneys can be found in appendix 7.2.

### **3.5 Procedure for a request for access in terms of PAIA**

A Requester must comply with all the procedural requirements as contained in section 53 of PAIA relating to a Request for Access to a Record.

A Requester must complete the prescribed Request for Access form attached as Form 1 and submit the completed Request for Access form as well as payment of a request fee (if applicable) and a deposit (if applicable), to the Information Officer at the postal or physical address, facsimile number or electronic mail address stated in above.

The Request for Access form must be specific enough to enable the Information Officer to identify the following:

- a) The Record/s requested;
- b) The identity of the Requester;
- c) The form of access that is required, if the request is granted;
- d) The postal address or email address of the Requester; and
- e) The right that the Requester is seeking to protect and an explanation as to why the Record is necessary to exercise or protect such a right.

Esselaar Attorneys will process the Request for Access within 30 days of receipt of the Request for Access, unless the Request for Access is of such a nature that an extension of the prescribed time limit is necessitated in accordance with section 57 of PAIA.

If, in addition to a written reply from the Information Officer, the Requester wishes to be informed of the decision on the Request for Access in any other manner, the Requester must state the manner and the particulars so required.

If a Request for Access is made on behalf of another person, the Requester must submit proof of the capacity in which the Requester is making the request to the reasonable satisfaction of the Information Officer and complete Form 3.

If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.

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<sup>3</sup> In terms of s51(1)(c) of the Promotion of Access to Information Act no. 2 of 2000.

<sup>4</sup> In terms of s51(1)(d) of the Promotion of Access to Information Act no. 2 of 2000.

Esselaar Attorneys will voluntarily provide the requested Records to a request for personal information by the data subject (as defined in section 1 of POPIA). The prescribed fee for reproduction of the Record requested by a Personal Requester will be charged in accordance with section 54(6) of PAIA.

### **3.6 Fees payable**

The Act provides for two types of fees, namely:

- a) A request fee, payable by a Requester (other than a request by the Data Subject) and
- b) An access fee, which must be calculated by considering reproduction costs, search and preparation time and cost, as well as postage costs.

When the Request for Access is received by the Information Officer, the Information Officer will require the Requester, other than a Data Subject, to pay the prescribed request fee (if any), before further processing of the Request for Access.

If the search for a Record requires more than the prescribed hours for this purpose, the Information Officer shall notify the Requester to pay as a deposit, the prescribed portion of the access fee (being not more than one third) which would be payable if the Request for Access is granted.

The Information Officer shall withhold a Record until the Requester has paid the fees set out in Appendix 2.

A Requester whose Request for Access to a Record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the Record for disclosure including making arrangements to make it available in a requested form provided for in section 29(2) (a) and (b)(i) and (ii) of PAIA.

If a deposit has been paid in respect of a Request for Access which is refused, the Information Officer must repay the deposit to the Requester.

### **3.7 Grounds for Refusal of Access to Records in terms of PAIA**

The following are the grounds on which Esselaar Attorneys may, subject to the exceptions contained in Chapter 4 of PAIA, refuse a Request for Access in accordance with Chapter 4 of PAIA:

1. Mandatory protection of the privacy of a third party who is a natural person, including a deceased person, where such disclosure of Personal Information would be unreasonable;
2. Mandatory protection of the commercial information of a third party, if the Records contain:
  - a) Trade secrets of that third party;

- b) Financial, commercial, scientific or technical information of the third party, the disclosure of which could likely cause harm to the financial or commercial interests of that third party; and/or
  - c) Information disclosed in confidence by a third party to Esselaar Attorneys, the disclosure of which could put that third party at a disadvantage in contractual or other negotiations or prejudice the third party in commercial competition
- 3. Mandatory protection of confidential information of third parties if it is protected in terms of any agreement.
- 4. Mandatory protection of the safety of individuals and the protection of property;
- 5. Mandatory protection of Records that would be regarded as privileged in legal proceedings;
- 6. Protection of the commercial information of Esselaar Attorneys, which may include:
  - a) Trade secrets;
  - b) Financial/commercial, scientific or technical information, the disclosure of which could likely cause harm to the financial or commercial interests of Esselaar Attorneys;
  - c) Information which, if disclosed, could put Esselaar Attorneys at a disadvantage in contractual or other negotiations or prejudice Esselaar Attorneys in commercial competition; and/or
  - d) Computer programs which are owned by Esselaar Attorneys, and which are protected by copyright and intellectual property laws.
- 7. Research information of Esselaar Attorneys, or a third party, if such disclosure would place the research or the researcher at a serious disadvantage; and
- 8. Requests for Records that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources.

