



INFORMATION MANUAL

published in terms of

**SECTION 51 OF THE
PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000
("PAIA")**

and to address the requirements of the

**PROTECTION OF PERSONAL INFORMATION ACT NO 4 OF 2013
("POPIA")**

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		Revision:	01
		Date:	6 July 2022
		Status:	Final

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1. INTERPRETATION

In this document, clause headings are for convenience and shall not be used in its interpretation unless the context clearly indicates a contrary intention

1.1. an expression which denotes –

- 1.1.1 any gender includes the other genders;
- 1.1.2 a natural person includes an artificial or juristic person and vice versa;
- 1.1.3 the singular includes the plural and vice versa;

1.2 the following expressions shall bear the meanings assigned to them below and cognate expressions bear corresponding meanings –

- 1.2.1 **"this document"** - this document together with all of its annexures, as amended from time to time;
- 1.2.2 **"the Company"** - Abe Bosman Attorneys ("ABA")
- 1.2.3 **"the Deputy Information Officer"** - the person duly authorised by the Head of the Company and appointed to assist the Head of the Company with any request in terms of the PAIA as well as facilitate compliance with POPIA
- 1.2.4 **"PAIA"** - Promotion of Access to Information Act No. 2 of 2000, as amended from time to time;
- 1.2.5 **"POPIA"** - Protection of Personal Information Act 4 of 2013, as amended from time to time.
- 1.2.6 **"the Privacy Policy"** - is the document that explains and regulates how we obtain, use and disclose your personal information, in accordance with the requirements of the POPIA.

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- 1.3 any reference to any statute, regulation or other legislation shall be a reference to that statute, regulation or other legislation as at the signature date, and as amended or substituted from time to time;
- 1.4 if any provision in a definition is a substantive provision conferring a right or imposing an obligation on any party then, notwithstanding that it is only in a definition, effect shall be given to that provision as if it were a substantive provision in the body of this document;
- 1.5 where any term is defined within a particular clause other than this, that term shall bear the meaning ascribed to it in that clause wherever it is used in this document;
- 1.6 where any number of days is to be calculated from a particular day, such number shall be calculated as excluding such particular day and commencing on the next day. If the last day of such number so calculated falls on a day which is not a business day, the last day shall be deemed to be the next succeeding day which is a business day;
- 1.7 any reference to days (other than a reference to business days), months or. years shall be a reference to calendar days, months or years, as the case may be;
- 1.8 the use of the word "including" followed by a specific example/s shall not be construed as limiting the meaning of the general wording preceding it and the *eiusdem generis* rule shall not be applied in the interpretation of such general wording or such specific example/s;
- 1.9 insofar as there is a conflict in the interpretation of or application of this document and the sections of the PAIA Act; the PAIA Act shall prevail;
- 1.10 this document does not purport to be exhaustive of or comprehensively deal with every procedure provided for in the PAIA. A requester is advised to familiarise his/her/itself with the provisions of the PAIA before lodging any request with the company.

2. INTRODUCTION

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- 2.1. Abe Bosman Attorneys (“**ABA**”) conducts business as a boutique law firm specialising in occupational health, safety and environmental legal compliance.
- 2.2. This Promotion of Access to Information Manual (“the Manual”) provides an outline of the type of records and the personal information it holds, and explains how to submit requests for access to these records in terms of the Promotion of Access to Information Act 2 of 2000 (“PAIA”). In addition, it explains how to access, or object to, personal information held by the Company, or request correction of the personal information, in terms of paragraphs 23 and 24 of the Protection of Personal Information Act 4 of 2013 (“POPIA”).
- 2.3. PAIA and POPIA give effect to everyone’s constitutional right of access to information held by private sector or public bodies, if the record or personal information 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.
- 2.4. Requests shall be made in accordance with the prescribed procedures, at the rates provided. The forms and fees are detailed in **Paragraphs 10 and 11 below.**

3. AVAILABILITY OF DOCUMENTS

3.1. Availability of this PAIA Manual

This manual is published on the Company website at www.abebosman.co.za or alternatively, a copy can be requested from the **Head of the Company** or the **Deputy Information Officer** (see their contact details in paragraph 5 below).

