



INTENDA PROPRIETARY LIMITED

PAIA and POPI Manual



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THIS MANUAL WAS PREPARED IN ACCORDANCE WITH SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000 AND TO ADDRESS AND INCORPORATE REQUIREMENTS OF THE PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013

1. PAIA AND POPI MANUAL

This manual applies to **Intenda Proprietary Limited**

Registration number: 2000/022492/07

(the "**Company**")

Registered office address:

Physical Address: Block C, Trent Bridge Office Park, 183 Leonie Street, Doringkloof, Centurion, 0157

2. DOCUMENT MANAGEMENT

VERSION	DATE	CHANGES	BY
Version 1.0	17/09/2020	New document incorporating the requirements as per PAIA and POPIA.	Izak van der Merwe
Version 2.0	06/04/2022	Incorporating changes as per new PAIA regulations from August 2021	Izak van der Merwe

3. DEFINITIONS

Client	any natural or juristic person that received or receives services from the Company
Conditions for Lawful Processing	the conditions for the lawful processing of Personal Information as fully set out in chapter 3 of POPI and in paragraph 12 of this Manual
Data Subject	the person to whom personal information relates
Information Officer	the individual who is identified in paragraph 4 of this manual
Manual	this manual
PAIA	the Promotion of Access to Information Act 2 of 2000
Personal Information	means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to— <ul style="list-style-type: none"> a. 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;

- b. information relating to the education or the medical, financial, criminal or employment history of the person;
- c. any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
- d. the biometric information of the person;
- e. the personal opinions, views or preferences of the person;
- f. 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;
- g. the views or opinions of another individual about the person; and
- h. 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

Personnel	any person who works for, or provides services to or on behalf of the Company, and receives or is entitled to receive remuneration and any other person who assists in carrying out or conducting the business of the Company, which includes, without limitation, directors (executive and non-executive), all permanent, temporary and part-time staff as well as contract workers
POPI	the Protection of Personal Information Act 4 of 2013
POPI Regulations	the regulations promulgated in terms of section 112(2) of POPI
Private Body	means— <ul style="list-style-type: none"> a. a natural person who carries or has carried on any trade, business or profession, but only in such capacity;

- b. a partnership which carries or has carried on any trade, business or profession; or
- c. 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—

- a. the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
- b. dissemination by means of transmission, distribution or making available in any other form; or
- c. merging, linking, as well as restriction, degradation, erasure or destruction of information

SAHRC

the South African Human Rights Commission

4. INTRODUCTION

The promotion of Access to Information Act, 2000 (the “Act”) gives third parties the right to approach private bodies and the government to request information held by them, which is required in the exercise and/or protection of any rights. On request, the private body or government is obliged to release such information unless the Act expressly states that the records containing such information may or must not be released. This manual informs requestors of procedural and other requirements which a request must meet as prescribed by the Act.

4.1. Nature of Business:

The Company is a software and technology service provider.

Further information about the company can be found at: <https://intenda.tech/>

4.2. Contact Details

- i** Name of body: Intenda Proprietary Limited
- i** Head of body: Dean Peerless – Chief Executive Officer
- i** Information Officer: Izak van der Merwe
- i** Physical Address:
Block C
Trent Bridge Office Park
183 Leonie Street
Doringkloof

Centurion
0157

i Postal Address:

PO Box 11669
Centurion
0046

i Telephone Number: +27 12 663 8815

i Email address: deanp@intenda.za.com / izakvdm@intenda.za.com

5. GUIDE OF THE INFORMATION REGULATOR

A guide to PAIA and how to access information in terms of PAIA has been published pursuant to section 10 of PAIA.

The guide contains such information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act.

Should you wish to access the guide you may request a copy from the Information Officer by submitting **ANNEXURE A**, attached hereto, to the details specified above.

You may also inspect the guide at the Company's offices during ordinary working hours.

You may also request a copy of the guide from Information Regulator at the following details:

Information Regulator:

Postal Address:	P.O. Box 31533, Braamfontein, Johannesburg, 2017
Telephone:	(010) 023 5200
Website:	www.justice.gov.za
Email:	PAIACompliance.IR@justice.gov.za

6. LATEST NOTICES IN TERMS OF SECTION 52(2) OF PAIA

At this stage no Notice(s) has / have been published on the categories of records that are available without having to request access to them in terms of PAIA.

7. ACCESS TO RECORDS HELD BY THE COMPANY

Records held by the Company may be accessed on request only once the requirements for access have been met. A requester is any person making a request for access to a record of the Company. In this regard, the Act distinguishes between two types of requesters as described below.

7.1. Requestor Types

7.1.1. Personal Requester

A personal requester is a requester who is seeking access to a record containing personal information about the requester. Subject to the provisions of the Act and applicable law, the Company will provide the requested information, or give access to any record with regards to the requester's personal information. The prescribed fee for reproduction of the information requested will be charged by the Company.

