

PAIA & POPI Manual

Prepared by **Spectrum Valuation Services & Asset Solutions (Pty) Ltd** (Registration number: 2014/115326/07)

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 Spectrum Valuation Services & Asset Solutions (Pty) Ltd (Registration number: 2014/115326/07) (the "Company")

Registered office address:

IQ Business Park

Q2, 2nd Floor, No. 3

Third Avenue

Rivonia

2128

GLOSSARY

PAIA	The Promotion of Access to Information Act, 2000 is freedom of information legislation in South Africa.
POPI	Protection of Personal Information Act No. 4 of 2013 is data protection legislation in South Africa
Data Subject	Any individual person who can be identified, directly or indirectly, via an identifier such as a name, an ID number, location data, or via factors specific to the person's physical, physiological, genetic, mental, economic, cultural or social identity.

Table of Contents

1 Introduction	4
1.1 Availability of this Manual	4
1.2 Availability of guides to PAIA and POPI Acts	4
2 Company contact details	5
2.1 Duly authorised persons	5
3 Processing of personal information	5
3.1 Purpose of processing of personal information by the Company	6
3.2 Categories of Data Subjects	6
3.3 Recipients or categories of recipients with whom personal information is shared	7
3.4 Information security measures to protect personal information	7
3.5 Trans-border flow of personal information	7
3.6 Personal information received from third parties	8
3.7 Records held in accordance with other legislation	8
4 How to access information	8
Personal Requester	8
Other Requester	8
4.1 Request Procedure	8
4.2 Decision	9
4.3 Fees	9
5 Remedies	10
6 Objection to the processing of personal information by a data subject	10
7 Request for the correction or deletion of personal information	10
8 Approval	10
ANNEXURE A	12
ANNEXURE B	17
ANNEXURE C	19
ANNEXURE D	20
ANNEXURE E	21

1 Introduction

Spectrum Valuation Services & Asset Solutions (Pty) Ltd (the “Company”) is a company that renders valuation services in South Africa, which include but is not limited to residential -, commercial -, retail -, industrial - and agricultural property valuations.

This Manual provides an outline of the type of records and the personal information the Company holds and explains how to submit requests for access to these records in terms of the Promotion of Access to Information Act 2 of 2000 (“PAIA Act”). In addition, this document sets out to describe the processing of personal data within the Company, as per the Protection of Personal Information Act 4 of 2013 (“POPI Act”). The processes are described in terms of accountability, purpose specification, processing limitation, further processing limitation, information quality and openness. It further explains how to access, or object to, personal information held by the Company, or request correction of the personal information, in terms of sections 23 and 24 of the POPI Act.

The PAIA and POPI Acts give effect to everyone’s constitutional right to access personal information held by private sector or public bodies, the record of personal information is required for the exercise or protection of any rights. If a data subject lodges a request, the public body must act in the interest of the public. Requests shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in section 5.

1.1 Availability of this Manual

This manual is published, and a copy can be requested from the Information Officer: Compliance (see contact details in section 2). It is also available online at: www.specval.co.za.

1.2 Availability of guides to PAIA and POPI Acts

Guides to the PAIA and POPI Acts can be obtained, and queries directed to:

PAIA Act	POPI Act
The Information Regulator (South Africa)	Information regulator.
33 Hoofd Street Forum III, 3rd Floor Braampark P.O Box 31533 Braamfontein, Johannesburg, 2017	JD House 27 Stiemens Street Braamfontein Johannesburg 2001 P.O Box 31533, Braamfontein Johannesburg 2017

Telephone number: +27 (0) 10 023 5200 Cell number: +27 (0) 82 746 4173 Fax number: (011) 484 7146/7 Website: https://www.justice.gov.za/ E-mail: inforeg@justice.gov.za	Complaints email: complaints.IR@justice.gov.za General enquiries email: inforeg@justice.gov.za .
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2 Company contact details

Name of body	Spectrum Valuation Services & Asset Solutions (Pty) Ltd
Head of body	Patrick Liam O'Connell
Physical Address:	IQ Business Park Q2, 2nd Floor, No. 3 Third Avenue Rivonia 2128
Telephone number	011 475 5177
Website	https://www.specval.co.za/

2.1 Duly authorised persons

Information officer	Data Privacy Protection Responsible (DPPR)
Irene Wright Email: irenew@specval.co.za	<ul style="list-style-type: none"> • Ensure PI queries are responded to in a timely manner; and • Ensure the Company is implementing PI the policies; and • Ensure transparency to the Information Regulator; and • Host internal informative sessions to raise internal company POPI awareness; and • Ensure the protection by design mentality is maintained by staff when designing data handling systems.