3.2. Availability of Guidelines to PAIA and POPIA

Guidelines to the PAIA and POPIA Acts can be obtained and queries directed to:

PAIA	POPIA
Information Regulator P.O. Box 31533 Braamfontein	Information Regulator P.O. Box 31533 Braamfontein

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Fax : +27 86 672 2343

Email : abemel@netactive.co.za

Deputy Information Officer : Mr. Brigs Connor Venter

Cell phone : +27 82 337 5837

Fax : +27 86 672 2343

Email : legal@abebosman.co.za

6. RECORDS AUTOMATICALLY AVAILABLE - SECTION 51(1)(C)

The following records are automatically available at the registered office of ABA on payment of the prescribed fee for reproduction:

6.1. The following records are automatically available to **employees** and do not need to be requested in accordance with the procedure outlined in [paragraph 10](#) below -

- 6.1.1. personnel records are available to the employee whose file it is;
- 6.1.2. records of disciplinary hearings and related matters are available to the employee concerned;
- 6.1.3. the company's policies and procedures manual;
- 6.1.4. the company's document format manual.

6.2. The following records are automatically available to the **general public and employees**, and do not need to be requested in accordance with the procedure outlined in [paragraph 10](#) below -

- 6.2.1. the company's employment equity plan;
- 6.2.2. the company's skills development plan.

7. SUBJECTS AND CATEGORIES OF RECORDS AVAILABLE ON REQUEST

7.1. This clause serves as a reference to the categories of data subjects and personal information that ABA holds and/or processes for operational purposes and requirements.

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7.2. Take note: the accessibility of the records may be subject to the grounds of refusal set out in this PAIA manual. Amongst other, records deemed confidential on the part of a third party, will necessitate permission from the third party concerned, in addition to normal requirements, before ABA will consider access.

Categories of Data Subjects	Personal Information processed
Customers and potential customers	Customer personal information Customer contracts and warranties Customer location information
Suppliers	Supplier personal information Personal information of supplier representatives
Employees	Employee personal information Employee medical information Employee disability information Employee Pension and Provident Fund Information Employee contracts Employee performance records Payroll records Electronic access records Physical access records Surveillance records Health and safety records Training records Employment history Time and attendance records
Job applicants	Curriculum vitae and application forms Criminal checks Background checks

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8. RECORDS HELD IN TERMS OF OTHER LEGISLATION – SECTION 51(1)(D)

8.1. Where applicable to its operations, ABA also retains records and documents in terms of the legislation listed below. Unless disclosure is prohibited in terms of legislation, regulations, contractual agreements or otherwise, records that are required to be made available in terms of these acts shall be made available for inspection by interested parties in terms of the requirements and conditions of PAIA.

8.2. The following records are therefore **not** automatically available unless a request is made in terms of PAIA, in relation to documents concerning compliance by the company, insofar as it may be necessary, with legal obligations in terms of the following non-exhaustive list:

- 8.2.1. Attorneys Act, No. 52 of 1979;
- 8.2.2. Auditing Professions Act, No 26 of 2005;
- 8.2.3. Basic Conditions of Employment Act, No 75 of 1997;
- 8.2.4. Broad-Based Black Economic Empowerment Act, No 75 of 1997;
- 8.2.5. Business Act, No 71 of 1991;
- 8.2.6. Companies Act, No 71 of 2008;
- 8.2.7. Compensation for Occupational Injuries & Diseases Act, 130 of 1993;
- 8.2.8. Competition Act, No. 70 of 2008;
- 8.2.9. Constitution of the Republic of South Africa 2008;
- 8.2.10. Copyright Act, No 98 of 1978;
- 8.2.11. Customs & Excise Act, 91 of 1964;
- 8.2.12. Electronic Communications Act. No 36 of 2005;
- 8.2.13. Electronic Communications and Transactions Act, No 25 of 2002;
- 8.2.14. Employment Equity Act, No 55 of 1998;
- 8.2.15. Financial Intelligence Centre Act, No 38 of 2001;
- 8.2.16. Identification Act, No 68 of 1997;
- 8.2.17. Income Tax Act, No 58 of 1962;
- 8.2.18. Intellectual Property Laws Amendment Act, No 38 of 1997;
- 8.2.19. Labour Relations Act, No 66 of 1995;
- 8.2.20. Long Term Insurance Act, No 52 of 1998;
- 8.2.21. National Environmental Management Act No. 107 of 1998;
- 8.2.22. Occupational Health & Safety Act, No 85 of 1993;

