


	<p align="center"><b>PAIA AND POPIA MANUAL</b> of the National Home Builders Registration Council</p> <p align="center">This manual is prepared in accordance with section 14 of the Promotion of Access to Information Act, 2000 and to address requirements of the Protection of Personal Information Act, 2013.</p>	
<p align="center"><b>MANUAL DETAILS</b></p>	<p>Compilation date</p>	<p>25 June 2021</p>
	<p>Effective date</p>	<p>28 June 2021</p>
	<p>Review date</p>	<p>Annual and <i>Ad Hoc</i></p>
	<p>Version number</p>	<p>0.2</p>

**Approval:**

	
<p>Mathebe Kumalo: <b>Deputy Information Officer</b></p>	<p>Songezo Booi: <b>Information Officer</b></p>
<p>Initials and surname (Manual Owner)</p>	<p>Initials and surname (Chief Executive Officer)</p>
<p>Date: 28 June 2021</p>	<p>Date: 28 June 2021</p>

**Related documents**

This Manual should be read in conjunction with:

1. The Promotion of Access to Information Act 2 of 2000;
2. The Protection of Personal Information Act 4 of 2003;
3. The South African Human Rights Commission guide;
4. The Promotion of Administrative Justice Act 3 of 2000; and
5. The Public Service Act 103 of 1994.

## 1. FORWARD

As South Africa journeys into a new era in respect of **information regulation** with the commencement of the Protection of Personal Information Act 4 of 2013 (**POPIA**) on the **1st of July 2021**, NHBRC remains committed to promoting the Constitutional rights of all to both, **access to information** on the one hand and the **protection of personal information** on the other.

The Promotion of Access to Information Act 2 of 2000 (**PAIA**) gives 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.

POPIA promotes the protection of personal information processed by public and private bodies and regulates the flow of personal information inside and across the borders of the Republic.

In the carrying out of the organisations mandate and operations, NHBRC is required to protect and provide access to information held by NHBRC, in accordance with both POPIA and PAIA.

In compliance with the statutory requirements, NHBRC has revised its PAIA manual. A copy of the revised manual is available on the NHBRC's website entitled *PAIA and POPIA Manual*.

The purpose of the Manual is **to facilitate public access to information** or record(s) in terms of PAIA held by NHBRC as well as **to regulate requests in terms of POPIA relating to personal information**.




---

**Songezo Boo**  
 Information Officer  
 Acting Chief Executive Officer  
 National Home Builders Registration Council  
 Date: 28 June 2021

MANUAL OWNER	MANUAL NAME	DOCUMENT NUMBER	VERSION NO
INFORMATION OFFICER	PAIA AND POPI MANUAL		0.2

## 2. DEFINITIONS

- 2.1. "**access fee**" means a fee payable by a requester for reproduction of the records requested; "**data subject**" means the person to whom personal information relates;
- 2.2. "**Deputy Information Officer**" means a person designated, in writing, by the Information Officer for performance of the powers conferred to the Information Officer in terms of the Act as is necessary to render the NHBRC as accessible as reasonably possible for a person requesting access our records;
- 2.3. "**Human Rights Commission**" means the South African Human Rights Commission referred to in section 181(1) (b) of the Constitution;
- 2.4. "**Information Officer**" means the Chief Executive Officer of the NHBRC or the person who is acting as such, and reference to the Information Officer shall, where appropriate, include Deputy Information Officer;
- 2.5. "**Information Regulator**" means the Information Regulator established in terms of section 39 of the Protection of Personal Information Act 4 of 2013;
- 2.6. "**HCPMA**" means the Housing Consumers Protection Measures Act 95 of 1998;
- 2.7. "**internal appeal**" means an appeal against the decision of the Information Officer, lodged with the relevant authority;
- 2.8. "**relevant authority**", in relation to the NHBRC, means the Council, Minister of Human Settlements or the person designated in writing by the Minister;
- 2.9. "**person**" means a natural person or a juristic person;
- 2.10. "**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 –
- 2.10.1. information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, wellbeing, disability, religion, conscience, belief, culture, language and birth of the person;
- 2.10.2. information relating to the education or the medical, financial, criminal or employment history of the person;
- 2.10.3. any identifying number, symbol, email address, physical address, telephone number, location, information, online identifier or other particular assignment to the person;
- 2.10.4. the biometric information of the person;
- 2.10.5. the personal opinions, views or preferences of the person;
- 2.10.6. 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;
- 2.10.7. the views or opinions of another individual about the person; and the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information

<i>MANUAL OWNER</i>	<i>MANUAL NAME</i>	<i>DOCUMENT NUMBER</i>	<i>VERSION NO</i>
<b>INFORMATION OFFICER</b>	<b>PAIA AND POPI MANUAL</b>		<b>0.2</b>

- about the person;
- 2.11. "**personal requester**" means a requester seeking access to a record containing personal information about the him or herself;
- 2.12. "**public body**" means any Department of State or administration in the national or provincial sphere of government or any municipality in the local sphere of government; or any other functionary or institution when performing public function in terms of any legislation;
- 2.13. "**record**" means any recorded information, regardless of form and medium, in the possession or under the control of the NHBRC, and whether or not it was created by the NHBRC;
- 2.14. "**responsible party**" means a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means for processing Personal Information;
- 2.15. "**request fee**" means a fee payable by a requester, other than a personal requester, for consideration of his or her request by the NHBRC;
- 2.16. "**requester**" means any person (other than a public body) making a request for access to a record of the NHBRC; or a person acting on behalf of the person referred to herein;
- 2.17. "**request for access**" means a request for access to a record of the NHBRC in terms of section 11 of the Act;
- 2.18. "**PAIA**" means Promotion of Access to Information Act 2 of 2000;
- 2.19. "**POPIA**" means the Protection of Personal Information Act 4 of 2013.
- 2.20. "**the NHBRC**" means the National Home builders Registration Council;
- 2.21. "**third party**" in relation to a request for access to a record of the NHBRC, means any person, other than the requester concerned.