### **3.8 Decision to grant access to records**

Esselaar Attorneys, shall decide whether to grant or decline the Request for Access within 30 days of receipt of the Request for Access and must give notice to the Requester with reasons (if required) to that effect.

The period referred to above may be extended for a further period of not more than 30 days if the Request for Access is for a large number of Records or the Request for Access requires a search for Records held at another office of Esselaar Attorneys, and the Records cannot reasonably be obtained within the original 30-day period.

Esselaar Attorneys, will notify the Requester in writing should an extension of time as be required.

### **3.9 Remedies available to requestor if PAIA request is refused**

#### **3.9.1 Internal remedies**

Esselaar Attorneys, does not have internal appeal procedures. As such, the decision made by the Information Officer is final, and Requesters will have to exercise such external remedies at their disposal if the Request for Access is refused.

#### **3.9.2 External remedies**

In accordance with sections 56(3) (c) and 78 of PAIA, a Requester may apply to a court for relief within 180 days of notification of the decision for appropriate relief.

## 4 POPIA

The Protection of Personal Information Act no. 4 of 2013 provides that data subjects have the right to know what personal information Esselaar Attorneys has about them, what it is used for, recipients or categories of recipients, whether it is transferred overseas. These are set out in Appendix 4 below.

If you are a data subject you have the right to access personal information (form 1), Object to the use of your Personal information (form 2) and to request a deletion or correction of your records (form 3).

You also have a right to know what security measures we have in place at Esselaar Attorneys (Appendix 5).

## 5 Definitions

- “Data” includes both personal information and other information.
- “Data Subject” means the person to whom Personal Information relates
- “Information Officer” means the head of a private body as contemplated in section 1, of the PAIA
- “Minister” means the Cabinet member responsible for the administration of justice
- “PAIA” means Promotion of Access to Information Act 2 of 2000
- “Personal Information” or “PI” means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person including :
  - information relating to the race, gender, sex, pregnancy, marital status, 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;
  - information relating to the education or the medical, financial, criminal or employment history of the person;
  - any identifying number, symbol, e-mail address, physical address, telephone number or other particular assignment to the person;
  - the blood type or any other biometric
  - information of the person;
    - the personal opinions, views or preferences of the person;
    - correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
    - the views or opinions of another individual about the person; and
    - the name of the person if it appears with other
  - Personal Information relating to the person or if the disclosure of the name itself would reveal information about the person.
  - Personal Information excludes information of about an individual who has been dead for more than 20 years (PAIA), and excludes information about a person who is dead (POPIA).
- “POPIA” means the Protection of Personal Information Act no. 4 of 2013
- “Private body” means:
  - a natural person who carries or has carried on any trade, business or profession, but only in such capacity;



- a partnership which carries or has carried on any trade, business or profession; or
  - any former or existing juristic person, but excludes a public body
- “Processing” means any operation or activity or any set of operations, whether or not by automatic means, concerning Personal Information, including:
    - the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
    - dissemination by means of transmission, distribution or making available in any other form; or
    - merging, linking, as well as blocking, degradation, erasure or destruction of information;
- “Public Body” Means:
    - any department or state or administration in the national or provincial sphere of government or any municipality in the local sphere of government; or
    - Any other functionary or institution when-
      - exercising a power of performing a duty in terms of the Constitution or a provincial constitution; or
    - exercising a public power or performing a public function on terms of any legislation;
- “Record” in relation to a private body means any recorded information regardless of form or medium in the possession or under the control of that public or private body, respectively and whether or not it was created by the public or private body respectively
- “Responsible Party” or a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means for processing Personal Information
- “Requester” means a person or legal persons seeking access to information
- “Third Parties” means any natural or juristic person other than the Requester or, such party acting on behalf of the Requester or Esselaar Attorneys.

