

Promotion of Access to Information Act & The Protection of Personal Information Act Manual

Effective Date 1st July 2021 **Version Number** 1

1. INTRODUCTION

The Promotion of Access to Information Act, No. 2 of 2000 (PAIA) seeks to give effect to the constitutional right to access information as contained in section 32 of the Bill of Rights in South Africa's Constitution. PAIA seeks to advance the values of transparency and accountability.

The Protection of Personal Information Act, No. 4 of 2013 (POPIA) seeks to give effect to the constitutional right to privacy as contained in section 14 of the Bill of Rights in South Africa's Constitution. POPIA seeks to safeguard personal information by regulating the manner in which it may be processed by public and private bodies.

PAIA and POPIA grant certain statutory rights to persons requiring access to the records and information of a private body or a public body.

This manual informs requesters of the procedural requirements which a request for information from SOHK South Africa NPC (SOHK), a private body, must meet as prescribed by PAIA and POPIA.

2. PURPOSE

This document, prepared per section 51 of PAIA and the provisions of POPIA, serves as SOHK's information manual and provides a reference to the records held by SOHK, as well as the personal information processed by SOHK from time to time.

This manual does not purport to be exhaustive of or comprehensively deal with every procedure provided for in PAIA or POPIA. A requester is advised to familiarise him/herself with the provisions of PAIA and POPIA before lodging any request with SOHK.

3. ABOUT SOHK

SOHK is a non-profit organisation based in Cape Town, South Africa. Founded in the UK in 2012, School of Hard Knocks (SOHK) is an international non-profit network operating in the UK and South Africa that uses sport to teach powerful life lessons that help young people to finish school and make better life choices.

Our courses in the UK help 90% of participants to rate themselves as 'improved' or 'significantly improved' in confidence, motivation, ability to face challenges, hopefulness and sense of belonging to a community. In addition 94% of learners we have worked with have remained in mainstream education.

SOHK South Africa was started in early-2017 and we currently deliver life skills and mental health programmes to 160 youth from adverse backgrounds at four under-resourced government schools in Cape Town. Further information about SOHK, its operations and activities can be obtained from its website at www.schoolofhardknocks.co.za

4. AVAILABILITY OF THE MANUAL

This manual is available for inspection on the SOHK website at www.schoolofhardknocks.co.za and during normal business hours at SOHK's Head Office. This manual may be amended from time to time by SOHK.

5. CONTACT DETAILS

Requests pursuant to the provisions of PAIA and POPIA should be directed as follows:

School of Hard Knocks SA NPC

Head of SOHK: Scott Sloan

Information Officer: Scott Sloan

Postal Address: SOHK % Cape Town High, Hatfield St, Cape Town, 8000

Street Address: SOHK % Cape Town High, Hatfield St, Cape Town, 8000

Office Phone: +27 (0) 729395283

E-mail address: info@schoolofhardknocks.co.za

6. HUMAN RIGHTS COMMISSION/INFORMATION REGULATOR GUIDE

A guide has been compiled, in terms of Section 10 of PAIA, by the South African Human Rights Commission (SAHRC). It contains information to assist a person wishing to exercise any right contemplated by PAIA. It is available in all of South Africa's official languages.

The guide is available at the offices of the SAHRC at Braampark Forum 3, 33 Hoofd Street, Braamfontein, South Africa, and on its website at www.sahrc.org.za or under the "Understanding PAIA," tab at www.sahrc.org.za/index.php/understanding-paia and any enquiries regarding the guide may be directed to:

- SAHRC, General: Deputy Information Officer: PAIA Dr Shanelle van der Berg Contact: Mokgadi Nyuswa Contact number: +27 11 877 3628 Email: mnyuswa@sahrc.org.za
- Telephone: +27 11 877 3600 Email: info@sahrc.org.za Website: www.sahrc.org.za

With effect from the commencement date of the relevant sections of POPIA, the Information Regulator will be required to update (and make available) the existing guide to include information required by persons wishing to exercise any right contemplated by POPIA. The updated guide will be available from the Information Regulator in due course. The Information Regulator's contact details are as follows:

- Street Address: 33 Hoofd Street Forum III, 3rd Floor Braampark
- Postal Address: P.O Box 31533 Braamfontein, Johannesburg, 2017
- Email: info@justice.gov.za

- Website: <http://www.justice.gov.za/inforeg/>

7. RECORDS AUTOMATICALLY AVAILABLE TO THE PUBLIC

No notice has been published pursuant to Section 52(2) of PAIA, regarding the categories of records that are automatically available without having to request access in terms of PAIA. The following categories of records are automatically available for inspection and do not need to be requested in terms of PAIA: newsletters, brochures, and any other information provided on the SOHK website at www.schoolofhardknocks.co.za.