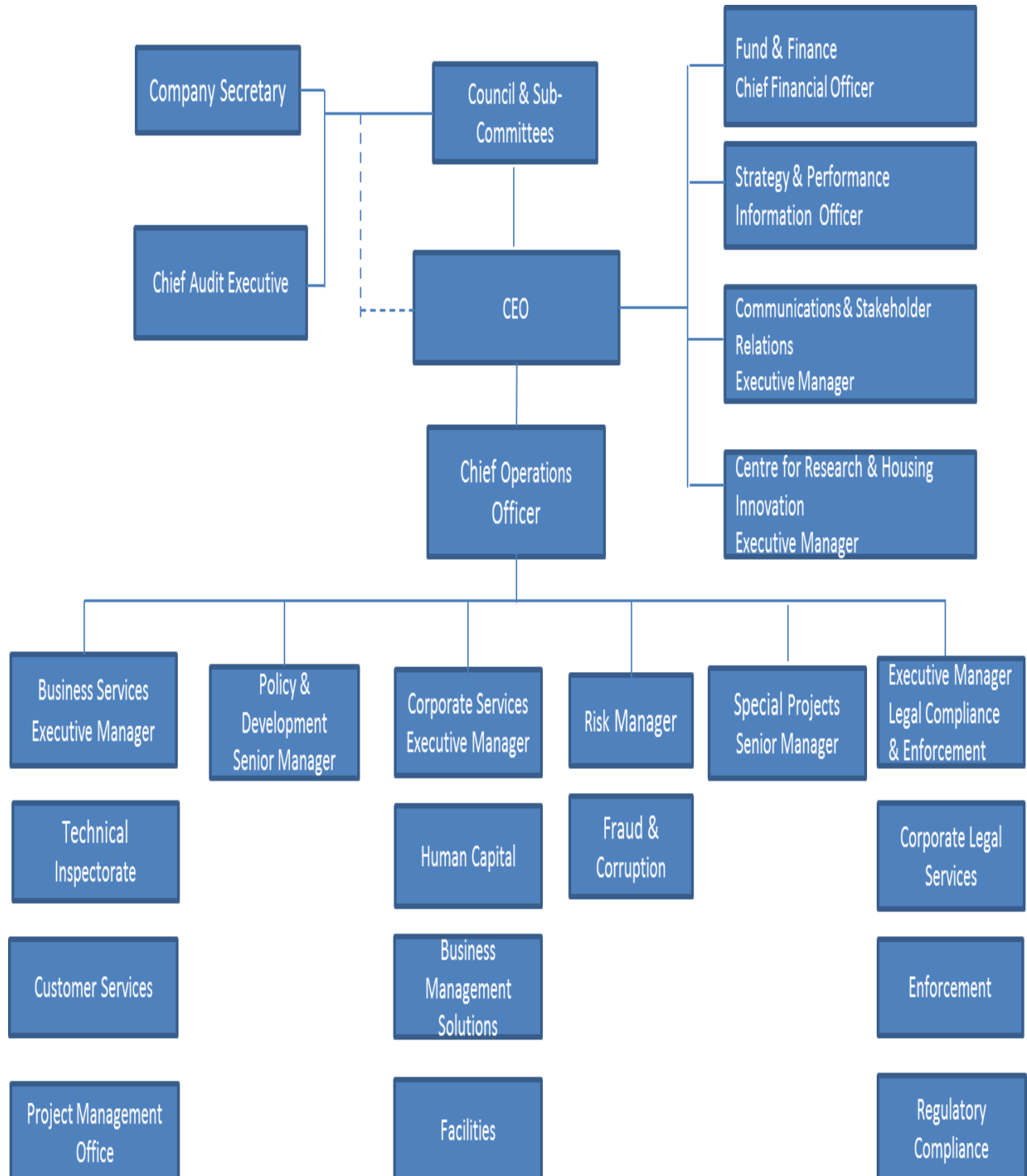
<i>MANUAL OWNER</i>	<i>MANUAL NAME</i>	<i>DOCUMENT NUMBER</i>	<i>VERSION NO</i>
<b>INFORMATION OFFICER</b>	<b>PAIA AND POPI MANUAL</b>		<b>0.2</b>

**PART A: PAIA MANUAL**

**3. PARTICULARS IN TERMS OF SECTION 14 OF PAIA**

3.1. The function of the NHBRC is to represent the interests of housing consumers by providing warranty protection against defects in new homes and to regulate the home building industry.

3.2. Organisational Structure of the NHBRC



MANUAL OWNER	MANUAL NAME	DOCUMENT NUMBER	VERSION NO
INFORMATION OFFICER	PAIA AND POPI MANUAL		0.2

#### 4. CONTACT DETAILS OF THE INFORMATION OFFICER AND DEPUTY INFORMATION OFFICER AND THE ORGANISATION

INFORMATION OFFICER AND DEPUTY				ORGANISATION		
Title	Name & Surname	Contact number	Email address	Physical Address	Postal Address	NHBRC Contact Numbers
<b>Information Officer</b>	Mr Songezo Booi	(011) 317 0010	songezob@nhbrc.org.za	27 Leeuwkop Road Joe Slovo Building	P.O. Box 461 Randburg, 2125	Tel: (011) 317 0000 Website: www.nhbrc.org.za
<b>Deputy Information Officer</b>	Ms Mathebe Kumalo	(011) 317 0428	mathebek@nhbrc.org.za	Sunninghill Johannesburg Gauteng		

#### 5. SOUTH AFRICAN HUMAN RIGHTS COMMISSION GUIDE ON HOW TO USE PAIA

5.1. A guide on how to use the Act is available in all official languages from the South African Human Rights Commission.

5.2. The Human Rights Commission may be contacted at:

<b>Contact body:</b>	<b>The South African Human Rights Commission</b>
<b>Physical Address:</b>	PAIA Unit 29 Princess of Wales Terrace Cnr York and Andrew Streets Parktown
<b>Postal Address:</b>	Private Bag 2700, Houghton 2041
<b>Telephone Number:</b>	+27 11 877 3600
<b>E-Mail:</b>	PAIA@sahrc.org.za
<b>Web Site:</b>	www.sahrc.org.za

5.3. The Human Rights Commission must, upon request and if reasonable possible, offer assistance to any person wishing to exercise any right contemplated in the Act. The Human Rights Commission can, in this regard, be contacted through the contact details mentioned in this manual.

#### 6. AUTOMATICALLY AVAILABLE RECORDS HELD BY NHBRC

6.1. The records listed below are available to any interested person free of charge and without the requirement of a formal request.