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- 8.2.23. Pension Funds Act, No 24 of 1956;
- 8.2.24. Prescription Act, No 68 of 1969;
- 8.2.25. Prevention of Organised Crime Act, No 121 of 1998;
- 8.2.26. Promotion of Access to information Act, No 2 of 2000;
- 8.2.27. Protection of Personal Information Act, No 4 of 2013;
- 8.2.28. Regulation of Interception of Communications and Provision of Communication-Related Information Act 70 of 2002;
- 8.2.29. Revenue laws Second Amendment Act. No 61 of 2008;
- 8.2.30. Skills Development Levies Act No. 9 of 1999;
- 8.2.31. Short-term Insurance Act No. 53 of 1998;
- 8.2.32. Trust Property Control Act No 57 of 1988;
- 8.2.33. Unemployment Insurance Contributions Act 4 of 2002;
- 8.2.34. Unemployment Insurance Act No 30 of 1966;
- 8.2.35. Value Added Tax Act 89 of 1991.

8.3. Although we have used our best endeavours to supply a list of applicable legislation, it is possible that this list may be incomplete. Whenever it comes to our attention that existing or new legislation allows a Requester access on a basis other than as set out in PAIA, we shall update the list accordingly. If a Requester believes that a right of access to a record exists in terms of other legislation listed above or any other legislation, the Requester is required to indicate what legislative right the request is based on, to allow the Information Officer the opportunity of considering the request in light thereof.

9. PROCESSING OF PERSONAL INFORMATION

ABA takes the privacy and protection of personal information very seriously and will only process personal information in accordance with the current South African privacy legislation. Accordingly, the relevant personal information privacy principles relating to the processing thereof (including, but not limited to, the collection, handling, transfer, sharing, correction, storage, archiving and deletion) will be applied to any personal information processed by ABA.

9.1. The purpose for processing personal information

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We process personal information for a variety of purposes, including but not limited the following:

- 9.1.1. to provide or manage any information, products and/or services requested by data subjects;
- 9.1.2. to help us identify data subjects when they contact ABA;
- 9.1.3. to maintain customer records;
- 9.1.4. to maintain customer vehicle records;
- 9.1.5. for recruitment purposes;
- 9.1.6. for employment purposes;
- 9.1.7. for apprenticeship purposes;
- 9.1.8. for travel purposes;
- 9.1.9. for general administration, financial and tax purposes;
- 9.1.10. for legal or contractual purposes;
- 9.1.11. for health and safety purposes;
- 9.1.12. to monitor access, secure and manage our premises and facilities;
- 9.1.13. to transact with our suppliers and business partners;
- 9.1.14. to help us improve the quality of our products and services;
- 9.1.15. to help us detect and prevent fraud and money laundering;
- 9.1.16. to help us recover debts;
- 9.1.17. to carry out analysis and customer profiling; and
- 9.1.18. to identify other products and services which might be of interest to data subjects and to inform them about our products and services.

See [Part 1 of Appendix 2](#).

9.2. **Categories of data subjects and personal information processed by ABA**

See [Part 2 of Appendix 2](#) which sets out the various categories of Data Subjects that ABA may processes personal information on, and the types of personal information relating thereto.

