

## PAIA and POPIA Manual

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This manual was prepared in accordance with section 51 of the Promotion of Access to Information Act, 2000 and to address requirements of the Protection of Personal Information Act, 2013.

This manual applies to

**MILLER DU TOIT CLOETE INCORPORATED**

Registration number: 1999/028026/21

(hereinafter Miller Du Toit Incorporated)

**Administered by:**



[Charleskinnear@abcorllp.co.za](mailto:Charleskinnear@abcorllp.co.za) - 066 285 4642



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Version Control

Version	Date	Author/Reviewer	Comment
1.0	13 <sup>th</sup> May 2021	Charles Kinnear	Reviewed for publication, effective from 20 Jan. 2025

## PART A: INTRODUCTION

### A.1. What is the purpose of this Manual?

- A.1.1. Under the Promotion of Access to Information Act 2000 (“PAIA”), **Miller Du Toit Cloete Incorporated** is required to grant individuals access to records held by **Miller Du Toit Cloete Incorporated** if that record is required by the individual to exercise or protect any legal right that individual enjoys under the law.
- A.1.2. Additionally, under the Protection of Personal Information 2013 (“POPIA”), **Miller Du Toit Cloete Incorporated** is required to be open and transparent about how **Miller Du Toit Cloete Incorporated** handles personal information and allow individuals to access and correct their personal information.
- A.1.3. The purpose of this Manual is to set out the information which **Miller Du Toit Cloete Incorporated** is legally required to disclose under PAIA and POPIA, and to explain how you can exercise your statutory rights under PAIA and POPIA with respect to records and personal information handled by **Miller Du Toit Cloete Incorporated**.

### A.2. What is the status and scope of this Manual?

This Manual (version 1.1) was last updated on 13<sup>th</sup> May 2021 and will become effective on **14<sup>th</sup> May 2021**. This Manual may be revised from time to time to reflect changes in laws and regulations, or changes in **Miller Du Toit Cloete Incorporated’s** business operation.

### A.3. Introduction to the Organisation

- A.3.1. This private body is an incorporated company, practising as Attorneys, specialising in family law.

### A.4. What is the Data Subject rights under the Promotion of Access to Information Act, 2000?

- A.4.1. On 9 March 2001, the Promotion of Access to Information Act, became operative, giving effect to the constitutional right of access to any information held by the State and any information that is held by another person and that is required for the exercise or protection of any rights; and to provide for matters connected therewith.
- A.4.2. Under PAIA, everyone has the right to access
- a) any information held by the state; and
  - b) any information that is held by another person and that is required for the exercise or protection of any rights.
- A.4.3. Records **Miller Du Toit Cloete Incorporated** makes available under PAIA is described in **Part C** of this Manual. If you wish to make a request under PAIA to **Miller Du Toit Cloete Incorporated**, please follow the procedure described Section B of this Manual. Please note that your request will be subject to the applicable charges set out in Section B.5.
- A.4.5. You can learn more about your rights under PAIA by contacting the South African Human Rights Commission (“**SAHRC**”) at:

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South African Human Rights Commission  
Braampark Forum 3  
33 Hoofd Street  
Braamfontein  
South Africa

E-Mail: [info@sahrc.org.za](mailto:info@sahrc.org.za)  
Web: <http://www.sahrc.org.za>  
Tel: +27 11 877 3600

A.4.6. SAHRC has produced a detailed guidance on how to exercise your rights under PAIA. This guidance (known as PAIA Section 10 Guide) is available from SAHRC and can be accessed on SAHRC's website.

### A.5. Availability of this manual [S 51(1)(b) – Promotion of Access to Information Act]

- A.5.1. A copy of this manual is available to the public for inspection at our website/registered offices as listed below or on request from the designated contact person.
- A.5.2. **Contact Details [S 51(1)(a)]** - This contact person is responsible for the administration of and compliance with the Act in a fair objective and unbiased manner.