- 6.1.1. Enquiries relating to the NHBRC process of registration, enrolments, owner builder, inspections, training and lodging complaints.
- 6.1.2. Verification of home builder registration status and enrolment status.
- 6.1.3. Request for copies of published Annual Reports, Bills, Acts and Regulations, Gazettes

MANUAL OWNER	MANUAL NAME	DOCUMENT NUMBER	VERSION NO
<b>INFORMATION OFFICER</b>	<b>PAIA AND POPI MANUAL</b>		<b>0.2</b>

- 6.1.4. Brochures.
  - 6.1.5. List of registered home builders per township.
  - 6.1.6. Media briefings and press releases.
  - 6.1.7. Newsletters and Builders bulletin.
  - 6.1.8. Forms in terms of the HCPMA.
  - 6.1.9. Approved Strategic Corporate Plans and Annual Performance Plan.
- 6.2. The NHBRC shall keep up and provide access to an information database on the home builders registered, suspended and deregistered in terms of the HCPMA.
- 6.3. The database contemplated in section 9(1) of the HCPMA shall include –
- 6.3.1. the names and identity numbers of the directors, members, trustees or partners of such companies, close corporations, trusts, partnerships or sole traders;
  - 6.3.2. the number of homes enrolled by such home builders;
  - 6.3.3. the number of complaints, considered valid by the Council and requiring onsite conciliation, received from housing consumers;
  - 6.3.4. the grading of those home builders; and
  - 6.3.5. any other information deemed appropriate by the Council to assist housing consumers to assess the track record of a home builder.
- 6.4. The NHBRC shall provide access to the information database services referred to –
- 6.4.1. free of charge where this access is for the bona fide use of such information by a housing consumer for his or her own non-commercial use;
  - 6.4.2. free of charge to mortgagees, conveyancers and MECs to assist them to meet their obligations in terms of section 18 of the HCPMA;
- and may prescribe fees for the provision of information services used for commercial or other purposes.
- 6.5. Any person may have access to the Rules, the Home Building Manual and all circulars or other documents issued by the NHBRC, at the places and times prescribed by the NHBRC and may obtain copies of any such document against the payment of the fees prescribed by the NHBRC.

## **7. CATEGORIES OF RECORDS ON THE NHBRC THAT CAN BE PURCHASED FROM THE NHBRC OFFICES**

- 7.1.1. Home building Manual and Guide
- 7.1.2. South African National Standard (SANS) 10400
- 7.1.3. Database of home builders per province

<i>MANUAL OWNER</i>	<i>MANUAL NAME</i>	<i>DOCUMENT NUMBER</i>	<i>VERSION NO</i>
<b>INFORMATION OFFICER</b>	<b>PAIA AND POPI MANUAL</b>		<b>0.2</b>

## 8. RECORDS THAT CAN BE ACCESSED BY FOLLOWING THE PROCESSES AS STIPULATED IN PAIA. PLEASE NOTE THAT ACCESS TO THESE RECORDS MAY BE REFUSED ON THE BASIS OF SECTIONS 33 TO 45 OF THE PAIA

- 8.1. Statistical Information
- 8.2. Information relating to granted Sponsorships
- 8.3. Information on National awards
- 8.4. Building Inspection reports
- 8.5. Information of enrolled homes
- 8.6. Notice of non-compliances
- 8.7. Conciliation reports
- 8.8. Remedial works reports
- 8.9. Bills of quantities
- 8.10. Any other information.

## 9. THE PROCEDURE TO REQUEST INFORMATION

- 9.1. A requester must be given access to a record of a public body if a requester complies with the following:
  - 9.1.1. The requester complies with all the procedural requirements in the PAIA relating to the request for access to that record; and
  - 9.1.2. Access to that record is not refused on any ground of refusal mentioned in the PAIA,

## 10. HOW TO REQUEST ACCESS TO A RECORD:

- 10.1. A request for access must be made in the prescribed form to the information officer of the public body concerned at his or her address or fax number or electronic mail address. A copy of **Form A** is attached to this Manual.
- 10.2. The form for a request of access prescribed requires the requester concerned to provide sufficient particulars to enable an official of the public body concerned to identify –
  - 10.2.1. the record or records requested; and
  - 10.2.2. the requester;
  - 10.2.3. to indicate which applicable form of access is required;
  - 10.2.4. to state whether the record concerned is preferred in a particular language;
  - 10.2.5. to specify a postal address or fax number of the requester in the Republic;
  - 10.2.6. if, in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, to state that manner and the necessary particulars to be so informed; and
  - 10.2.7. if the request is made on behalf of a person, to submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of the information officer.
- 10.3. An individual who because of illiteracy or a disability is unable to make a request for

<i>MANUAL OWNER</i>	<i>MANUAL NAME</i>	<i>DOCUMENT NUMBER</i>	<i>VERSION NO</i>
<b>INFORMATION OFFICER</b>	<b>PAIA AND POPI MANUAL</b>		<b>0.2</b>



access to a record of a public body in terms of Form A, may make that request orally.

- 10.4. The information officer of that body must reduce that oral request to writing in the prescribed form and provide a copy thereof to the requester.

## 11. DUTY TO ASSIST REQUESTERS

- 11.1. If a requester informs the information officer of a public body that he or she wishes –
- 11.1.1. to make a request for access to a record of that public body or another public body, the information officer must render such reasonable assistance, free of charge, as is necessary to enable that requester to comply with section 18 (1) of PAIA.
- 11.2. If a requester has made a request for access that does not comply with section 18 (1), the information officer concerned may not refuse the request because of that non-compliance unless the information officer has notified that requester of an intention to refuse the request and stated in the notice –
- 11.2.1. the reasons for the contemplated refusal; and
- 11.2.2. that the information officer or another official identified by the information officer would assist that requester in order to make the request in a form that would remove the grounds for refusal;
- 11.2.3. given the requester a reasonable opportunity to seek such assistance;
- 11.2.4. as far as reasonably possible, furnished the requester with any information including information about the records, (other than information on the basis of which a request for access may or must be refused held by the body) which are relevant to the request that would assist the making of the request in that form; and
- 11.2.5. given the requester a reasonable opportunity to confirm the request or alter it to comply with section 18 (1).
- 11.3. When computing any period referred to in section 25 (1) of PAIA, the period commencing on the date on which notice is given in terms of subsection 18 (2) of PAIA and ending on the date on which the person confirms or alters the request for access concerned must be disregarded if it is apparent on receipt of a request for access that it should have been made to another public body.
- 11.4. The information officer of the public body concerned must –
- 11.4.1. render such assistance as is necessary to enable the person to make the request, to the information officer of the appropriate public body; or
- 11.4.2. transfer the request in accordance with section 20 to the last-mentioned information officer, whichever will result in the request being dealt with earlier.

## 12. FEES PAYABLE FOR THE REQUEST

- 12.1. There are two types of fees required to be paid in terms of the Act, being the request

<i>MANUAL OWNER</i>	<i>MANUAL NAME</i>	<i>DOCUMENT NUMBER</i>	<i>VERSION NO</i>
<b>INFORMATION OFFICER</b>	<b>PAIA AND POPI MANUAL</b>		<b>0.2</b>

and access fees.