8. RECORDS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION

Records may be kept and are available in terms of the legislation detailed in **Annex 3** to this manual (as amended from time to time); however, due to the number of laws applicable to SOHK, the list of legislation may not be exhaustive.

Requested information will only be provided in accordance with the requirements stipulated in the relevant piece of legislation. If a requester believes that a right to access a record exists in terms of the legislation listed in **Annex 3**, or any other legislation, the requester is required to indicate the legislation under which the request is based, to allow SOHK's Information Officer opportunity to properly consider the request.

9. RECORDS – CATEGORIES AND SUBJECT OF RECORDS HELD

The information contained in this section is intended to identify the main categories of records held by SOHK and to help the requester gain a better understanding of the main business activities of SOHK. Access to the listed records does not mean that access requests will be approved.

The following is a non-exclusive list of the subjects on which SOHK holds records and the categories into which they fall:

Company Records

- Documents of incorporation;
- Names of Directors;
- Memorandum of Incorporation;
- Minutes of meetings of Board of Directors;
- Policy documents, including the SOHK Code of Ethics and Conduct
- Records relating to the appointment of directors, auditors, etc.; and
- Names of prescribed officer and other officers.

Financial Records

- Annual Financial Statements;
- Tax Returns;
- Accounting Records;
- Banking Records;
- Bank Statements;
- Paid Cheques;

- Electronic banking records;
- Asset Register;
- Rental Agreements; and
- Invoices/Expense/Financial donor reports.

Income Tax Records

- PAYE Records;
- Documents issued to employees for income tax purposes;
- Records of payments made to SARS on behalf of employees;
- All other statutory compliance documents:
 - VAT;
 - Skills Development Levies;
 - UIF; and
 - Workmen's Compensation.

Personnel/Employee Documents and Records

- Employment contracts;
- HR Policy
 - Forms and Applications
 - Grievance Procedures;
 - Leave records;
 - Disciplinary code;
 - Disciplinary records;
 - Performance Assessment records;
 - Salary records;
 - Training records; and Training Manuals;
- Health and Safety Policy; and Mandatory Health and Safety records.
 - Information Technology Records
 - Computer software support and maintenance agreements
 - Website development, support, and maintenance agreements
 - Agreements with Internet service providers and other telecommunication entities; and; Individual contracts in respect of usage of cellular or mobile telephones.
- Third-Party Records
 - Records pertaining to third parties, including clients (such as client cards), suppliers, and service providers.

10.ACCESS REQUESTS

Completion of Access Request Form

To facilitate a timely response to requests for access to records held by SOHK in terms of PAIA, all requesters should take note of the following when completing the Access Request Form:

- The Access Request Form, attached as **Annex 1** or otherwise made available on the SAHRC website or the Information Regulator's website or the Department of Justice and Constitutional Development website (www.doj.gov.za), must be completed.

- Proof of identity is required to authenticate the identity of the requester — in addition to the Access Request Form, requesters will be required to supply a certified copy of their identification document or a valid passport document, or if a legal entity, a certified copy of the Company Registration Certificate.
- Type or print in BLOCK LETTERS and answer every question.
- If a question does not apply, state “NA” in response to that question.
- If there is nothing to disclose in reply to a particular question state “NIL” in response to that question.
- If there is insufficient space on the printed form, additional information may be provided on an additional page. When the use of an additional page is required, precede each answer with the applicable title.
- In lodging a request, the requester must:
 - provide sufficient detail on the request form to enable SOHK to identify the record and the requested
 - indicate which form of access is required, and specify a postal address, fax number, and/or email address within the Republic of South Africa
 - indicate whether, in addition to a written response, the requester requests to be informed in any other manner and state the necessary particulars to be so informed; and
 - identify the right that the requester is seeking to exercise or protect, and provide an explanation of why the requested record is required for the exercise or protection of such right.
- If a request is made on behalf of a person, the requester must also submit proof of the capacity in which the requester is making the request, to the satisfaction of SOHK.
- Please note that the successful completion and submission of an Access Request Form does not automatically allow the requester access to the requested record. An application for access to a record is subject to certain limitations if the requested record falls within a certain category as specified within Part 3 Chapter 4 of PAIA.
- If it is reasonably suspected that the requester has obtained access to records through the submission of materially false or misleading information, legal proceedings may be instituted against the requester.