3 Processing of personal information

We take our obligations for the processing of personal information very seriously and we are committed to protecting your privacy.

This PAIA & POPI manual, read with our standard terms and conditions, governs the manner in which we treat your personal information and/or personal data and/or any data which we collect from you, or you provide to us.

We respect your privacy, your personal information and your personal data and, for this reason, we take all reasonable measures in accordance with our privacy policy on the website <https://www.specval.co.za/> to protect your personal information and personal data and to keep it confidential. You may direct your queries in regard to the protection of personal information to the information officer at irenew@specval.co.za.

3.1 Purpose of processing of personal information by the Company

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

- to provide or manage any information, products and/or services requested by data subjects;
- to help us identify data subjects when they contact the Company;
- to assist clients with the development of their services and/or products;
- to maintain customer records;
- for recruitment purposes;
- for employment purposes;
- for travel purposes;
- for general administration, financial and tax purposes;
- for legal or contractual purposes;
- for health and safety purposes;
- to transact with our business partners;

3.2 Categories of Data Subjects

Categories of data subjects and personal information processed by the Company include the following:

- Personnel / employees;
- Consultants;
- Contractors;
- Clients;
- Agents;
- Service providers;
- Suppliers;
- Other third parties with whom the Companies conduct business.

*The above list is non-exhaustive.

3.3 Recipients or categories of recipients with whom personal information is shared

We do not share the personal information of our data subjects with any third parties, except if:

- we are obliged to provide such information for legal or regulatory purposes;
- we are required to do so for purposes of existing or future legal proceedings,
- we are selling our business to someone to whom we may transfer our rights under any customer agreement we have with you;
- we are involved in the prevention of fraud, loss, bribery or corruption;
- they perform services and process personal information on our behalf;
- this is required to provide or manage any information, products and/or services to data subjects; or
- needed to help us improve the quality of our products and services.

We will send our data subjects notifications or communications if we are obliged by law, or in terms of our contractual relationship with them.

We will only disclose personal information to government authorities if we are required to do so by law. Our employees and our partners are required to adhere to data privacy and confidentiality principles and to attend data privacy training.

3.4 Information security measures to protect personal information

Reasonable technical and organisational measures have been implemented for the protection of personal information processed by the Company and its operators. In terms of the POPI Act, operators are third parties that process personal information on behalf of the Company.

We continuously implement and monitor technical and organisational security measures to protect the personal information we hold, against unauthorised access, as well as accidental or wilful manipulation, loss or destruction.

We will take steps to ensure that operators that process personal information on behalf of the Company apply adequate safeguards as outlined above.

3.5 Trans-border flow of personal information

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

We will take steps to ensure that operators that process personal information in jurisdictions outside of South Africa, apply adequate safeguards as outlined in Section 3.4.

3.6 Personal information received from third parties

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

3.7 Records held in accordance with other legislation

Certain legislation provides that private bodies shall allow certain persons access to specified records, upon request. Records are available in terms of the legislation detailed in Annexure C to this manual (as amended from time to time); however, due to the number of laws applicable to the Company, the list of legislation may not be exhaustive.

Note that the information will only be provided in accordance with the requirements stipulated in the relevant pieces of legislation. If a requester believes that a right to access to a record exists in terms of the legislation 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 to consider the request in light thereof.

4 How to access information

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

Personal Requester

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

Other Requester

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

4.1 Request Procedure

A requester must comply with all the procedural requirements contained in the Act relating to

a request for access to a record. A requester must complete the prescribed form (Annexure 'A' attached hereto) and submit the same as well as payment of a request fee and a deposit, if applicable to the information officer at the postal or physical address, fax number or electronic mail address stated herein. The prescribed form must be filled in with enough particularity to at least enable the information officer to identify:

- The record or records requested;
- The identity of the requester;
- What form of access is required;
- The postal address or fax number of the requester.

A requester must state that he or she requires the information in order to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. The requester must also provide an explanation of why the requested record is required for the exercise or protection of that right.

The Company will process a request within 30 (Thirty) days, unless the requestor has stated special reasons which would satisfy the information officer that circumstances dictate that this time period not be complied with.

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 manner and the particulars so required. 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.

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.

4.2 Decision

The Company will, within 30 (Thirty) days of receipt of a request, decide whether to grant or decline a request and give notice with reasons (if required) to that effect. The 30 (Thirty) day period within which the Company has to decide whether to grant or refuse a request, may be extended for a further period of not more than 30 (Thirty) days if the request is for a large quantity of information, or the request requires a search for information held at another office of the Company (other than the head office) and the information cannot reasonably be obtained within the original 30 (Thirty) day period. The requestor will be notified within the time period through email or other means.