- 12.2. A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester who is not a personal requester must pay the required fee. The process is as follows:
- 12.2.1. The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request. The request fee payable to public bodies is R35.00.
- 12.2.2. If the search for a record of a public body in respect of which a request for access by a requester has been made; and
- 12.2.3. If the preparation of the records for disclosure including any arrangements that would, in the opinion of the information officer of the body, require more than the hours prescribed for this purpose for requesters, the information officer must by notice require the requester to pay as a deposit the prescribed portion (being not more than one third) of the access fee which would be payable if the request is granted.
- 12.2.4. The notice referred to above must state –
- 12.2.4.1. the amount of the deposit payable, if applicable;
- 12.2.4.2. that the requester may lodge an internal appeal, a complaint to the Information Regulator or an application with a court, as the case may be, against the tender or payment of the request fee or the tender or payment of a deposit as the case may be; and
- 12.2.4.3. the procedure (including the period) for lodging the internal appeal, complaint to the Information Regulator or application, as the case may be.
- 12.2.5. If a deposit has been paid in respect of a request for access which is refused, the information officer must repay the deposit to the requester.
- 12.2.6. The information officer of a public body must withhold a record until the requester concerned has paid the applicable fees (if any).
- 12.2.7. A requester whose request for access to a record of a public body has been granted must pay an access fee for reproduction and for search and preparation respectively, for any time reasonably required in excess of the prescribed hours to search for and prepare (including making any arrangements the record for disclosure.

### 13. FEES IN RESPECT OF PUBLIC BODIES

- 13.1. For purposes for section 22(2) of the Act, the following applies:

<i>MANUAL OWNER</i>	<i>MANUAL NAME</i>	<i>DOCUMENT NUMBER</i>	<i>VERSION NO</i>
<b>INFORMATION OFFICER</b>	<b>PAIA AND POPI MANUAL</b>		<b>0.2</b>

DESCRIPTION		AMOUNT
The request fee payable by every requester, other than a personal requester, referred to in regulation 7(2)		35.00
Copy of the manual as contemplated in regulation 5(c) (for every photocopy of an A4-size page or part thereof)		0.60
The fees for reproduction referred to in regulation 7(1) are as follows :		
1.	For every photocopy of an A4-sized page or part thereof	0.60
2.	For every printed copy of an A4-sized page or part thereof held on a computer or in electronic or machine	0.40
3.	For a copy in a computer-readable form on	
	(a) Stiffy disc (b) Compact disc (readable form)	5.00 40.00
4.	For a transcription of visual images	
	(a) For an A4-size page or part thereof (b) For a copy of visual images	22.00 60.00
5.	For a transcription of an audio record	
	(a) For an A4-size page or part thereof (b) For a copy of an audio report	12.00 17.00
(c) The Access Fees payable by a requester referred to in regulation 7(3) are as follows:		
1.	(d) For every photocopy of an A4-size page or part thereof	0.60
2.	(e) For every printed copy of an A4-size page or part thereof held on a (f) Computer or in electronic or machine-readable form.	0.40
3.	For a copy in a computer-readable form on :	
	a) Stiffy disc b) Compact disc	5.00 40.00
4.	For a transcription of visual images, for an A4-size page or part thereof	22.00
5.	For a copy of visual image	60.00
6.	For a transcription of an audio record,	
	a) For an A4-size page or part thereof b) For a copy of an audio record	12.00 17.00
To search and prepare the record for disclosure, R15.00 for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation.		

MANUAL OWNER	MANUAL NAME	DOCUMENT NUMBER	VERSION NO
INFORMATION OFFICER	PAIA AND POPI MANUAL		0.2

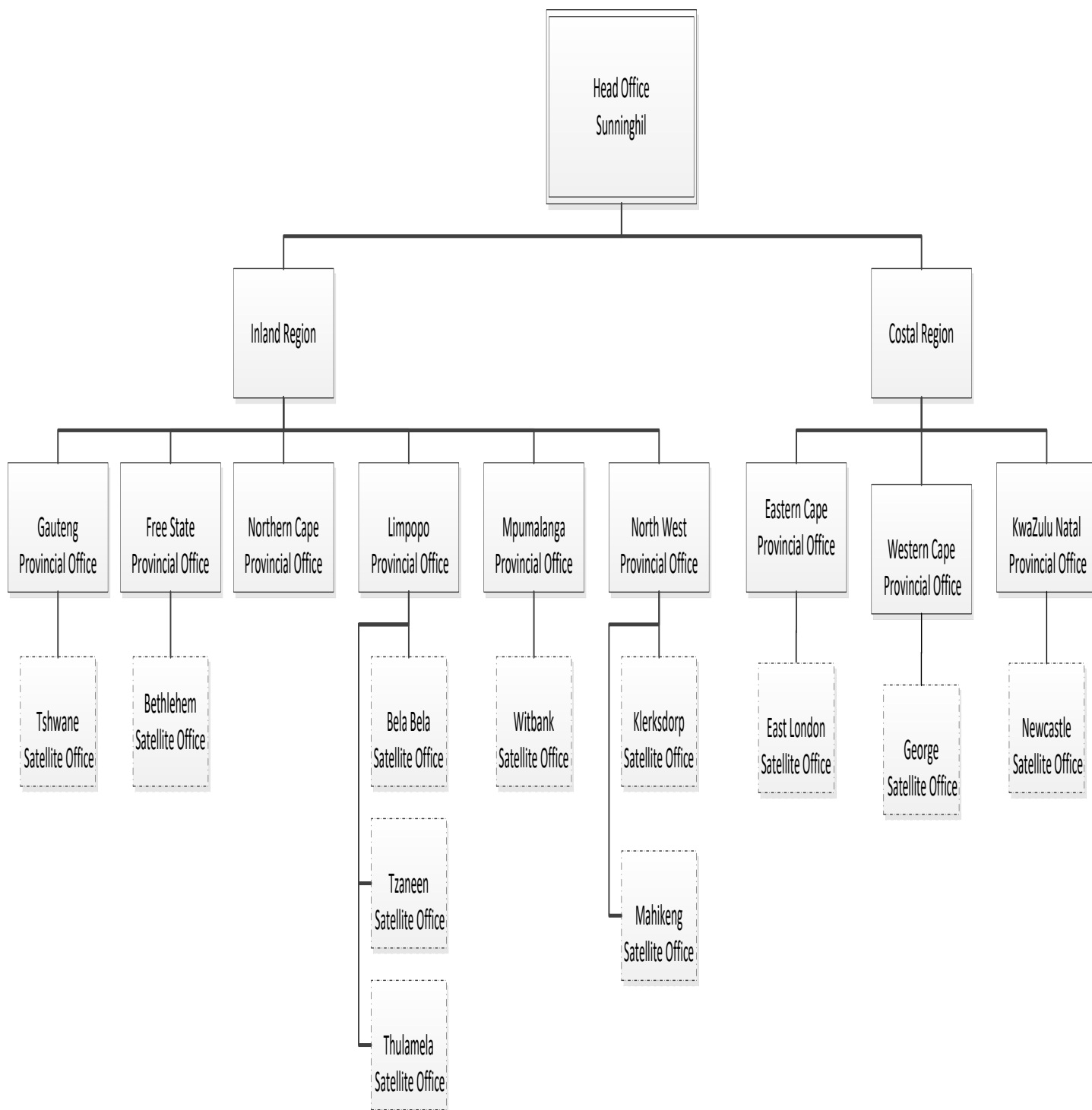
DESCRIPTION	AMOUNT
The actual postage is payable when a copy of a record must be posted to a requester. Postage cost is dependent on the relevant tariff in terms of postage destination.	