Submission of Access Request Form

The completed Access Request Form, together with a certified copy of the requester’s identity document, must be addressed to the SOHK Information Officer and submitted via the contact details stated in paragraph 5, as indicated above.

Payment of Fees

An initial request fee of R50 (exclusive of VAT) is payable on submission of the Access Request Form. Payment details can be obtained from the SOHK Information Officer indicated above and can be made either via a direct deposit, by bank guaranteed cheque, or by postal order (no credit card payments are accepted). Proof of payment must be supplied to the SOHK Information Officer via the contact details stated in paragraph 5.

If the request for access is successful, an access fee may be required for the search, reproduction, and/or preparation of the record(s) and will be calculated based on the prescribed fees as set out in **Annex 2**. The access fee must be paid prior to SOHK processing the request and access being given to the requested record.

Notification

The SOHK Information Officer will, within 30 (thirty) days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.

The 30-day period may be extended for a further period of not more than 30 (thirty) days if the request is for a large volume of information, the request requires a search for information held at other offices of SOHK, or the information cannot reasonably be obtained within the original 30-day period or such other circumstance contemplated in PAIA exists making compliance with the original 30-day period not reasonably possible. The requester will be notified in writing should an extension be sought.

Grounds for Refusal of Access to Records

In terms of PAIA, there are certain grounds upon which SOHK may refuse to grant a requester access to its records, as certain categories of information may be subject to protection in the interests of privacy. The grounds for refusal of a request for information includes but is not limited to:

- Mandatory protection of the privacy of a third party, who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person;
- Mandatory protection of the commercial information of a third party, if the record contains:
 - Trade secrets of that party;
- Financial, commercial, scientific or technical information for which disclosure could likely cause harm to the financial or commercial interests of that party;
- o Information disclosed by a third party to SOHK if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
- Mandatory protection of confidential information of third parties if the disclosure would constitute a breach of duty or confidence to a third party in terms of an agreement;
- Mandatory protection of the safety of individuals and the protection of property;
- Mandatory protection of records which could be regarded as privileged in legal proceedings; or
Mandatory protection of SOHK's business activities, which may include without limitation:
 - Trade secrets of SOHK; or
 - Financial, commercial, scientific or technical information which, if disclosed, would likely cause harm to the financial or business interests of SOHK.

Remedies Against Refusal to Grant Access

If a requester is aggrieved by the refusal of the SOHK Information Officer to grant a request for a record, the requester may, upon notification of the SOHK Information Officer's decision, lodge a complaint to the Information Regulator or apply to a court for appropriate relief within the timeframes prescribed by PAIA.

11.RECORDS NOT FOUND OR THAT DO NOT EXIST

If all reasonable steps have been taken to find a record, and such record cannot be found or if the record does not exist, the Information Officer shall notify the requester, by way of an affidavit or affirmation, that it is not possible to give access to the requested record. The notice shall be regarded as a decision to refuse a request for access to the record concerned for purposes of PAIA.

The affidavit or affirmation shall provide a full account of all the steps taken to find the record or to determine the existence thereof, including details of all communications by the Information Officer with every person who conducted the search.

If the record in question should later be found, the requester shall be given access to the record in the manner stipulated by the requester in the prescribed form, unless access is refused by the Information Officer.

12. INFORMATION REQUESTED ABOUT A THIRD PARTY

PAIA makes provision for a request for information or records about a third party. In considering such a request, SOHK will adhere to the provisions of sections 71 to 73 of PAIA, as well as the relevant provisions of POPIA.

The attention of the requester is drawn to the provisions of Chapter 5 of PAIA, in terms of which SOHK is required to notify the third party of the request lodged in respect of information applicable to or concerning such third party. Within 21 days of being informed, the third party has an opportunity to grant consent to the disclosure of the record, or to make representations (written or oral) as to why the requested record should not be disclosed to the requester. If SOHK decides to grant access to the record, it will notify the affected third party of its decision to do so. In addition, the provisions of Chapter 2 of Part 4 of PAIA entitles the third party to dispute the decision of the Information Officer by referring the matter to the High Court once all internal appeal procedures have been exhausted by the third party. The High Court will then determine whether or not the record should have been disclosed by SOHK.