## 6 Appendixes

### 6.1 Appendix 1: List of applicable legislation

1. Basic Conditions of Employment Act No. 75 of 1997
2. Broad Based Black Economic Empowerment Act No. 53 of 2003 (“BBBEE”)
3. Competition Act No. 89 of 1998
4. Compensation for Occupational Injuries and Diseases Act No. 130 of 1993
5. Promotion of Access to Information Act No. 2 of 2000
6. Protection of Personal Information Act No. 4 of 2013
7. Protected Disclosures Act No. 26 of 2000
8. Protection of Constitutional Democracy Against Terrorist and Related Activities Act No. 33 of 2004
9. Securities Transfer Tax Act No.25 of 2007
10. Skills Development Act. No.97 of 1998
11. Skills Development Levies Act No.9 of 1999
12. Unemployment Insurance Act No. 30 of 1996
13. Unemployment Insurance Contributions Act No. 4 of 2002
14. Value-added Tax Act No. 89 of 1991

### 6.2 Appendix 2: Available records

The list of available records for Esselaar Attorneys is as follows:

Category	Subject of Record	Availability (see Key below)
<b>Employees</b>	Personal records provided by employees	12
	Records provided by a third party relating to employees	12
	Conditions of employment and other employee-related contractual and quasi-legal records	12
	Internal evaluation records and other internal records	12
	Correspondence relating to employees	12
	Training schedules and material	12
<b>Customers</b>	Records provided by a Customer to a third party acting for, or on behalf of Esselaar Attorneys	12
	Records provided by a third party to Esselaar Attorneys	12

	Records generated by, or within Esselaar Attorneys relating to its Customers, including transactional Records	12
	Records provided by a Customer to Esselaar Attorneys	12
<b>Third party</b>	Employee, Customer or Esselaar Attorneys Records which are held by another party	12
	Records held by Esselaar Attorneys relating to other parties, including financial Records, correspondence and contractual Information	12
	Records provided by other parties and Records that third parties have provided which relate to contractors and suppliers.	12
	Esselaar Attorneys may possess Records, pertaining to other parties, including without limitation contractors, suppliers, subsidiary/holding/sister companies, joint venture companies, and service providers. Alternatively, such other parties may possess Records that can be said to belong to Esselaar Attorneys.	12

### 6.2.1 Key to reasons for disclosure / refusal to disclose

#	Type of disclosure	Degree of disclosure
1.	May be disclosed	Publicly accessible
2.	May not be disclosed	Request after the commencement of criminal or civil proceedings <b>[Section 7]</b>
3.	May be disclosed	Subject to copyright
4.	Limited disclosure	Personal information that belongs to the Requester of information <b>[Section 61]</b>
5.	May not be disclosed	Unreasonable disclosure
6.	May not be disclosed	Likely to harm the commercial or financial interest of third parties <b>[Section 64(a)(b)]</b>
7.	May not be disclosed	Likely to harm the company or Third Party in contract or other negotiations <b>[Section 64(c)]</b>
8.	May not be disclosed	Would breach a duty of confidence to a Third Party in terms of an agreement <b>[Section 65]</b>
9.	May not be disclosed	Likely to compromise the safety of individuals or protection of private property <b>[Section 66]</b>

10.	May not be disclosed	Legally privileged documents <b>[Section 67]</b>
11.	May not be refused	Environmental testing / investigation which reveals public safety / environmental risks <b>[Section 64 and 68(2)]</b>
12.	May not be disclosed	Commercial information of Private Body <b>[Section 68]</b>
13.	May not be disclosed	Likely to prejudice research and development information of the company or a Third Party <b>[Section 69]</b>
14.	May not be refused	Disclosure in public interest <b>[Section70]</b>

### 6.3 Appendix 3: Applicable fees for Private Bodies

1. The fee for a copy of the manual as contemplated in regulation 9 (2) (c) is R1,10 for every photocopy of an A4-size page or part thereof.
2. The fees for reproduction referred to in regulation 11 (1) are as follows:

Artefact	R
(a) For every photocopy of an A4-size page or part thereof	R1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R0,75
(c) For a copy in a computer-readable form on—	
i.    stiffy disc	R7,50
ii.   compact disc	R70,00
(d) For a transcription of visual images, for an A4size page or part thereof	40,00
ii.   For a copy of visual images	R60,00
(e) For a transcription of an audio record, for an A4size page or part thereof	R20,00
ii.   For a copy of an audio record	R30,00

3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11 (2) is R50,00.

4. The access fees payable by a requester referred to in regulation 11 (3) are as follows:

Artefact	R
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(a) For every photocopy of an A4-size page or part thereof	R1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R0,75
(c) For a copy in a computer-readable form on—	
i.    stiffy disc	R7,50
ii.   compact disc	R70,00
(d) For a transcription of visual images, for an A4size page or part thereof	40,00
ii.   For a copy of visual images	R60,00
(e) For a transcription of an audio record, for an A4size page or part thereof	R20,00
ii.   For a copy of an audio record	R30,00

(2) For purposes of section 54 (2) of the Act, the following applies:

- (a) Six hours as the hours to be exceeded before a deposit is payable; and
- (b) one third of the access fee is payable as a deposit by the requester.