**Contact person name:** Bridget Wippenaar  
**Physical Address:** Suite 1002, 10th Floor, 80 Strand Street, Cape Town, 8001  
**Postal Address:** PO Box 2148, Cape Town, 8000  
**Telephone number:** +27-21-418 0770  
**Email address:** [bridget@mdtcinc.co.za](mailto:bridget@mdtcinc.co.za)  
**Web Site:** <https://www.mdtcinc.co.za/>

### A.6. Description of the guide referred to in section 10, if available, and how to obtain access to it: [S 51(1)(b)(i)]

- A.6.1. The Act 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.
- A.6.2. Requests in terms of the Act shall be made in accordance with the prescribed procedures, at the rates provided.
- A.6.3. Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights.
- A.6.4. The Guide is available from the SAHRC.

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A.6.5. The contact details of the Commission are:

<b>Postal Address:</b>	Private Bag 2700, Houghton, 2041
<b>Telephone number:</b>	+27-11-877 3600
<b>Email address:</b>	+27-11-403 0625
<b>Web Site:</b>	<a href="http://www.sahrc.org.za">www.sahrc.org.za</a>

**A.7. Records that are automatically available without a person having to request access in terms of this Act**

[S 51(1)(b)(ii)]

Inspection in terms of legislation other than this Act	None
Purchase or copying from us	None
From us free of charge	List of Services, information leaflets

**A.8. Description of the records of the body which are available in accordance with any other legislation**

[S 51(1)(b)(iii)]

A.8.1. Although we have used our best endeavors 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.

A.8.2. Records are kept in accordance with the following legislation (this list is not exhaustive):

**(a) Legal Practice Act 28 of 2014**

- All records required by the Act.

**(b) Companies Act 71 of 2008**

- Company’s Memorandum of Incorporation and all amendments
  - Company Incorporation
  - Names of Directors
  - Minutes of Board Meetings
  - Records relating to the appointment of directors / auditor / secretary / public officer and other officers.

**(c) Basic Conditions of Employment Act 75 of 1997**

- record containing the following information Section 31):
  - employee’s name and occupation;
  - time worked (attendance register);
  - remuneration paid (wages register);
  - date of birth if under 18 years of age.

**(d) Occupational Health and Safety Act 85 of 1993**

- A copy of the Occupational Health and Safety Act 85 of 1993

- (e) **Compensation for Occupational Injuries and Diseases Act 130 of 1993**
  - All records required by the Act.
- (f) **Employment Equity Act 55 of 1998**
  - Summary of the Employment Equity Act, 55 of 1998, issued in terms of Section 25(1)
- (g) **Income Tax Act 58 of 1962**
  - All records required by the Act.
- (h) **Labour Relations Act 66 of 1995**
  - Records of disciplinary hearings (if any)
- (i) **Unemployment Insurance Act 30 of 1966**
  - Records detailing the contributions by contributors employed by the employer in respect of earnings paid, time worked, payments made for piece work and overtime.
- (j) **Unemployment Contributions Act 4 of 2002**
  - All records required by the Act.
- (k) **Value Added Tax Act 58 of 1962.**
  - All records required by the Act.
- (l) **Promotion of Access to Information Act 2 of 2000.**
  - All records required by the Act.
- (m) **Protection of Personal Information Act 4 of 2013.**
  - All records required by the Act.
- (n) **Consumer Protection Act 68 of 2008**
  - All records required by the Act.
- (o) **Financial Intelligence Centre Act 38 of 2001**
  - All records required by the Act.
- (p) **Prevention of Organised Crime Act 121 of 1998**
  - All records required by the Act.
- (q) **Protection of Constitutional Democracy against Terrorist and Related Activities Act 33 of 2004**
  - All records required by the Act.

A.8.3. The subjects on which the organisation holds records and the categories on each subject are as listed below. Please note that a requestor is not automatically allowed to these records and that access to them may be refused in accordance with Section 62 of the Act.