#### 14. Available Services

- 14.1. The services of NHBRC are rendered in all 9 (nine) provinces, in the inland and coastal regions with 11 (eleven) satellite offices. Details of the provincial offices can be obtained from the NHBRC website: [www.nhbrc.org.za](http://www.nhbrc.org.za)
- 14.2. The NHBRC delivers the following products and services to its stakeholders:
- 14.2.1. Enrolment of new homes;
  - 14.2.2. Late enrolment of homes;
  - 14.2.3. Home builder registration and renewals;
  - 14.2.4. Owner-Builder applications;
  - 14.2.5. Inspections of homes;
  - 14.2.6. Training and development for different categories (homebuilders, youth, women, artisans, military veterans; people with disabilities and technical professionals).
- 14.3. Resolution of complaints;
- 14.4. Resolutions of conciliations;
- 14.5. Litigation and legal advisory services.

<i>MANUAL OWNER</i>	<i>MANUAL NAME</i>	<i>DOCUMENT NUMBER</i>	<i>VERSION NO</i>
<b>INFORMATION OFFICER</b>	<b>PAIA AND POPI MANUAL</b>		<b>0.2</b>

15. NHBRC SERVICE POINTS



MANUAL OWNER	MANUAL NAME	DOCUMENT NUMBER	VERSION NO
INFORMATION OFFICER	PAIA AND POPI MANUAL		0.2

## 16. ARRANGEMENTS ALLOWING FOR PUBLIC INVOLVEMENT IN THE FORMULATION OF POLICIES, LEGISLATIVE PROCESSES AND EXERCISE OF POWERS

16.1. The NHBCRC comprises of various committees of the Council with members from different institutions serving in respective committees to guide the Council and to safeguard the interests of the public, and to ensure corporate governance.

## 17. DECISION TO GRANT OR REFUSE ACCESS AND NOTICE TO THE REQUESTER

17.1. In compliance with PAIA and in order to give effect to the right of access to information, the information officer must as soon as reasonably possible, but in any event within 30 days after the request for access is received, consider the request and make a decision terms of the Act whether or not to grant access to the information requested.

17.2. In considering the request, the information officer must satisfy himself of the following:

17.2.1. that the procedural requirements prescribed in terms of section 18 of PAIA must be complied with (the prescribed form must be fully completed with sufficient particulars in order to identify the records requested and the requester must, if the request is lodged on behalf of another person, submit a power of attorney or letter of authority in respect of the authority to lodge the request); and

17.2.2. that the granting of access to the information requested must not be prohibited in terms of any of the grounds for refusal mentioned.

17.3. Once all of the above have been satisfied, the information officer must inform the requester whether or not access will be granted and a requester, other than a personal requester, must be requested to pay the request fee before further processing of the request.

## 18. MANDATORY DISCLOSURE IN PUBLIC INTEREST

18.1. A request for access to a record that could otherwise be refused in terms of the grounds for refusal must however be granted if —

18.1.1. disclosure of the record is in the public interest; and

18.1.2. public interest in the disclosure of the record clearly outweighs the harm contemplated in the ground for refusal.

## 19. APPLICATION OF PAIA AND POPIA TO NHBCRC

19.1. PAIA applies to a record of the NHBCRC, regardless of when the record came into existence.

19.2. PAIA applies to the exclusion of other legislation which prohibits disclosure of a record if that legislation is materially inconsistent with the objects of the PAIA.

19.3. PAIA does not prohibit the use of other law that provides for access to information.

<i>MANUAL OWNER</i>	<i>MANUAL NAME</i>	<i>DOCUMENT NUMBER</i>	<i>VERSION NO</i>
<b>INFORMATION OFFICER</b>	<b>PAIA AND POPI MANUAL</b>		<b>0.2</b>

- 19.4. PAIA does not apply to a record of the NHBRC if the record is requested for purposes of criminal or civil proceedings after the commencement of the proceedings.

## 20. NOTICE TO THIRD PARTY

- 20.1. If the information officer receives a request for access to a record held by the NHBRC that contains –
- 20.1.1. personal information of a third party;
  - 20.1.2. information that was obtained for purposes of enforcing collection of revenue;
  - 20.1.3. trade secrets of a third party;
  - 20.1.4. information supplied in confidence by a third party; and
  - 20.1.5. research information of a third party,

he or she must take all reasonable steps to inform the third party concerned about the request in order to afford that third party an opportunity to make representations regarding whether or not the information may be divulged.

## 21. NOTICE TO THE REQUESTER

- 21.1. Information officer must inform the requester about the decision taken on his or her request for access within 30 days of receipt of the request.
- 21.2. Notice to the requester if access is granted must indicate the form in which access will be granted and the fees payable.
- 21.3. Notice to the requester if access is refused—
- 21.3.1. must indicate reasons for refusal, including the ground(s) for refusal, in the PAIA, relied on to refuse the request; and
  - 21.3.2. must inform the requester of his right to lodge an appeal against the decision.

## 22. EXTENSION OF PERIOD TO DEAL WITH REQUEST FOR ACCESS

- 22.1. The information officer may extend the 30 days period of dealing with a request for access once for a period of not more than 30 days —
- 22.1.1. if the processes involved in the search and preparation of the record may reasonably be expected to take longer than the 30 days period; and
  - 22.1.2. must notify the requester of the said extension (with adequate reasons).

## 23. DEEMED REFUSAL OF REQUEST

- 23.1. If the information officer fails to take a decision on the request within the applicable time limits, he or she will be regarded as having refused the request and the requester may lodge an appeal against the refusal.

## 24. FORMS OF ACCESS

- 24.1. Access to a record may be granted in the following forms:

<i>MANUAL OWNER</i>	<i>MANUAL NAME</i>	<i>DOCUMENT NUMBER</i>	<i>VERSION NO</i>
<b>INFORMATION OFFICER</b>	<b>PAIA AND POPI MANUAL</b>		<b>0.2</b>

- 24.1.1. if record is in a written form: printed copy or inspection of the record;
- 24.1.2. if record is in form of visual images: arrangements to view images or copy of transcription of the record;
- 24.1.3. if record is in form of a sound: arrangements to hear sounds or copy of transcription of the record; or
- 24.1.4. if record is in computer, electronic or machine-readable form: a printed copy of the record.