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

#### 6.4 Appendix 4: POPIA records

Categories of Data Subjects	Types of personal information collected	Special Personal Information	Purposes for processing personal information	Recipients or categories of recipients of personal information	Trans-border information flow
Natural Person Customers	Names; contact details; physical and postal addresses; date of birth; ID number; Passport number; Tax related information; nationality; gender; confidential correspondence	n/a	Concluding contracts, performing in terms of the contract, marketing to customers, debt recovery, compliance with legislation	Internal use for customer management Data management company	N/a
Juristic Person Customers	Names of contact persons; Name of Legal Entity; Physical and Postal address and contact details; Financial information; Registration Number; Founding documents; Tax related information; authorised signatories, beneficiaries, ultimate beneficial owners.	n/a	Concluding contracts, performing in terms of the contract, marketing to customers, debt recovery, compliance with legislation	Internal use for customer management Data management company	Pseudonymised customer personal information quality managed in Israel
Employees	Gender; Marital Status; Age; Home Language, Education information;	Ethnicity, Criminal	Staff administration	Internal use	n/a

	Financial Information; Employment History; ID number; Physical and Postal address; contact details; Opinions.	behaviour; Well-being.	Complying with tax laws and other legislation	Human resources specialist services (South Africa)	
Suppliers Natural person	Names; contact details; physical and postal addresses; date of birth; ID number; Passport number; Tax related information; nationality; gender; confidential correspondence.	BBBEE status	Staff administration Procurement of goods	Internal use Compliance with laws	n/a
Suppliers Juristic persons	Names of contact persons; Name of Legal Entity; Physical and Postal address and contact details; Financial information; Registration Number; Founding documents; Tax related information; authorised signatories, beneficiaries, ultimate beneficial owners	BBBEE status	Staff administration Procurement of goods	Internal use Compliance with laws	n/a

## 6.5 Appendix 5: Security Measures

Esselaar Attorneys undertakes to institute and maintain the data protection measures to accomplish the objectives outlined in numbers 1 to 8. The details given are to be interpreted as examples of how to achieve an adequate data protection level for each objective.

Esselaar Attorneys may use other measures and adapt to technological security development, as needed, provided that a similar level of data protection is achieved. "Data" includes both personal information and other information.

### 1. Access Control of Persons

Esselaar Attorneys will implement suitable measures in order to prevent unauthorized persons from gaining access to the data processing equipment where the data are processed.

### 2. Data Media Control

Esselaar Attorneys undertakes to implement suitable measures to prevent the unauthorized manipulation of media, including reading, copying, alteration or removal of the data media used by Esselaar Attorneys and containing personal information of data subjects.

### 3. Data Memory Control

Esselaar Attorneys undertakes to implement suitable measures to prevent unauthorized input into data memory and the unauthorized reading, alteration or deletion of stored data of the Esselaar Attorneys customers.

### 4. User Control

Esselaar Attorneys will implement suitable measures to prevent its data processing systems from being used by unauthorized persons by means of data transmission equipment.

### 5. Access Control to Data

Esselaar Attorneys warrants that the persons entitled to use Esselaar Attorneys's data processing system are only able to access the data within the scope and to the extent covered by their respective access permissions (authorisation).

### 6. Transmission Control

Esselaar Attorneys will be obliged to enable the verification and tracing of the locations / destinations to which the personal information is transferred by utilization of Esselaar Attorneys's data communication equipment / devices.

### 7. Transport Control

Esselaar Attorneys will implement suitable measures to prevent Personal Information from being read, copied, altered or deleted by unauthorized persons during the transmission thereof or during the transport of the data media.

### 8. Organization Control

Esselaar Attorneys will maintain its internal organization in a manner that meets the requirements of this Manual.