7.1.2. Other Requester

This requester (other than a personal requester) is entitled to request access to information pertaining to third parties. However, the Company is not obliged to grant access prior to the requester fulfilling the requirements for access in terms of the Act. The prescribed fee for reproduction of the information requested will be charged by the Company.

7.2. Request Procedure

- 7.2.1. An individual who wishes to place a request must comply with all the procedures laid down in PAIA.
- 7.2.2. The requester must complete **ANNEXURE B**, which is attached hereto and submit it to the Information Officer at the details specified above.
- 7.2.3. The prescribed form must be submitted as well as payment of a request fee and a deposit, if applicable to the information officer at the postal or physical address, fax number or electronic mail as is stated herein.
- 7.2.4. The prescribed form must be completed with enough particularity to enable the information officer to determine:
 - a) The record(s) requested;
 - b) The identity of the requestor;
 - c) What form of access is required; and
 - d) The Postal address or fax number of the requestor.
- 7.2.5. The requestor must state that the records are required for the requestor to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. An explanation of why the records requested is required to exercise or protect the right.
- 7.2.6. The request for access will be dealt with within 30 days from date of receipt, unless the requestor has set out special grounds that satisfies the Information Officer that the request be dealt with sooner.
- 7.2.7. The period of 30 days may be extended by not more than 30 additional days, if the request is for a large quantity of information, or the request requires a search for information held at another office of the Company and the information cannot be reasonably obtained within 30 days. The information officer will notify the requestor in writing should an extension be necessary.
- 7.2.8. The requestor will be informed in writing whether access to the records have been granted or denied. If the requestor requires a reason for the decision the request must be expressed in

the prescribed form, the requestor must be further stated what particulars of the reasoning the requestor requires.

- 7.2.9. If a requestor has requested the records on another individual's behalf, the requestor must submit proof of the capacity the requestor submits the request in, to the satisfaction of the information officer.
- 7.2.10. Should the requestor have any difficulty with the form or the process laid out herein, the requestor should contact the Information Officer for assistance.
- 7.2.11. An oral request can be made to the Information Officer should the requestor be unable to complete the form due to illiteracy or a disability. The Information Officer will complete the form on behalf of the requestor and provide a copy of the form to the requestor.

8. FEES

The Act provides for two types of fees:

A request fee, (which will be a standard fee) and an access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs where applicable. When a request is received by the information officer of the Company, the information officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee (if any), before further processing of the request. If a search for the record is necessary and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the information officer shall notify the requester to pay a deposit as part of the access fee which would be payable if the request is granted. This amount will be based on the perceived effort by the Company to locate and present the requested records.

The information officer may withhold a record/s until the requester has paid the fee or fees as indicated. 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 the request form. If a deposit has been paid in respect of a request for access, which is refused, then the information officer shall repay the deposit to the requester.

The following fees shall be payable upon request by a requestor:

Request fee	R140.00
(payable on every request)	
Photocopy of an A4 page or part thereof	R2.00
Printed copy of an A4 page or part thereof	R2.00
Hard copy on flash drive	R40.00
(flash drive to be provided by requestor)	

Hard copy on a compact disc (compact disc to be provided by requestor)	R40.00
Hard copy on a compact disc (compact disc to be provided by the Company)	R60.00
Transcription of visual images per A4 page	As per quotation of service provider
Copy of visual images	As per quotation of service provider
Transcription of an audio record per A4 page	R24.00
Copy of an audio record on flash drive (flash drive to be provided by requestor)	R40.00
Copy of an audio on a compact disc (compact disc to be provided by requestor)	R40.00
Copy of an audio on a compact disc (compact disc to be provided by the Company)	R60.00
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 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 (cannot exceed total cost)	R435.00
Postage, email or any other electronic transfer	Actual expense, if any.

9. CATEGORIES OF RECORDS HELD BY THE COMPANY: SECTION 51(1)(E)

i Companies Act Records

1. Documents of incorporation
2. Memorandum of Incorporation
3. Minutes of Board of Directors meetings
4. Records relating to the appointment of directors / auditor / secretary / public officer and other officers
5. Share Register and share certificates
6. Statutory and other registers
7. Tradename registrations

i Financial Records

1. Annual Financial Statements
2. Tax Returns
3. Accounting Records
4. Banking Records
5. Bank Statements
6. Electronic banking records
7. Asset Register
8. Rental Agreements
9. Invoices

i Tax Records

1. PAYE Records
2. Documents issued to employees for income tax purposes
3. Records of payments made to SARS on behalf of employees

i All other statutory compliances:

1. VAT Information
2. UIF Details and Information
3. Employee Documents and Records
4. Employment contracts
 - 4.1. Including all addendums and specific policies related to employment of the employee
5. Disciplinary records
6. Salary records
7. Leave records
8. Training records
9. CVs
10. Address and other contact details
11. Information about family members/dependants/next of kin
12. Published Marketing Material

i Miscellaneous

1. Internal correspondence
2. Website Information
3. Information technology records

10. PROCESSING OF PERSONAL INFORMATION

a. Purpose of Processing

The Company uses the Personal Information under its care in the following ways:

1. Rendering services according to instructions given by clients or contractually agreed to
2. Rendering support services as required by clients
3. Employee administration
4. Keeping of accounts and records
5. Complying with tax laws
6. Complying with any other applicable laws
7. Statistical analysis for marketing purposes

In addition to the above the Company may supply the Personal Information to service providers who render the following services:

1. Capturing and organising of data
2. Storing of data
3. Sending of emails and other correspondence to clients
4. Related to the service and/or products initially contracted to provide
5. Conducting due diligence checks

b. Categories of Data Subjects and their Personal Information which may be processed

i. Clients: Natural Persons

1. Names
2. Contact details
3. Physical and postal addresses
4. Date of birth
5. Id number
6. Tax related information
7. Nationality
8. Gender
9. Criminal behaviour
10. Correspondence between the Company and said natural person

i. Clients – Juristic Persons / Entities

1. Names
2. Names of contact person – Entity
3. Name of legal entity
4. Physical and postal address
5. Contact details
6. Financial information
7. Registration number

8. Founding documents
9. Tax related information
10. Authorised signatories
11. Beneficiaries
12. Ultimate beneficial owners
13. Correspondence between the Company and said juristic persons/entities
14. Any additional information required to provide the contracted services or use of products

i. Clients: Foreign Persons / Entities

1. Names
2. Contact details
3. Physical and postal addresses
4. Date of birth
5. Passport number
6. Tax related information
7. Nationality
8. Gender
9. Correspondence between the Company and said juristic persons/entities
10. Intermediary/advisor
11. Names of contact persons – Entity
12. Name of legal entity
13. Physical and postal address
14. Contact details
15. Financial information
16. Registration number
17. Founding documents
18. Tax related information
19. Authorised signatories
20. Beneficiaries
21. Ultimate beneficial owners

i. Third-party Service Providers

1. Names of contact persons
2. Name of legal entity
3. Physical and postal address and contact details
4. Financial information
5. Registration number
6. Founding documents
7. Tax related information
8. BBBEE information
9. Authorised signatories
10. Beneficiaries
11. Ultimate beneficial owners
12. Information about services and products

i. Employees / Directors

1. Gender
2. Marital Status
3. Race
4. Age
5. Language
6. Education information
7. Financial Information
8. Employment History
9. ID number
10. Physical and Postal address
11. Contact details
12. Opinions
13. Criminal behaviour
14. Wellbeing

a. Actual or Planned Transborder Flows of Personal Information

Due to the Company's international representation and presence data may be required to be moved across borders and will be subject to the applicable laws of said countries. This may be due to hosting agreements or in relation to the provision of contracted services. Whenever this is a requirement the client will be duly notified and the Company will seek written approval from the client upon the provision of the requirements and details of such transborder flows.

General Description of Information Security Measures

The Company employs up to date technology to ensure the confidentiality, integrity and availability of the Personal Information under its care. Measures include:

1. Firewalls
2. Virus protection software and update protocol
3. Logical and physical access control
4. Secure setup of hardware and software making up the IT infrastructure
5. Outsourced Service Providers who process Personal Information on behalf of the Company are contracted to implement security controls.

11. PROCESSES TO FOLLOW IF REQUEST FOR INFORMATION IS REFUSED

The following processes are allowed for by the act but internal processes are not required.

a. Internal Processes

The Company does not have internal appeal procedures. As such, the decision made by the information officer pertaining to a request is final, and requestors will have to exercise such external remedies at their disposal if a request is refused, and the requestor is not satisfied with the response provided by the information officer.

b. External Processes

A requestor that is dissatisfied with the information officer's refusal to disclose information, may within 30 days of notification of the decision, apply to a court for relief. Likewise, a third party dissatisfied with the information officer's decision to grant a request for information, may within 30 days of notification of the decision, apply to a court for relief.