4.3 Fees

The Act provides for two types of fees (As per Annexure 'B'):

A request fee, (which will be a standard fee) and an access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs where applicable. When a request is received by the information officer of the Company, the information officer shall by notice require the requester, other than a personal

requester, to pay the prescribed request fee (if any), before further processing of the request. If a search for the record is necessary and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the information officer shall notify the requester to pay as a deposit the prescribed portion of the access fee which would be payable if the request is granted.

The information officer shall withhold a record until the requester has paid the fee or fees as indicated. A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form. If a deposit has been paid in respect of a request for access, which is refused, then the information officer shall repay the deposit to the requester.

5 Remedies

The Company does not have internal appeal procedures regarding PAIA and POPI Act requests. As such, the decision made by the duly authorised persons in section 2, is final. If a request is denied, the requestor is entitled to apply to a court with appropriate jurisdiction, or the Information Regulator (once established), for relief.

6 Objection to the processing of personal information by a data subject

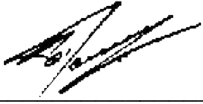
A data subject may at any time object to the processing of his / her / its personal information (as contemplated in Section 11(3)(a) of the POPI Act) in the prescribed form attached to this manual as Annexure D, subject to exceptions contained in the POPI Act.

7 Request for the correction or deletion of personal information

A Data Subject may request that his / her / its personal information be corrected or deleted (as contemplated in Section 24 of the POPI Act) in the prescribed form attached as Annexure E.

8 Approval

SIGNED ON BEHALF OF THE COMPANY ON THIS 22 **DAY OF** September **2021.**



_____, Patrick Liam O'Connell: Head of the Company



_____, Irene Wright: Information Officer of the Company

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ANNEXURE A

REQUEST FOR ACCESS TO A RECORD IN RELATION TO PAIA

REQUEST FOR ACCESS TO A RECORD OF PRIVATE BODY – FORM C

(Section 53(1) of the Promotion of Access to Information, Act No. 2 of 2000)

[Regulation 10]

1. PARTICULARS OF PRIVATE BODY

Requests can be submitted either via conventional mail, e-mail or fax and should be addressed to the Information Officer as indicated below:

Information Officer : Irene Wright
Postal address : IQ Business Park
Q2, 2nd Floor, No. 3
Third Avenue
Rivonia
2128
Business phone : 011 475 5177
Business fax :
E-mail address : irenew@specval.co.za

2A. PARTICULARS OF PERSON REQUESTING ACCESS TO THE RECORD (REQUESTER)

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

Full names and surname : _____

Identity number : _____

Postal address : _____

Fax number : _____ Telephone number : _____

email address : _____

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

2B. PARTICULARS OF REQUESTER (IF A LEGAL ENTITY)

- (a) *The particulars of the entity that 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.*

Name of entity : _____

Registration number :

Postal address : _____

Fax number : _____ Telephone number : _____

email address : _____

Capacity in which request is made:

3. 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 : _____

4. 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: _____

5. FEES

(a)	A request for access to a record will be processed only after a non-refundable request fee of R57.50 (including VAT) has been paid.
(b)	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.
(c)	If you qualify for exemption of the payment of any fee, please state the reason for exemption: _____ _____ _____

6. FORM OF ACCESS TO RECORDS

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 hereunder, 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 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 by the form in which access is requested.

1.	If the record is in written or printed form:		
	<input type="checkbox"/> copy of record*	<input type="checkbox"/> inspection of record	
2.	If record consists of visual images: (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):		
	<input type="checkbox"/> view the images	<input type="checkbox"/> copy the images*	<input type="checkbox"/> transcription of the images*
3.	If record consists of recorded words or information which can be reproduced in sound:		
	<input type="checkbox"/> listen to soundtrack (audio CD)	<input type="checkbox"/> transcription of soundtrack* (written or printed documents)	
4.	If record is held on computer or in an electronic or machine-readable form:		
	<input type="checkbox"/> printed copy of record*	<input type="checkbox"/> printed copy of information derived from the record*	<input type="checkbox"/> copy in computer readable form* (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?		YES	NO
Postage is payable			

7. 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.