- Private Body documents and records
- Operational records
- Constitution
- Strategic planning documents
- Programme Manuals
- Contracts and agreements
- Training manuals
- List of services
- Research documentation and reports Organisational directory.
- Minutes of meetings

### **Financial records**

- Audited financial statements Asset register.
- Order forms, invoices
- Donor database
- Budgets
- Banking accounts and details

### **Personnel documents and records**

- Employment contracts and agreements
- Personnel Policy
- Personnel files (Letter of appointment, educational qualifications, salary scale, leave records, disciplinary records, medical history, performance appraisals and training records)
- Grievance procedures
- Disciplinary procedures
- Pension Fund documentation
- Unemployment Insurance Fund documentation
- Medical Aid documentation

### **Information technology Licenses**

- Software programmes
- Software applications
- External e-mails

## **Part B: Make a Request under PAIA**

### **B.1. How can I make a request to Miller Du Toit Cloete Incorporated under PAIA [S 51(1)(b)(iv)]?**

B.1.1. Records held by **Miller Du Toit Cloete Incorporated** may be accessed on request only once the requirements for access have been met.

B.1.2. A requester is any person making a request for access to a record of **Miller Du Toit Cloete Incorporated** and in this regard, the Act distinguishes between two types of requesters:

#### **B.1.2.1. 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, other statutes and applicable law, as well as the LPC rules and regulations **Miller Du Toit Cloete Incorporated** will provide the requested information, or give access to any record about the requester's personal information. The prescribed fee for reproduction of the information requested will be charged by **Miller Du Toit Cloete Incorporated**.

#### **B.1.2.2. Other Requester**

This requester (other than a personal requester) is entitled to request access to information pertaining to third parties subject to the provisions of this Act, other statutes, applicable law, the Rules and Regulations of the LPC, a court order, attorney/client confidentiality, confidentiality relating to a minor. However,

**Miller Du Toit Cloete Incorporated** 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 **Miller Du Toit Cloete Incorporated**.

## **B.2. How will my PAIA request be processed by Miller Du Toit Cloete Incorporated?**

- B.2.1. A requester must comply with all the procedural requirements contained in the Act relating to a request for access to a record.
- B.2.2. A requester must complete the request form enclosed herewith in Appendix A and submit it, as well as the payment of a request fee, if applicable to the information officer at the physical address, or electronic mail address as stated herein.
- B.2.3. The request form must be filled in with enough information to at least enable the information officer to identify:
- a) The record or records requested.
  - b) The identity of the requester.
  - c) What form of access is required?
  - d) The postal address or fax number of the requester.
- B.2.4. A requester must state that he or she requires the information to exercise or protect a right, and clearly state what the nature of the right is, so to be exercised or protected.
- B.2.5. The requester must also provide an explanation of why the requested record is required for the exercise or protection of that right.
- B.2.6. **Miller Du Toit Cloete Incorporated** will process a request within 30 days, unless the requestor has stated special reasons which would satisfy the information officer that circumstances dictate that this period not be complied with.
- B.2.7. The requester shall be informed in writing whether access has been granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, he or she must state the way it is required.
- B.2.8. If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the information officer.
- B.2.9. If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally to the Information Officer.

## **B.3. Grounds for Refusal of Access to Records in Terms of PAIA.**

The following are the grounds on which **Miller Du Toit Cloete Incorporated** may, subject to the exceptions contained in Chapter 4 of PAIA, and subject to a court order, statutes, applicable law, the LPC Rules and Regulations, attorney/client confidentiality and/or relating to a minor refuse a Request for Access in accordance with Chapter 4 of PAIA:

- B.3.1. 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.



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- B.3.2. 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 **Miller Du Toit Cloete Incorporated**, 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.
- B.3.3. Mandatory protection of confidential information of third parties if it is protected in terms of any agreement.
- B.3.4. Mandatory protection of the safety of individuals and the protection of property.
- B.3.5. Mandatory protection of Records that would be regarded as privileged in legal proceedings.
- B.3.6. Protection of the commercial information of **Miller Du Toit Cloete Incorporated**, 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 **Miller Du Toit Cloete Incorporated**;
  - c) Information which, if disclosed, could put **Miller Du Toit Cloete Incorporated** at a disadvantage in contractual or other negotiations or prejudice **Miller Du Toit Cloete Incorporated** in commercial competition; and/or
  - d) Computer programs which are owned by **Miller Du Toit Cloete Incorporated**, and which are protected by copyright and intellectual property laws.
- B.3.7. Research information of **Miller Du Toit Cloete Incorporated** or a third party, if such disclosure would place the research or the researcher at a serious disadvantage.
- B.3.8. Requests for Records that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources.
- B.3.9. Attorney / Client confidentiality.
- B.3.10. Confidentiality relating to minors; and
- B.3.11. Confidentiality by way of court order.