## 25. REMEDIES AVAILABLE IF THE PROVISIONS OF THIS ACT ARE NOT COMPLIED WITH

- 25.1. A requester who has been aggrieved by the decision of the information officer may lodge an internal appeal, a complaint to the Information Regulator or an application with a court, as the case may be, against the access fee to be paid or the form of access granted, and the procedure (including the period) for lodging the internal appeal, complaint to the information regulator or application, as the case may be.
- 25.2. The internal appeal authority for purposes of this PAIA is the Chairperson of the NHBRC.

## 26. MANNER OF APPEAL AND APPEAL FEES

- 26.1. An appeal must be lodged in the prescribed **Form B** attached hereto and within 60 days after the requester is informed of the decision taken on his or her request;
- 26.2. If notice to a third party is required, within 30 days after notice is given of the decision appealed against; or
- 26.3. If notice to the appellant is not required, after the decision was taken the appeal must be delivered or sent to the information officer of NHBRC at his or her address, fax number or electronic mail address all of which appear in this manual;
- 26.4. The appeal must identify the subject of the appeal and state the reason for the internal appeal and may include any other relevant information known to the appellant;
- 26.5. If in addition to a written reply, the appellant wishes to be informed of the decision on the appeal in any other manner, they must state that manner and provide the necessary particulars to be so informed;
- 26.6. If applicable the appeal must be accompanied by the prescribed appeal fee, and must specify the appellant's postal address or fax number.
- 26.7. If an appeal is lodged after the period referred to above, the appeal authority must, upon good cause shown, allow the late filing of the appeal.
- 26.8. If the appeal authority disallows the late filing of the appeal, he must give notice of that decision to the appellant.
- 26.9. Within ten (10) working days after receipt of an appeal, or as soon as reasonably possible the information officer must submit to the relevant authority the appeal together with their reasons for the decision.

<i>MANUAL OWNER</i>	<i>MANUAL NAME</i>	<i>DOCUMENT NUMBER</i>	<i>VERSION NO</i>
<b>INFORMATION OFFICER</b>	<b>PAIA AND POPI MANUAL</b>		<b>0.2</b>



26.10. If the appeal is against the refusal of a request to access to information, the name, postal address, phone and fax number and electronic mail address, whichever is available, of any third party that must be notified of the request must be provided to the relevant authority.

## 27. APPEAL FEES

27.1. A requester lodging an internal appeal against the refusal of request for access must pay the prescribed appeal fee before the appeal may be considered by the relevant authority.

## 28. APPLICATION TO COURT

28.1. A requester who has been unsuccessful in an internal appeal may, within 30 days of receipt of notice of the decision on his or her appeal, apply to court for appropriate relief.

28.2. If an internal appeal, complaint to the Information Regulator or an application to a court, as the case may be, is lodged against the granting of a request for access to a record, access to the record may be given only when the decision to grant the request is finally confirmed.

## 29. AVAILABILITY OF THE MANUAL

29.1. Immediately after the manual has been compiled in terms of section 14(1) of the Act or updated in terms of section 14(2), the information officer of the NHBRC must make available a copy of the manual in each of the three official languages in which the manual is compiled to the Human Rights Commission;

29.1.1. at the NHBRC's head office;

29.1.2. on the website of the NHBRC; and

29.1.3. may publish the manual in the Gazette.

## PART B

### POPIA MANUAL

#### 1. The Protection of Personal Information processed by NHBRC

1.1. Chapter 3 of POPIA provides for the minimum conditions for lawful processing of personal information by a Responsible Party. These conditions may not be derogated from unless specific exclusions apply as outlined in POPIA.

1.2. NHBRC needs personal information relating to both individual and juristic persons in order to carry out its organisational function and mandate. The manner in which this information is processed and the purpose for which it is processed is determined by NHBRC.

1.3. NHBRC is accordingly a Responsible Party for the purposes of POPIA and will ensure that the Personal Information of a Data Subject:

1.3.1. is processed lawfully, fairly and transparently. This includes the provision of

<i>MANUAL OWNER</i>	<i>MANUAL NAME</i>	<i>DOCUMENT NUMBER</i>	<i>VERSION NO</i>
<b>INFORMATION OFFICER</b>	<b>PAIA AND POPI MANUAL</b>		<b>0.2</b>

appropriate information to Data Subjects when their data is collected by NHBRC, in the form of privacy or data collection notices. Such notices are available on NHBRC's website and in contractual agreements.

- 1.3.2. is processed only for the purposes for which it was collected;
- 1.3.3. will not be processed for a secondary purpose unless that processing is compatible with the original purpose.
- 1.3.4. is adequate, relevant and not excessive for the purposes for which it was collected;
- 1.3.5. is accurate and kept up to date;
- 1.3.6. will not be kept for longer than necessary in terms of the law;
- 1.3.7. is processed in accordance with integrity and confidentiality principles. This includes physical and organisational measures to ensure that Personal Information, in both physical and electronic form, are subject to an appropriate level of security when stored, used and communicated by NHBRC, in order to protect against access and acquisition by unauthorised persons and accidental loss, destruction or damage;
- 1.3.7.1. is processed in accordance with the rights of Data Subjects, where applicable.
- 1.3.8. Data subjects have the right:
  - 1.3.8.1. to be notified that their Personal Information is being collected by NHBRC.
  - 1.3.8.2. to be notified in the event of a data breach;
  - 1.3.8.3. to know whether NHBRC holds Personal Information about them, and to access that information. Any request for information must be handled in accordance with the provisions of this Manual;
  - 1.3.8.4. request the correction or deletion of inaccurate, irrelevant, excessive, out of date, incomplete, misleading or unlawfully obtained personal information;
  - 1.3.8.5. object to NHBRC's use of their Personal Information and request the deletion of such Personal Information (deletion would be subject to NHBRC's record keeping requirements);
- 1.3.9. object to the processing of Personal Information for purposes of direct marketing by means of unsolicited electronic communications; and
- 1.3.10. complain to the Information Regulator regarding an alleged infringement of any of the rights protected under POPIA and to institute civil proceedings regarding the alleged non-compliance with the protection of his, her or its personal information.

## 2. PURPOSE OF THE PROCESSING OF PERSONAL INFORMATION BY THE NHBRC

2.1. As outlined above, Personal Information may only be processed for a specific purpose.

The purposes for which NHBRC processes or will process Personal Information is set out below.