8. 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** _____ **20**__

SIGNATURE OF REQUESTER / PERSON ON WHOSE BEHALF REQUEST IS MADE

ANNEXURE B

PRESCRIBED FEES IN TERMS OF REGULATION 11

PRESCRIBED FEES FOR REPRODUCTION OF RECORDS

PLEASE NOTE THAT ALL AMOUNTS LISTED ARE INCLUSIVE OF VALUED-ADDED TAX

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

[Regulation 11(1)]

- | | | |
|-----|---|--------|
| (a) | For every photocopy of an A4-size page or part thereof | R1.27 |
| (b) | For every printed copy of an A4-size page or part thereof held on R0.86 a computer or in an electronic or machine-readable form | |
| (c) | For a copy in a computer-readable form on compact disc | R80.50 |
| (d) | (i) For a transcription of visual images, for an A4-size page or part thereof | R46.00 |
| | (ii) For a copy of visual images | R69.00 |
| (e) | (i) For a transcription of an audio record, for an A4-size page or part thereof | R23.00 |
| | (ii) For a copy of an audio record | R34.50 |

PRESCRIBED FEES FOR ACCESS OF RECORDS

PLEASE NOTE THAT ALL AMOUNTS LISTED ARE INCLUSIVE OF VALUED-ADDED TAX

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

[Regulation 11(3)]

- | | | |
|-----|---|--------|
| (a) | For every photocopy of an A4-size page or part thereof | R1.27 |
| (b) | For every printed copy of an A4-size page or part thereof held on R0.86 a computer or in an electronic or machine-readable form | |
| (c) | For a copy in a computer-readable form on compact disc | R80.50 |
| (d) | (i) For a transcription of visual images, for an A4-size page or part thereof | R46.00 |
| | (ii) For a copy of visual images | R69.00 |
| (e) | (i) For a transcription of an audio record, for an A4-size page | |

or part thereof R23.00
(ii) For a copy of an audio record R34.50

- (f) To search for and prepare the record for disclosure or part thereof - R34.50 for each hour or part thereof reasonably required for such search and preparation
- (g) Six hours of searching to be exceeded before a deposit is payable
- (h) One third of the access fee is payable as a deposit by the requester
- (i) The actual postage fee is payable when a copy of a record must be posted to a requester

ANNEXURE C

RECORDS HELD IN ACCORDANCE WITH OTHER LEGISLATION - SECTION 51(1)(b)(iii)

Records are available in terms of the following legislation, as amended from time to time:

- Basic Conditions of Employment Act 75 of 1997 (and Amendment Act)
- Broad-Based Black Economic Empowerment Act 53 of 2003 (and Amendment Act and Regulations) Broad-Based Black Economic Empowerment Revised Codes of Good Practice 2014
- Companies Act 71 of 2008
- Compensation for Occupational Injuries and Diseases Act 130 of 1993 Competition Act, No 89 of 1998
- Consumer Protection Act 68 of 2008
- Copyright Act 98 of 1978
- Customs and Excise Amendment Act 32 of 2014 Customs Control Act 31 of 2014
- Customs Duty Act 30 of 2014
- Designs Act 195 of 1993
- Electronic Communications and Transactions Act 25 of 2002 Employment Equity Act 55 of 1998
- Financial Advisory and Intermediary Service Act 37 of 2002
- Financial Intelligence Centre Act 38 of 2001 (and Amendment Act) Financial Markets Act 19 of 2012
- Health Act 63 of 1977
- Income Tax Act 58 of 1962 JSE Listings Requirements King Report IV
- Insurance Act 18 of 2017
- Labour Relations Act 66 of 1995 (and Amendment Act)
- Long Term Insurance Act 52 of 2008
- National Credit Act 34 of 2005
- Patents Act 57 of 1978
- Pension Funds Act 24 of 1956
- Prevention and Combating of Corrupt Activities Act 12 of 2004 Prevention of Organised Crime Act 121 of 1998
- Promotion of Access to Information Act 2 of 2000
- Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
- Protected Disclosures Act 26 of 2000 (and Amendment Bill) Protection of Personal Information Act 4 of 2013
- Public Finance Management Act 1 of 1999
- Regulations on Interception of Communications and the Provisions of Communication Related to Information Act 70 of 2002
- Skills Development Act 97 of 1998
- Skills Development Levies Act 9 of 1999 State Tender Board Act 86 of 1999
- Tax Administration Act 28 of 2011
- Trade Marks Act 194 of 1993
- Unemployment Insurance Contributions Act 4 of 2002 Value-Added Tax Act 89 of 1991

PLEASE NOTE:

Whilst all reasonable endeavours have been made to provide a complete list of applicable legislation above, it is possible that the above list may be incomplete. Wherever it comes to the Company's attention that existing or new legislation allows a requester access on a basis other than that set out in the PAIA, the above list will be updated.

ANNEXURE D

OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF SECTION 11(3) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018

[Regulation 2]

Note:

1. Affidavits or other documentary evidence as applicable in support of the objection may be attached.
2. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.
3. Complete as is applicable.

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

Signed at this day of20.....

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

ANNEXURE E

**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*

Type text here

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):	

Proprietary Information Notice:

This document contains confidential and proprietary information. Disclosure, use or reproduction of this document is prohibited, except if authorised by the Company.