### **B.4. What if I'm not happy about how Miller Du Toit Cloete Incorporated handled my PAIA/POPIA request?**

- B.4.1. If you are not satisfied about the way in which your request was handled by **Miller Du Toit Cloete Incorporated** (including where you are not happy about the Access Fee charged by **Miller Du Toit Cloete Incorporated** the length of time **Miller Du Toit Cloete Incorporated** is taking to process your request), you can make an application for relief to the Constitutional Court, the High Court or another court of similar status.
- B.4.2. Please note that if you wish to make an application to the court, you will need to do so within 180 days of receiving the relevant decision made by **Miller Du Toit Cloete Incorporated**,

**B.5. What are the charges applicable to my PAIA/POPIA request?**

B.5.1. There are two types of fees which are payable under PAIA, namely Request Fee, and Access Fee.

B.5.2. Request Fee is payable upon making a request to access records/personal information, and it is **R57.00** (inclusive of VAT) for each request. You do not have to pay a Request Fee if:

- a. You are a private individual requesting access to your own records/personal information;
- b. You are single and earning less than R14,812 p/a; or
- c. You are married (or in a life partnership), and earning less than R27,192 p/a.

B.5.3. Access Fee is payable in respect of records/personal information which are produced in response to your request. Access Fee is payable by everyone who makes a request. The rate of Access Fees are as follows:

<b>Type of activity involved in producing the record or personal information</b>	<b>Rate (inc. VAT)</b>
For every photocopy of an A4-size page or part thereof.	R1.25
For every printed copy of an A4-size page or part thereof. Held on a computer or in electronic or machine-readable form.	R0.86
For a copy in a computer-readable form on stiffer disk.	R8.55
For a copy in a computer-readable form on CD.	R79.80
For a transcription of visual images, for an A4-size page or part thereof.	R45.60
For a copy of visual images.	R68.40
For a transcription of an audio record, for an A4-size page or part thereof.	R22.80
For a copy of an audio record.	R34.20
Each hour or part of an hour (excluding the first hour) reasonably required to search for and prepare the record/personal information for disclosure.	R34.20
For posting the record/personal information.	Actual postage incurred
For confirming whether <b>Miller Du Toit Cloete Incorporated</b> handles personal information of the requestor (POPIA s23(1)(a) request)	Free of charge

B.5.4. Please note that:

- a. where Request Fee is payable, your request will not be processed until you pay the Request Fee;
- b. where Access Fee is payable, the record/personal information you requested will not be released until the Access Fee is paid; and

B.5.5. Please also note that if you are not a private individual and if the search for and preparation of the record requested is in **Miller Du Toit Cloete Incorporated**'s view likely to require more than 6 hours of work, **Miller Du Toit Cloete Incorporated** reserves the right to require you to pay 1/3<sup>rd</sup> of the Access Fee up front as a deposit.

## Part C: Protection of Personal Information Act

### C.1. Purpose of the processing [S 51(1)(c)(i)]

Description of category of data subjects	Purpose of the Processing
<b>Employees</b>	<ol style="list-style-type: none"> <li>1. Human Resource Management</li> <li>2. Verification of applicant employees' information during recruitment process</li> <li>3. General matters relating to employees:               <ol style="list-style-type: none"> <li>a. Pension;</li> <li>b. Medical aid;</li> <li>c. Payroll;</li> <li>d. Disciplinary action;</li> <li>e. Training relationship.</li> </ol> </li> <li>4. Any other reasonably required purpose relating to the employment or possible employment</li> </ol>
<b>Clients</b>	<ol style="list-style-type: none"> <li>1. Compliance with FICA.</li> <li>2. Delivering of Service.</li> </ol>
<b>Contact details provided by family law client</b>	<ol style="list-style-type: none"> <li>1. Compliance with FICA.</li> <li>2. Delivering of Service.</li> <li>3. To contact the client about their case under a contract with them or using legitimate interests if the contract is with their employer</li> </ol>
<b>Case information provided by family law client</b>	<ol style="list-style-type: none"> <li>1. Compliance with FICA.</li> <li>2. Delivering of Service.</li> <li>3. To contact the client about their case under a contract with them or using legitimate interests if the contract is with their employer</li> </ol>
<b>Visitors</b>	Security of employees and facilities.
<b>Suppliers, professional advisers and consultants</b>	<ol style="list-style-type: none"> <li>1. Administration of Agreement</li> <li>2. Verifying and updating information</li> <li>3. Performing duties in terms of any agreement.</li> <li>4. Make, or assist in making, credit decisions.</li> <li>5. Operate and manage accounts and manage any application, agreement or correspondence vendors may have with the Organisation.</li> <li>6. Communicating with vendors by email, SMS, letter, telephone or in any other way about the Organisation's the services.</li> <li>7. Performing other administrative and operational purposes including the testing of systems.</li> <li>8. Recovering any debt vendors may owe the Organisation.</li> <li>9. Complying with the Organisation's regulatory and other obligations.</li> <li>10. Any other reasonably required purpose relating to the Organisation business</li> </ol>