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9.3. **Recipients or categories of recipients with whom personal information is shared**

We may share the personal information of our data subjects for any of the purposes outlined in paragraph 9.2, with the following:

- 9.3.1. our carefully selected business partners who provide products and services under one of our brands; and
- 9.3.2. our service providers and agents who perform services on our behalf.

See [Part 3 of Appendix 2](#)

9.4. **Information security measures to protect personal information**

- 9.4.1. Reasonable technical and organisational measures have been implemented for the protection of personal information processed by ABA and its operators. In terms of POPIA, operators are third parties that process personal information on behalf of ABA.
- 9.4.2. We continuously implement and monitor technical and organisational security measures to protect the personal information we hold, against unauthorised access, as well as accidental or wilful manipulation, loss or destruction.
- 9.4.3. We will take steps to ensure that operators that process personal information on behalf of ABA apply adequate safeguards as outlined above.

See [Part 5 of Appendix 2](#)

9.5. **Trans-border flows of personal information**

- 9.5.1. We will only transfer personal information across South African borders if the relevant business transactions or situation requires trans-border processing, and will do so only in accordance with South African legislative requirements; or if the data subject consents to transfer of their personal information to third parties in foreign countries.

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9.5.2. We will take steps to ensure that operators are bound by laws, binding corporate rules or binding agreements that provide an adequate level of protection and uphold principles for reasonable and lawful processing of personal information, in terms of POPIA.

9.5.3. We will take steps to ensure that operators that process personal information in jurisdictions outside of South Africa, apply adequate safeguards as outlined in paragraph 9. 4 above.

See [Part 4 of Appendix 2](#)

9.6. **Personal information received from third parties**

When we receive personal information from a third party on behalf of a data subject, we require confirmation that they have written consent from the data subject that they are aware of the contents of this PAIA Information Manual as well as our Privacy Policy and do not have any objection to our processing their information in accordance with this Document.

9.7. **Objection to the Processing of Personal Information by a Data Subject**

Section 11 (3) of POPIA and Regulation 2 of the POPIA Regulations provides that a Data Subject may, at any time object to the Processing of his/her/its Personal Information in the prescribed form attached to this manual as [Appendix 3](#) subject to exceptions contained in POPIA.

9.8. **Request for correction or deleting of Personal Information**

Section 24 of POPI and regulation 3 of the POPI Regulations provides that a Data Subject may request for their Personal Information to be corrected/deleted in the prescribed form attached as [Appendix 4](#) to this Manual.

10. **HOW TO REQUEST INFORMATION NOT AUTOMATICALLY AVAILABLE**

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- 10.1. A request shall be made on the prescribed form. A copy of the form is attached marked [Appendix 1](#) ("**the Prescribed Form**"). The form is also available from the website of the Information Regulator at <https://www.justice.gov.za/inforeg/>.
- 10.2. The prescribed form shall be submitted to the Deputy Information Officer at his address, telefax number or e-mail address, who shall hand it to the Head of the Company.
- 10.3. The same procedure as set out in 10.1 and 10.2 applies if the requester is requesting information on behalf of another person or on behalf of a permanent employee of the company.
- 10.4. The Head of the Company, as soon as reasonably possible and within thirty days after the request has been received, shall decide whether or not to grant the request.
- 10.5. The requester will be notified of the decision of the Head of the Company or the Deputy Information Officer in the manner indicated by the requester.
- 10.6. If the request is granted, the requester shall be informed by the Head of the Company or the Deputy Information Officer in the manner indicated by the requester in the prescribed form.
- 10.7. Notwithstanding the foregoing, the company will advise the requester in the manner stipulated by the requester in the prescribed form of –
- 10.7.1. the access fee to be paid for the information (in accordance with paragraph 11 below);
 - 10.7.2. the format in which access will be given; and
 - 10.7.3. the fact that the requester may lodge an appeal with a court of competent jurisdiction against the access fee charged or the format in which access is to be granted.
- 10.8. After access is granted, actual access to the record requested will be given as soon as reasonably possible.