<i>MANUAL OWNER</i>	<i>MANUAL NAME</i>	<i>DOCUMENT NUMBER</i>	<i>VERSION NO</i>
<b>INFORMATION OFFICER</b>	<b>PAIA AND POPI MANUAL</b>		<b>0.2</b>

**2.2. For Home Builders:**

- 2.2.1. Attending to the registration of home builders with NHBRC and the renewal thereof including credit decisions;
- 2.2.2. Attending to processing applications for the enrolment of homes;
- 2.2.3. Attending to legal action against home builders;
- 2.2.4. Attending to conciliation efforts between housing consumers and home builders;
- 2.2.5. Carrying out market research, business and statistical analysis;
- 2.2.6. Recovering any debt Home Builders may owe the NHBRC;
- 2.2.7. Complying with the NHBRC regulatory obligations;
- 2.2.8. Any other reasonably required purpose relating to the NHBRC's mandate.

**2.3. For Housing Consumers:**

- 2.3.1. Attending to receipt of complaints and claims against the NHBRC's warranty fund;
- 2.3.2. Attending to conciliation efforts between housing consumers and home builders;
- 2.3.3. Attending to inspections at housing consumers homes
- 2.3.4. Complying with the NHBRC regulatory obligations;
- 2.3.5. Any other reasonably required purpose relating to the NHBRC's mandate.

**2.4. For Employees:**

- 2.4.1. Verification of applicant employees' information during recruitment process.
- 2.4.2. General matters relating to employees including :
  - 2.4.2.1. Pension funds;
  - 2.4.2.2. Medical aid;
  - 2.4.2.3. Payroll;
  - 2.4.2.4. Disciplinary action; and
  - 2.4.2.5. Training.
- 2.4.3. Any other reasonably required purpose relating to the employment or possible employment.
- 2.4.4. Complying with the NHBRC regulatory obligations;

**2.5. For Service Providers and Third Parties:**

- 2.5.1. Verifying information and performing checks including financial, tax status, past experience;
- 2.5.2. Purposes relating to the agreement or business relationship or possible agreement or business relationship between the parties including the processing of procurement bids and quotations;
- 2.5.3. Payment of invoices;
- 2.5.4. Complying with the NHBRC's regulatory obligations; and
- 2.5.5. Any other reasonably required purpose relating to the NHBRC's operations.

<i>MANUAL OWNER</i>	<i>MANUAL NAME</i>	<i>DOCUMENT NUMBER</i>	<i>VERSION NO</i>
<b>INFORMATION OFFICER</b>	<b>PAIA AND POPI MANUAL</b>		<b>0.2</b>

### 3. CATEGORIES OF DATA SUBJECTS AND PERSONAL INFORMATION OR SPECIAL PERSONAL INFORMATION RELATING THERETO

3.1. As per section 1 of POPIA, a data subject may either be a natural or a juristic person. The various categories of data subjects that NHBRC processes personal information on and the types of personal information relating thereto are set out below.

#### 3.2. HOME BUILDERS

- 3.2.1. postal and/or street address, business and residential;
- 3.2.2. title and name;
- 3.2.3. contact numbers and/or e-mail address;
- 3.2.3.1. ethnic group;
- 3.2.3.2. age;
- 3.2.3.3. gender;
- 3.2.3.4. nationality;
- 3.2.3.5. language;
- 3.2.3.6. financial information and screening;
- 3.2.3.7. identity or passport number;
- 3.2.3.8. references;
- 3.2.3.9. information on court judgements;
- 3.2.3.10. browsing habits and click patterns on NHBRC websites;
- 3.2.3.11. building Inspection reports;
- 3.2.3.12. other information required in order to comply with the NHBRC's regulatory obligations.

#### 3.3. HOUSING CONSUMERS

- 3.3.1. postal and/or street address, business and residential;
- 3.3.2. title and name;
- 3.3.3. contact numbers and/or e-mail address;
- 3.3.3.1. ethnic group;
- 3.3.3.2. age;
- 3.3.3.3. gender;
- 3.3.3.4. nationality;
- 3.3.3.5. language;
- 3.3.3.6. financial information;
- 3.3.3.7. identity or passport number;
- 3.3.3.8. property ownerships details including title deeds, architectural plans and contracts with home builders.
- 3.3.3.9. browsing habits and click patterns on NHBRC websites.
- 3.3.3.10. Other information required in order to comply with the NHBRC's regulatory obligations.

#### 3.4. SERVICE PROVIDERS AND THIRD PARTIES:

- 3.4.1. Name and contact details;

<i>MANUAL OWNER</i>	<i>MANUAL NAME</i>	<i>DOCUMENT NUMBER</i>	<i>VERSION NO</i>
<b>INFORMATION OFFICER</b>	<b>PAIA AND POPI MANUAL</b>		<b>0.2</b>

- 3.4.2. Identity and/or company information and directors' information;
- 3.4.2.1. Banking and financial information;
- 3.4.2.2. References;
- 3.4.2.3. Tax Status;
- 3.4.2.4. Other information required in order to comply with the NHBRC's regulatory obligations.

### 3.5. EMPLOYEES

- 3.5.1. Name and contact details;
  - 3.5.2. Identity number and identity documents including passports;
  - 3.5.3. Employment history and references;
  - 3.5.4. Banking and financial details;
  - 3.5.5. Details of payments to third parties (deductions from salary);
  - 3.5.6. Employment contracts;
  - 3.5.7. Employment equity plans;
  - 3.5.8. Medical aid records;
  - 3.5.9. Pension Fund records;
  - 3.5.10. Remuneration or salary records;
  - 3.5.11. Performance appraisals;
  - 3.5.12. Disciplinary records;
  - 3.5.13. Leave records; and
  - 3.5.14. Training records.
- 3.6. Other information not specified, reasonably required to be processed for business operations.
- 3.7. Other information required in order to comply with the NHBRC's regulatory obligations.

## 4. RECIPIENTS OF PERSONAL INFORMATION

- 4.1. The recipients to whom NHBRC may provide a Data Subjects Personal Information to are set out below.
- 4.1.1. Any firm, organization or person that the NHBRC uses to collect payments and recover debts or to provide a service on its behalf;
  - 4.1.2. Any firm, organization or person that or who provides the NHBRC with products or services;
  - 4.1.3. Any payment system the NHBRC uses;
  - 4.1.4. Regulatory and governmental authorities or ombudsmen, or other authorities, including tax authorities, where NHBRC has a duty to share information;
  - 4.1.5. Third parties to whom payments are made on behalf of employees;
  - 4.1.6. Financial institutions from whom payments are received on behalf of data subjects;

<i>MANUAL OWNER</i>	<i>MANUAL NAME</i>	<i>DOCUMENT NUMBER</i>	<i>VERSION NO</i>
<b>INFORMATION OFFICER</b>	<b>PAIA AND POPI MANUAL</b>		<b>0.2</b>

- 4.1.7. Any other operator not specified;
- 4.1.8. Employees, contractors and temporary staff; and
- 4.1.9. Agents.