**C.2. Categories of data subjects and of the information or categories of information relating thereto**

[S 51(1)(c)(ii)]

Category of data subjects	Information or categories of information relating thereto
<b>Employees</b>	<ol style="list-style-type: none"> <li>1. Full name and identifying particulars.</li> <li>2. Occupation of the employee.</li> <li>3. Remuneration paid.</li> <li>4. Tax which has been deducted.</li> <li>5. Unemployment insurance fund contributions.</li> <li>6. Disciplinary Proceedings.</li> <li>7. Banking Details.</li> </ol>
<b>Clients</b>	<ol style="list-style-type: none"> <li>1. Names.</li> <li>2. Contact details.</li> <li>3. Postal address.</li> <li>4. Date of birth.</li> <li>5. ID number.</li> <li>6. Tax related information.</li> <li>7. Nationality.</li> <li>8. Gender.</li> <li>9. Confidential correspondence.</li> <li>10. Information relating to their matter and their claims (if any)</li> <li>11. Financial information</li> </ol>
<b>Contact details provided by family law client</b>	<ol style="list-style-type: none"> <li>1. Names of contact persons.</li> <li>2. Name of Legal Entity.</li> <li>3. Physical and Postal address and contact details.</li> <li>4. Registration Number.</li> <li>5. Founding document.</li> <li>6. Tax related information.</li> <li>7. Authorised signatories.</li> <li>8. Beneficiaries.</li> </ol>
<b>Case information provided by family law client</b>	<ol style="list-style-type: none"> <li>1. Names of contact persons.</li> <li>2. Name of Legal Entity.</li> <li>3. Physical and Postal address and contact details.</li> <li>4. Registration Number.</li> <li>5. Founding document.</li> <li>6. Tax related information.</li> <li>7. Authorised signatories.</li> <li>8. Beneficiaries.</li> </ol>
<b>Visitors</b>	Full name and identifying particulars
<b>Suppliers, professional advisers and consultants</b>	<ol style="list-style-type: none"> <li>1. Company, Contact Person and Banking Details.</li> <li>2. Professional details.</li> </ol>

**C.3. Planned transborder flows of personal information [S 51(1)(c)(iv)]**

Personal Information may be transmitted transborder to **Miller Du Toit Cloete Incorporated**'s suppliers in other countries, and Personal Information may be stored in data servers hosted outside South Africa, which may not have adequate data protection laws. **Miller Du Toit Cloete Incorporated** will endeavour to ensure that its service providers will make all reasonable efforts to secure said data and Personal Information.

**C.4. General description allowing a preliminary assessment of the suitability of the information security measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information which is to be processed [S 51(1)(c)(v)]**

**C.4.1. Miller Du Toit Cloete Incorporated** undertakes to institute and maintain the data protection measures to accomplish the following objectives outlined below. The details given are to be interpreted as examples of how to achieve an adequate data protection level for each objective. **Miller Du Toit Cloete Incorporated** may use alternative measures and adapt to technological security development, as needed, provided that the objectives are achieved.