10.9. If the request for access is refused, the Head of the Company or the Deputy Information Officer shall advise the requester in writing of the refusal. The notice of refusal shall state –

10.9.1. adequate reasons for the refusal;

10.9.2. that the requester may lodge an appeal with a court of competent jurisdiction against the refusal of the request (including the period) for lodging such an appeal.

10.10. Upon the refusal by the Head of the Company or the Deputy Information Officer, the deposit paid by the requester will be refunded.

10.11. If the Head of the Company or the Deputy Information Officer fails to respond within thirty days after a request has been received, it is deemed, in terms of section 58 read together with section 56(1) of PAIA, that the Head of the Company, or the Deputy Information Officer has refused the request.

10.12. The Head of the Company may decide to extend the period of thirty day ("**original period**") for another period of not more than thirty days if –

10.12.1. the request is for a large number of records;

10.12.2. the search for the records is to be conducted at premises not situated in the same town or city as the head office of the company;

10.12.3. consultation among divisions or departments, as the case may be, of the company is required;

10.12.4. the requester consents to such an extension in writing; and

10.12.5. the parties agree in any other manner to such an extension.

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

10.14. The requester may lodge an appeal with a court of competent jurisdiction against any extension or against any procedure set out in this paragraph.

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11. FEES PAYABLE

- 11.1. The fees for reproduction of a record as referred to in section 52(3) of the PAIA Act are as follows—
- 11.1.1. for every photocopy of an A4 size page or part thereof R1,10
 - 11.1.2. for every printed copy of an A4-size page or part thereof R0,75
 - 11.1.3. for a copy of a compact disc R70,00
 - 11.1.4. for a transcript of visual images for an A4 size page or part thereof R40,00
 - 11.1.5. for a copy of visual images R60,00
 - 11.1.6. for a transcript of an audio record, for an A4-size page or part thereof R20,00
 - 11.1.7. for a copy of an audio record R30,00
- 11.2. The request fee payable by a requester, other than a personal requester is R50, 00.
- 11.3. If the Head of the Company or the Deputy Information Officer is of the opinion that six hours will be exceeded to search, reproduce and/or prepare the information requested, a deposit is payable for each hour or part thereof, exceeding the six hours.

12. INFORMATION OR RECORDS NOT FOUND

- 12.1. If all reasonable steps have been taken to find a record, and such a record cannot be found or if the records do not exist, then the Head of the Company or the Deputy Information Officer shall notify the requester, by way of an affidavit or affirmation, that it is not possible to give access to the requested record.
- 12.2. The affidavit or affirmation shall provide a full account of all the steps taken to find the record or to determine the existence thereof, including details of all communications by the Head of the Company or the Deputy Information Officer with every person who conducted the search.
- 12.3. The notice, as set out in 12.1, shall be regarded as a decision to refuse a request for access to the record concerned for the purposes of PAIA.

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- 12.4. If the record in question should later be found, the requester shall be given access to the record in the manner stipulated by the requester in the prescribed form unless access is refused by the Head of the Company or the Deputy Information Officer.
- 12.5. The attention of the requester is drawn to the provisions of Chapter 4 of Part 3 of PAIA in terms of which the company may refuse, on certain specified grounds, to provide information to a requester.

13. INFORMATION REQUESTED ABOUT A THIRD PARTY

- 13.1. Section 71 of PAIA makes provision for a request for information or records about a third party.
- 13.2. In considering such a request, the company will adhere to the provisions of sections 71 to 74 of PAIA.
- 13.3. The attention of the requester is drawn to the provisions of Chapter 5 of Part 3 of PAIA in terms of which the company is obliged, in certain circumstances, to advise third parties of requests lodged in respect of information applicable to or concerning such third parties. In addition, the provisions of Chapter 2 of Part 4 of PAIA entitles third parties to dispute the decisions of the Head of the Company or the Deputy Information Officer by referring the matter to the High Court.

14. UPDATING MANUAL

The Company may update this manual every six months or at such intervals as may be necessary.