## 7 Forms

### 7.1 Form 1: Request for access to a Record in terms of PAIA

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY  
(Section 53 (1) of the Promotion of Access to Information Act, 2000  
(Act No. 2 of 2000)) [Regulation 10]

Deputy Privacy & Information Officer: Paul Esselaar  
Physical address: Spaces, Dock Road Junction, V & A Waterfront, Cape Town, 8001  
Telephone number: +27 (0)21 403 6584  
Email address: [paul@ea.law.za](mailto:paul@ea.law.za)

B. Particulars of person requesting access to the record -The particulars of the person who requests access to the record must be given below -The address and /or email address in the Republic to which the information is to be sent must be given -Proof of the capacity in which the request is made, if applicable, must be attached.

Full names and surname: \_\_\_\_\_  
Identity number: \_\_\_\_\_  
Postal address: \_\_\_\_\_  
Fax number: \_\_\_\_\_  
Telephone number: \_\_\_\_\_  
E-mail address: \_\_\_\_\_

#### C. Capacity in which request is made, when made on behalf of another person:

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

Full names and Surname / Company	
Identity Number/Registration Number	

#### D. Particulars of record

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. The Requester must sign all the additional pages

Description of record or relevant part of the record:

\_\_\_\_\_  
\_\_\_\_\_

Reference number, if available:

\_\_\_\_\_  
\_\_\_\_\_

3. Any further particulars of record:

\_\_\_\_\_  
\_\_\_\_\_

E. Fees

**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. You will be notified of the amount required to be paid as the request fee. 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 such record. 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 hereunder, state your disability and indicate in which form the record is required.**

Disability	
Form in which record is required	

Mark the appropriate box with an X.

NOTES:

- Compliance with your request in the specified form may depend on the form in which the record is available.
- 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.
- The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

<b>If the record is in written or printed form:</b>		
Copy of Record		Inspection of Record
<b>If record consists of visual images</b>		
View images	Copy of images	Transcription of images
<b>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>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* (memory stick or compact disc)
*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable	Yes	No

G. 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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

H. Notice of decision 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 THE REQUEST IS MADE

AFFIDAVIT

I, the undersigned,

.....

..... do hereby make oath and say:

1.

I am an adult male / female residing at

.....

.....

I am the Requester in terms of the Promotion of Access to Information Act, No 2 of 2000.

PART: A (Applicant)

2. The facts herein mentioned are within my personal knowledge, unless indicated to the contrary, and are in all respects true and correct.

3. My Identity/passport number is ..... and I attach hereby a certified copy of my identity/passport document.

4. PART: B (Third Party Permission – if applicable)

5. I also declare that I am aware that

.....requires information pertaining to cellular number.....

I hereby give permission to

..... to obtain the required information.

6. I know and understand the contents of this statement I have no objection in taking the prescribed oath

I consider the oath to be binding on my conscience.

..... DEPONENT

I certify that the above statement was taken by me and that the deponent has acknowledged that he/she knows and understands the contents of this statement. The statement was sworn to/affirmed to before me and deponents

Signature/mark/thumb print was placed thereon in my presence at

..... on..... at .....h.....

SIGNATURE Commissioner of Oaths

.....  
Full First Names and Surname

.....  
.....

Business Address (Street Address)

**7.2 Form 2: Objection to processing of personal information in terms of POPIA**

**OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF SECTION 11(3) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013) REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION 2017 [Regulation 3(2)]**

*Note:*

1. *Affidavits or other documentary evidence in support of the objection must be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*

Reference Number....

<b>A</b>	<b>DETAILS OF DATA SUBJECT</b>
Name and surname of data subject:	
Residential, postal or business address:	
	Code (      )
Contact number(s):	
Fax number:	
E-mail address:	
<b>B</b>	<b>DETAILS OF RESPONSIBLE PARTY</b>
Name and surname of responsible party ( <i>if the responsible party is a natural</i> ):	
Residential, postal or business address:	
	Code (      )
Contact number(s):	
Fax number:	
E-mail address:	



**7.3 Form 3: Form for the Request to Delete or Correct Personal Information in Terms of POPIA**

**REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013) REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2017 [Regulation 3(2)]**

Note:

1. *Affidavits or other documentary evidence in support of the request must be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*

Reference Number

Mark the appropriate box with an "x".

**Request for:**

Reference Number....

- Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.
- Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information.

A	DETAILS OF THE DATA SUBJECT	
Surname:		
Full names:		
Identity number:		
Residential, postal or business address:		
	Code ( )	
Contact number(s):		
Fax number:		
E-mail address:		
B	DETAILS OF RESPONSIBLE PARTY	





\* *Delete whichever is not applicable*

Signed at ..... this ..... day of ..... 20

.....  
*Signature of Data subject*