**1. Access Control of Persons:**

**Miller Du Toit Cloete Incorporated** 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:**

**Miller Du Toit Cloete Incorporated** undertakes to implement suitable measures to prevent the unauthorized manipulation of media, including reading, copying, alteration or removal of the data media used by **Miller Du Toit Cloete Incorporated** and containing personal information of Customers.

**3. Data Memory Control:**

**Miller Du Toit Cloete Incorporated** 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:**

**Miller Du Toit Cloete Incorporated** 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:**

**Miller Du Toit Cloete Incorporated** represents that the persons entitled to use **Miller Du Toit Cloete Incorporated'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:**

**Miller Du Toit Cloete Incorporated** shall be obliged to enable the verification and tracing of the locations / destinations to which the personal information is transferred by utilization of **Miller Du Toit Cloete Incorporated's** data communication equipment / devices.

**7. Transport Control:**

**Miller Du Toit Cloete Incorporated** 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:**

**Miller Du Toit Cloete Incorporated** shall maintain its internal organisation in a manner that meets the requirements of this Manual.

**C.4.2. Miller Du Toit Cloete Incorporated** is doing this by implementing the following security measures:

- a) Staff awareness program
- b) Policies
- c) Procedure Guidelines
- d) Technical Security Measures
- e) Organisational Security Measures

**Part D: Forms**

**D.1. Access Request Form [A S 51(1)(b)(iv) & 51(1)(e)]**



J752

REPUBLIC OF SOUTH AFRICA

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:	( )		Fax number:	( )									
E-mail address:													

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:

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2. Reference number, if available:

3. Any further particulars of record:



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**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 partly by the form in which access is requested.

1. If the record is in written or printed form:

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	copy of record*		inspection of record		
2. If record consists of visual images - (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):					
	view the images		copy of the images*		transcription of the 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* (stiffy 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
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**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:

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**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		year	
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**Signature of Requester / Person on Whose Behalf Request is Made**

**FEES**

S 51(1)(e) Prescribed Fees

**REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY Section 54(7) of the Promotion of Access to Information Act No 2 of 2000. Regulation 11(3)**

1 PLEASE NOTE THAT ALL PRICES LISTED BELOW ARE INCLUSIVE OF VALUE-ADDED TAX (VAT)

a	For every photocopy of an A4-size page or part thereof	R 1.25
b	For every printed copy of an A4-size page or part thereof held on a computer or in a electronic or machine-readable form	R .85
c	For a copy in a computer-readable form on	R 8.55
	(i) stiffy disc	R79.80
	(ii) compact disc	
d		R45.60
	(i) For a transcription of an aL record, for an A4-size page or part thereof	
	(ii) or a copy of an audio record	R68.40

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e		R22.80
	(i) For a transcription of a record, for an A4-size page or part thereof	
	(ii) For a copy of an audio record	R34.20
f	To search for and prepare the record for disclosure - R34,20 for each hour or part thereof reasonably required for such search and preparation	

**Section 54(2) of the Promotion of Access to Information Act No 2 of 2000.**

**Regulation 11(3)**

2 PLEASE NOTE THAT ALL PRICES LISTED BELOW ARE INCLUSIVE OF VALUE-ADDED TAX (VAT)

- (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.

Section 54(7) of the Promotion of Access to Information Act No 2 of 2000.

Regulation 11(3)

PLEASE NOTE THAT ALL PRICES LISTED ABOVE ARE INCLUSIVE OF VALUE-ADDED TAX (VAT)

The actual postage fee is payable when a copy of a record must be posted to a requester



**D.2. Request for Correction or Deletion of Personal Information or Destroying or Deletion of Record of Personal Information**

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):	



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Fax number/ E-mail address:	
<b>C</b>	<b>INFORMATION TO BE CORRECTED/DELETED/ DESTROYED/ DESTROYED</b>
<b>D</b>	<b>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</b> <b>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.</b> <i>(Please provide detailed reasons for the request)</i>

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

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



D.3. Objection to the Processing of Personal Information

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.

Table with 2 columns: Label (A, B, C) and Details. Section A: DETAILS OF DATA SUBJECT (Name, Unique Identifier, Address, Contact). Section B: DETAILS OF RESPONSIBLE PARTY (Name, Address, Contact). Section C: REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f).



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

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