15. REMEDIES

The Company does not have internal appeal procedures regarding PAIA and POPIA requests. As such, the decision made by the duly authorised persons in paragraph 5 above, is final. If a request is denied, the requestor is entitled to apply to a court with appropriate jurisdiction, or the Information Regulator for relief.

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Appendix 1: Access Request Form

FORM C 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)

A. Particulars of private body

The Head:

--

B. Particulars of person requesting access to the record

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

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

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

--

C. Particulars of person on whose behalf request is made

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

Full names and surname:	
Identity number:	

D. Particulars of record

- (a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.
- (b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

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

--

2. Reference number, if available:

--

3. Any further particulars of record:

E. Fees

- (a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.
- (b) You will be notified of the amount required to be paid as the request fee.
- (c) The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.
- (d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

F. Form of access to record

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

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

NOTES

- (a) Compliance with your request for access in the specified form may depend on the form in which the record is available.
- (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
- (c) The fee payable for access to the record, if any, will be determined party by the form in which access is requested.

1. If the record is in written or printed form:					
	Copy of record*		Inspection of record		
2. If record consists of visuals images – (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):					
	View the images		Copy of images*		Transcription of images*
3. If record consists of recorded words or information which can be reproduced in sound:					
	Listen to the soundtrack (audio cassette)		Transcription of soundtrack*(written or printed document)		
4. if record is held on computer or in an electronic or machine-readable form:					
	Printed copy of record*		Printed copy of information derived from the record*		Copy in computer readable form*

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					(stiffy or compact disc)
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*If you requested a copy of 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 folio and attach it to this form.

The requester must sign all the additional folios.

1. Indicate which right is to be exercised or protected:

--

2. 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 aton this day..... of.....
year.....

.....
Signature of Requester / Person on Whose Behalf Request if Made

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Appendix 2: Part 1

Processing of Personal Information in Accordance with POPIA

For Consumers:

- a. Performing duties in terms of any agreement with consumers
- b. Make, or assist in making, credit decisions about consumers
- c. Operate and manage consumers accounts and manage any application, agreement or correspondence consumers may have with ABA
- d. Communicating (including direct marketing) with consumers by email, SMS, letter, telephone or in any other way about ABA's products and services, unless consumers indicate otherwise
- e. To form a view of consumers as individuals and to identify, develop or improve products, that may be of interest to consumers
- f. Carrying out market research, business and statistical analysis
- g. Performing other administrative and operational purposes including the testing of systems
- h. Recovering any debt consumers may owe the ABA
- i. Complying with the ABA regulatory and other obligations
- j. Any other reasonably required purpose relating to the ABA business

For prospective consumers:

- a. Verifying and updating information
- b. Pre-scoring
- c. Direct marketing
- d. Any other reasonably required purpose relating to the processing of a prospect's personal information reasonably related to the ABA's business.

For employees:

- a. The same purposes as for consumers (above)
- b. Verification of applicant employees' information during recruitment process
- c. General matters relating to employees:
 - i. Pension
 - ii. Medical Plan

- iii. Payroll
- iv. Disciplinary action
- v. Training
- d. Any other reasonably required purposes relating to the employment or possible employment relationship.

For vendors/suppliers/other businesses:

- a. Verifying information and performing checks;
- b. Purposes relating to the agreement or business relationship or possible agreement or business relationships between the parties;
- c. Payment of invoices;
- d. Complying with the ABA's regulatory and other obligations; and
- e. Any other reasonably required purpose relating to the ABA business.

For vendors/suppliers/other businesses:

- a. Verifying information and performing checks;
- b. Purposes relating to the agreement or business relationship or possible agreement or business relationships between the parties;
- c. Payment of invoices;
- d. Complying with the ABA's regulatory and other obligations; and
- e. Any other reasonably required purpose relating to the ABA business.