## 5. CROSS-BORDER FLOWS OF PERSONAL INFORMATION

5.1. Section 72 of POPIA provides that personal information may only be transferred out of the Republic of South Africa if the –

- 5.1.1. recipient country can offer such data an “adequate level” of protection. This means that its data privacy laws must be substantially similar to the conditions for lawful processing as contained in POPI; or
- 5.1.2. data subject consents to the transfer of their personal information; or
- 5.1.3. transfer is necessary for the performance of a contractual obligation between the data subject and the responsible party; or
- 5.1.4. transfer is necessary for the performance of a contractual obligation between the responsible party and a third party, in the interests of the data subject; or
- 5.1.5. the transfer is for the benefit of the data subject, and it is not reasonably practicable to obtain the consent of the data subject, and if it were, the data subject, would in all likelihood provide such consent.

5.2. Personal information may be transmitted transborder to NHBRC’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. NHBRC will endeavour to ensure that its service providers and third parties will make all reasonable efforts to secure said data and personal information via contractual clauses or notices in agreements and otherwise.

## 6. DESCRIPTION OF INFORMATION SECURITY MEASURES TO BE IMPLEMENTED BY NHBRC

6.1. The types of security measures implemented and to be implemented by NHBRC in order to ensure that personal information is respected and protected are set out below.

6.2. NHBRC 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. NHBRC may use alternative measures and adapt to technological security development, as needed, provided that the objectives are achieved.

### 6.3. Access Control of Persons

- 6.3.1. NHBRC shall implement suitable measures in order to prevent unauthorized persons from gaining access to data processing equipment where data is processed.

### 6.4. Data Media Control

- 6.4.1. NHBRC undertakes to implement suitable measures to prevent the unauthorized manipulation of media, including reading, copying, alteration or

MANUAL OWNER	MANUAL NAME	DOCUMENT NUMBER	VERSION NO
INFORMATION OFFICER	PAIA AND POPI MANUAL		0.2

removal of the data media used by NHBRC and containing personal information.

#### 6.5. Data Memory Control

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

#### 6.6. User Control

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

#### 6.7. Access Control to Data

- 6.7.1. NHBRC shall implement suitable measures to ensure that the persons entitled to use NHBRC's data processing system are only able to access the data within the scope and to the extent covered by their respective access permissions or authorisation.

#### 6.8. Transmission Control

- 6.8.1. NHBRC shall be obliged to enable the verification and tracing of the locations or destinations to which the Personal Information is transferred by utilization of NHBRC's data communication equipment devices.

#### 6.9. Transport Control

- 6.9.1. NHBRC 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.

#### 6.10. Organisation Control

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

### 7. OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION BY A DATA SUBJECT

- 7.1. Section 11 (3) of POPI and regulation 2 of the POPIA Regulations provides that a data subject may, at any time object to the processing of his or her or its Personal Information in the prescribed form.
- 7.2. Attached is the prescribed form marked as **Form 1** which must be used to record such an objection.

### 8. REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION

- 8.1. 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 or deleted in the prescribed form.
- 8.2. Attached is a copy of **Form 2** for this purpose.

MANUAL OWNER	MANUAL NAME	DOCUMENT NUMBER	VERSION NO
INFORMATION OFFICER	PAIA AND POPI MANUAL		0.2



REPUBLIC OF SOUTH AFRICA

**FORM A**  
**REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY**  
**(Section 18(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))**  
**[Regulation 6]**

**FOR DEPARTMENTAL USE**

Reference number: .....

Request received by ..... (state rank,  
name and surname of information officer/deputy information officer) on ..... (date)  
at .....(place).

Request fee (if any): R .....

Deposit (if any): R .....

Access fee: R .....

.....

SIGNATURE OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER

**A. Particulars of public body**

The Information Officer/Deputy Information Officer



**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:  
.....  
.....

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 <b>X</b> .	
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:				
	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*		

**FORM A: REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY**

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
--	-----	----

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.

In which language would you prefer the record?

**G. 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 .....

.....  
SIGNATURE OF REQUESTER /  
PERSON ON WHOSE BEHALF REQUEST IS MADE



**C. Particulars of requester**

This section must be completed ONLY if a third party (other than the requester) lodges the internal appeal.

Full names and surname: .....

Identity number: 

--	--	--	--	--	--	--	--	--	--	--	--	--	--

**D. The decision against which the internal appeal is lodged**

Mark the decision against which the internal appeal is lodged with an X in the appropriate box:

	Refusal of request for access
	Decision regarding fees prescribed in terms of section 22 of the Act
	Decision regarding the extension of the period within which the request must be dealt with in terms of section 26(1) of the Act
	Decision in terms of section 29(3) of the Act to refuse access in the form requested by the requester
	Decision to grant request for access

**E. Grounds for appeal**

If the provided space is inadequate, please continue on a separate folio and attach it to this form. You must sign all the additional folios.

State the grounds on which the internal appeal is based:

.....  
.....  
.....  
.....  
.....

State any other information that may be relevant in considering the appeal:

.....  
.....  
.....  
.....  
.....  
.....

**F. Notice of decision on appeal**

You will be notified in writing of the decision on your internal appeal. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

State the manner: .....

Particulars of manner: .....

Signed at ..... this day ..... of ..... year.....

.....  
SIGNATURE OF APPELLANT

**FOR DEPARTMENTAL USE:**

**OFFICIAL RECORD OF INTERNAL APPEAL:**

Appeal received on ..... (date) by .....

..... (state rank, name and surname of information officer/deputy information officer).

Appeal accompanied by the reasons for the information officer's/deputy information officer's decision and, where applicable, the particulars of any third party to whom or which the record relates, submitted by the information officer/deputy information officer on ..... (date) to the relevant authority.

OUTCOME OF APPEAL: .....

DECISION OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER CONFIRMED/NEW DECISION SUBSTITUTED

NEW DECISION: .....

DATE RELEVANT AUTHORITY .....

RECEIVED BY THE INFORMATION OFFICER/DEPUTY INFORMATION OFFICER FROM THE RELEVANT AUTHORITY ON (date): .....

**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.*

<b>A</b>	<b>DETAILS OF DATA SUBJECT</b>
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>B</b>	<b>DETAILS OF RESPONSIBLE PARTY</b>
Name(s) and surname/ Registered name of responsible party:	
Residential, postal or business address:	
	Code (    )
Contact number(s):	
Fax number/ E-mail address:	
<b>C</b>	<b>REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f) <i>(Please provide detailed reasons for the objection)</i></b>


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

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



**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.

<b>A</b>	<b>DETAILS OF THE DATA SUBJECT</b>
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>B</b>	<b>DETAILS OF RESPONSIBLE PARTY</b>
Name(s) and surname / registered name of responsible party:	
Residential, postal or business address:	
	Code (    )
Contact number(s):	

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*