For purposes of the Act, courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status.

c. Grounds for refusal

The following are grounds upon which the Company may, subject to the exceptions in Chapter 4 of PAIA, refuse a request for access in accordance with Chapter 4 of PAIA:

- i. 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
- ii. Mandatory protection of the commercial information of a third party, if the Records contain:
 1. Trade secrets of that third party;
 2. 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
 3. Information disclosed in confidence by a third party to The Company, 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;
- iii. Mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- iv. Mandatory protection of the safety of individuals and the protection of property;
- v. Mandatory protection of Records that would be regarded as privileged in legal proceedings;
- vi. Protection of the commercial information of the Company, which may include:
 1. Trade secrets;
 2. Financial/commercial, scientific or technical information, the disclosure of which could likely cause harm to the financial or commercial interests of the Company;
 3. Information which, if disclosed, could put the Company at a disadvantage in contractual or other negotiations or prejudice the Company in commercial competition; and/or

4. Computer programs which are owned by the Company, and which are protected by copyright and intellectual property laws;
- vii. Research information of the Company or a third party, if such disclosure would place the research or the researcher at a serious disadvantage; and
- viii. Requests for Records that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources.

12. LIST OF APPLICABLE LEGISLATION

Records of the Company's and other legal entities in which the Company has a direct controlling interest or an indirect controlling interest through its subsidiaries, may be kept by or on behalf of the Company in accordance with the following legislation (some of which legislation may not be applicable to the Company), as well as with other legislation that may apply to the Company and/or its subsidiaries from time to time:

1. Basic Conditions of Employment Act 57 of 1997
2. Broad-based Black Economic Empowerment Act 53 of 2003
3. Companies Act 71 of 2008
4. Compensation for Occupational Injuries and Diseases Act 130 of 1993
5. Constitution of the Republic of South Africa, No. 108 of 1996
6. Copyright Act 98 of 1978
7. Electronic Communications and Transactions Act 25 of 2002
8. Employment Equity Act 55 of 1998
9. Income Tax Act, No. 58 of 1962
10. Labour Relations Act 66 of 1995
11. Occupational Health and Safety Act 85 of 1993
12. Regulation of Interception of Communications and Provision of Communication Related Information Act 70 of 2002
13. Promotion of Access to Information Act 2 of 2000
14. Protection of Personal Information Act 4 of 2013
15. Unemployment Insurance Act 30 of 1966
16. Unemployment Insurance Contributions Act 4 of 2002
17. Value Added Tax Act 89 of 1991

13. APPROVAL

SIGNED ON BEHALF OF THE COMPANY ON THIS ____ DAY OF _____ 20__.

IZAK VAN DER MERWE
Information Officer

ANNEXURE A

FORM 1

REQUEST FOR A COPY OF THE GUIDE

[Regulations 3]

TO: The Information Officer

I,

Full names:	ef			
In my capacity as (mark with "x"):	Information officer		Other	
Name of *public/private body (if applicable)				
Postal Address:				
Street Address:				
E-mail Address:				
Facsimile:				
Contact numbers:	Tel.(B):		Cellular:	

Hereby request the following copy (ies) of the Guide:

Language (mark with "X")		No of copies	Language (mark with "X")		No of copies
	Sepedi			Sesotho	
	Setswana			siSwati	
	Tshivenda			Xitsonga	
	Afrikaans			English	
	isiNdebele			isiXhosa	
	isiZulu				

Manner of collection (mark with "x"):

Personal collection	Postal address	Facsimile	Electronic communication (Please specify)

Signed at _____ this _____ day of _____ 20 _____

Signature of requester

ANNEXURE B

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			

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 <i>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.</i>	
Indicate which right is to be exercised or protected	

Page 3 of 4

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	

Page 2 of 4

Explain why the record requested is required for the exercise or protection of the aforementioned right:	

FEES	
a)	<i>A request fee must be paid before the request will be considered.</i>
b)	<i>You will be notified of the amount of the access fee to be paid.</i>
c)	<i>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.</i>
d)	<i>If you qualify for exemption of the payment of any fee, please state the reason for exemption</i>
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 (Please specify)

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

Reference number:	
Request received by: (State Rank, Name And Surname of Information Officer)	
Date received:	
Access fees:	
Deposit (if any):	

Signature of Information Officer

ANNEXURE C

14 No. 42110

GOVERNMENT GAZETTE, 14 DECEMBER 2018

FORM 2

**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, 2018
[Regulation 3]

Note:

1. Affidavits or other documentary evidence as applicable in support of the request may 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.
3. Complete as is applicable.

Mark the appropriate box with an "x".

Request for:

☐

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
Name(s) and surname / registered name of data subject:	
Unique identifier/ Identity Number:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number/E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname / registered name of responsible party:	
Residential, postal or business address:	
	Code ()
Contact number(s):	

Fax number/ E-mail address:	
C	INFORMATION TO BE CORRECTED/DELETED/ DESTRUCTED/ DESTROYED
D	REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(a) WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY ; and or REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(b) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN. <i>(Please provide detailed reasons for the request)</i>

Signed at this day of20.....

.....
Signature of data subject/ designated person