Appendix 2: Part 2

Categories of Data Subjects and Categories of Personal Information relating thereto

Employees

- a. Name and contact details
- b. Identity number and identity documents including passports
- c. Employment history and references
- d. Banking and financial details
- e. Details of payments to third parties (deductions from salary)
- f. Employment contracts
- g. Employment equity plans
- h. Medical air records
- i. Pension fund records
- j. Remuneration/salary records
- k. Performance appraisals
- l. Disciplinary records
- m. Leave records
- n. Training records

Consumers and prospective consumers (which may include employees)

- a. Postal and/or street address
- b. Title and name
- c. Contact numbers and/or e-mail address
- d. Ethnic group
- e. Employment history
- f. Age
- g. Gender
- h. Marital status
- i. Nationality
- j. Language
- k. Financial information
- l. Identity passport number
- m. Browsing habits and click patterns on ABA websites.

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Vendors / suppliers / other businesses:

- a. Name and contact details
- b. Identity and/or company information and director`s information
- c. Banking and financial information
- d. Information about products or services
- e. Other information not specified, reasonably required to be processed for business operations

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Appendix 2: Part 3

Recipients of Personal Information

- a. Any firm, organisation or person that the ABA uses to collect payments and recover debts or to provide a service on its behalf;
- b. Any firm, organisation or person that/who provides the ABA with products or services;
- c. Any payment system the ABA uses.
- d. Regulatory and governmental authorities or ombudsmen, or other authorities, including tax authorities, where ABA has a duty to share information;
- e. Third parties to whom payments are made on behalf of employees;
- f. Financial institution from whom payments are received on behalf of data subjects;
- g. Any other operator not specified;
- h. Employees, contractors and temporary staff, and
- i. Agents.

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Appendix 2: Part 4

Cross border transfers of Personal Information

Personal Information may be transmitted transborder to ABA's suppliers and / or contractors in other countries, and Personal Information may be stored in data servers hosted outside South Africa, which may not have adequate data protection laws. ABA will endeavour to ensure that its dealers and suppliers will make all reasonable efforts to secure said data and Personal Information.

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Appendix 2: Part 5

Description of information security measures

ABA undertakes to institute and maintain the data protection measures to accomplish the following objectives outlines below. The details given are to be interpreted as examples of how to achieve an adequate data protection level for each objective, ABA may use alternative measures and adapt to technological security development, as needed, provided that the objectives are achieved.

1. Access Control of Persons

ABA shall 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

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

3. Data Memory Control

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

4. User Control

ABA shall implement suitable measures to prevent its data processing systems from being used by unauthorised persons by means of data transmission equipment.

5. Access Control to Data

ABA represents that the persons entitled to use ABA's data processing system is only able to access the data within the scope and to the extent covered by their respective access permissions (authorisation).

6. *Transmission Control*

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

7. *Transport Control*

ABA shall 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. *Organisation Control*

ABA shall maintain its internal organisation in a manner that meets the requirements of this Manual.

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Appendix 3:
Objection to the Processing of Personal Information

(in terms of Section 11(3) of the Protection of Personal Information Act, 2013, read with the Regulations Relating to The Protection of Personal Information, 2018)

Note:

- 1 Affidavits or other documentary evidence as applicable in support of the objection 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

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

Fax number / E-mail address:	
C	REASON FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f) (Please provide detailed reasons for the objection)

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Appendix 4:
**Request for Correction of Deleting of Personal Information or Destroying or Deleting of
Record of Personal Information**

**(in terms of Section 24(1) of the Protection of Personal Information Act, 2013, read
with the Regulations Relating to the Protection of Personal Information, 2018**

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 Data Subject
Name(s) and surname / registered name of data subject:	
Unique Identifier / Identity Number	
Residential, postal or business address:	

Contact number(s):	
Fax number / E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname / registered name of data subject:	
Residential, postal or business address:	
Contact number(s):	
Fax number / E-mail address:	
C	Reasons for Objection in Terms of Section 11(1)(D) to (F) (Please Provide Detailed Reasons for the Objection)

D	Reasons for *Correction or Deleting 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
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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. (Please Provide Detailed Reasons for the Request)