

Protection Of Personal Information POPI Manual

ASCZA-MAN-POPI-20210528

Version 1.0

ARCHIBUS Solutions Centre South Africa
(“ASCZA”)

Configuration Control

Signatories of this Document indicate that they have read this document and understand that through their approval they confirm their support for this manual.

Document Approval / Review

Table 1 – Review / Approval

Title	Approver Name / Reviewed By	Signature
CEO	Leon Truter	
COO / Information Officer	Debbie Craayenstein	
Application Support Manager / Deputy Information Officer	Annelie Wessels	
HR Manager	Juanitha Grobler	
Chief Business Development Manager	JC Swanepoel	

Document History

Table 2 - Document History

Revision	Date	Change Summary	Prepared By
V 1.0	2021-06-28	Creation	Debbie Craayenstein

Referenced Policies and Procedures

Table 3 – Referenced policies and procedures.

Link	Document Name	Status
THE POPI ACT	Protection of Personal Information Act (POPIA) Act no 4 of 2013	Promulgated
POPIA REGULATIONS	Protection of Personal Information Act, 2013 (Act No. 4 Of 2013): Regulations Relating to The Protection of Personal Information	Promulgated
ASCZA-Pol-POPI	ASCZA Policy on the Protection of Personal Information	Promulgated

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1 Introduction

- 1.1 The Protection of Personal Information Act (POPIA) Act no 4 of 2013 was promulgated on 19 November 2013. The purpose of this Act is stated in the act as to:
 - 1.1.1 Give effect to the constitutional right to privacy, by safeguarding personal information when processed by a responsible party, subject to justifiable limitations that are aimed at—
 - 1.1.1.1 balancing the right to privacy against other rights, particularly the right of access to information; and
 - 1.1.1.2 protecting important interests, including the free flow of information within the Republic and across international borders.
 - 1.1.2 Regulate the way personal information may be processed, by establishing conditions, in harmony with international standards, that prescribe the minimum threshold requirements for the lawful processing of personal information.
 - 1.1.3 Provide persons with rights and remedies to protect their personal information from processing that is not in accordance with this Act; and
 - 1.1.4 Establish voluntary and compulsory measures, including the establishment of an Information Regulator, to ensure respect for and to promote, enforce and fulfil the rights protected by this Act.
- 1.2 All public and private bodies must fully comply to this act by 01 July 2021.
- 1.3 The Information Regulator has, under section 112(2) of the Protection of Personal Information Act, 2013 (Act No. 4 of 2013), made the following regulations: Protection of Personal Information Act, 2013 (Act No. 4 Of 2013): Regulations Relating to The Protection of Personal Information. These regulations specify certain procedural and formatting requirement related to the Act.

2 Purpose

The purpose of this manual is to communicate to parties external to ASCZA, important procedural requirements related to the Act, within the context of the ASCZA business model.

3 Scope

- 3.1 The scope of this manual is to provide the procedural and formatting requirement for:
 - 3.1.1 An objection to the processing of personal information.
 - 3.1.2 A request for correction or deletion of personal information or destruction or deletion of record of personal information.
 - 3.1.3 The submission of a complaint.

4 Objection to the processing of personal information

- 4.1 A data subject who wishes to object to the processing of personal information in terms of section 11(3)(a) of the Act, must submit the objection to the responsible party on **Form 1**. See annexure A.
- 4.2 The form must be mailed to POPI@ascza.co.za
- 4.3 The responsible party, or a designated person, must render such reasonable assistance as is necessary, free of charge, to enable the data subject to make an objection on **Form 1**.

5 Request for correction or deletion

Request for correction or deletion of personal information or destruction or deletion of record of personal information:

- 5.1 A data subject who wishes to request a correction or deletion of personal information or the destruction or deletion of a record of personal information in terms of section 24(1) of the Act, must submit a request to the responsible party on **Form 2**. See annexure B.
- 5.2 The form must be mailed to POPI@ascza.co.za
- 5.3 The responsible party, or a designated person, must render such reasonable assistance, as is necessary free of charge, to enable a data subject to complete **Form 2**.

6 Submission of complaint

- 6.1 Any person who wishes to submit a complaint contemplated in section 74(1) of the Act must submit such a complaint to the Regulator on **Part I of Form 5**. See annexure C.
- 6.2 A responsible party or a data subject who wishes to submit a complaint contemplated in section 74(2) of the Act must submit such a complaint to the Regulator on **Part II of Form 5**. See annexure C.

Annexure A: Form 1

FORM 1
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, 2018
[Regulation 2]

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:	
	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	REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f) (Please provide detailed reasons for the objection)

Signed at this day of20.....

.....

Signature of data subject/designated person

Annexure B: Form 2

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/ DESTROYED/ 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. (Please provide detailed reasons for the request)

Signed at this day of20.....

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

Annexure C: Form 5

FORM 5

COMPLAINT REGARDING INTERFERENCE WITH THE PROTECTION OF PERSONAL INFORMATION/COMPLAINT REGARDING DETERMINATION OF AN ADJUDICATOR IN TERMS OF SECTION 74 OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018 [Regulation 7]

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".

Complaint regarding:

Alleged interference with the protection of personal information

Determination of an adjudicator.

PART I	ALLEGED INTERFERENCE WITH THE PROTECTION OF THE PERSONAL INFORMATION IN TERMS OF SECTION 74(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (Act No. 4 of 2013)
A	PARTICULARS OF COMPLAINANT
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	PARTICULARS OF RESPONSIBLE PARTY INTERFERING WITH PERSONAL INFORMATION
Name(s) and surname/ Registered name of responsible party:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number/ E-mail address:	
C	REASONS FOR COMPLAINT(Please provide detailed reasons for the complaint)

PART II	COMPLAINT REGARDING DETERMINATION OF ADJUDICATOR IN TERMS OF SECTION 74(2) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)
A	PARTICULARS OF COMPLAINANT
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	PARTICULARS OF ADJUDICATOR AND RESPONSIBLE PARTY
Name(s) and surname of adjudicator:	
Name(s) and surname of responsible party /registered name:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number/ E-mail address:	
C	REASONS FOR COMPLAINT (Please provide detailed reasons for the grievance)

Signed at this day of20.....

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