13. PERSONAL INFORMATION

Purpose of Processing

Personal information is processed by SOHK for various reasons, including:

- providing support and care to HIV women and their families (“clients”)
- communication with donors and clients;
- carrying out actions for the conclusion or performance of a grant or contract;
- maintaining records of employees, mentors, donors, and clients;
- supporting and managing employees;
- complying with applicable laws and regulations;
- protecting the legitimate interests of the data subjects;
- pursuing, where necessary, the legitimate interests of SOHK;
- carrying out security and crime prevention (including theft and fraud);
- conducting research and statistical analysis
- defending itself against or institute any claim or legal action; or
- exercising, generally, SOHK’s business interests and purposes

The above list is not exhaustive.

Categories of Data Subjects

SOHK processes personal information in respect of the following categories of data subjects and information

- personnel/employees;
- Consultants;
- Contractors;
- Donors;
- Directors;
- clients, which may include children;
- service providers;
- Suppliers;
- visitors or guests to SOHK's offices; and
- other third parties with whom SOHK conducts business

The above list is not exhaustive.

Categories of Information

In respect of natural persons, information held by SOHK may include

- Personal information: name, identifying number (identity or passport number), date of birth, citizenship, age, gender, race, sex, pregnancy, physical or mental health, well-being, marital status, language, telephone number(s), email address(es), physical and postal addresses, income tax number, banking information, disability information, employment history, background checks, biometric information (i.e., fingerprints), curricula vitae/resumes, education history, remuneration and benefits information, and details related to employee performance and disciplinary procedures.
- Special personal information: race, national identity or ethnicity, health and sex life information, biometric information, and criminal behaviour.
- Personal Information of children: name, identifying number (identity or passport number), date of birth, citizenship, age, gender, race, national origin, sex, physical or mental health, well-being, language, physical and postal addresses, and disability information.
- In respect of juristic persons (for example companies), information held by SOHK may include: name, registration number, tax information, contact details, physical and postal addresses, FICA documentation, BEE certificates, payment details (including bank accounts), invoices, and contractual agreements.

The above lists are not exhaustive

Categories of Recipients to Whom Personal Information may be Supplied

SOHK may supply the personal information to the following such categories of recipients:

- parent or other competent person;
- healthcare, social, or welfare organisations;
- healthcare professionals;

- private security company
- service providers;
- medical aid, pension or provident funds;
- auditing and accounting bodies (internal and external);
- third parties with whom SOHK has contracted for the retention and/or analysis of data;
- relevant authorities, government departments, statutory bodies or regulators, including South African Revenue Service, or another similar authority;
- and/or a court, administrative or judicial forum, arbitration or statutory commission requesting terms of the applicable laws or rules.

The above list is not exhaustive.

Transborder Flows of Personal Information

SOHK envisages that it may from time to time transfer personal information to third parties or other SOHK offices situated in another country and such transfers would be subject to the relevant provisions of POPIA. This may happen if SOHK's servers, suppliers, and/or service providers are based outside South Africa.

Information Security Measures

SOHK strives to take appropriate, reasonable technical and organisational measures to secure the integrity and confidentiality of personal information in the organisation's possession or under its control. Please refer to SOHK's Data Privacy Policy available on our website: www.schoolofhardknocks.co.za.

Confirmation of personal information being held and request for records/description

A data subject may, upon proof of identity, request SOHK to: confirm, free of charge, whether or not SOHK is processing their personal information; And provide, for a prescribed fee, a description of their personal information which SOHK processes (as contemplated in Section 23(1) of POPIA) by completing the form attached to this manual labelled **Annex 6** and submitting it to the Information Officer via the contact details stated in paragraph 5, as indicated above.

Where the data subject is required to pay a fee, SOHK will provide the data subject with a written estimate of the fee before providing the services and may require that the data subject pay a deposit for all or part of the fee.

Payment details can be obtained from the SOHK Information Officer indicated above and can be made either via a direct deposit, by bank guaranteed cheque or by postal order (no credit card payments are accepted). Proof of payment must be supplied to the SOHK Information Officer and via the contact details stated in paragraph 5.

Grounds for refusal of the data subject's request are set out in PAIA and are discussed above.

Objection to the Processing of Personal Information by a Data Subject

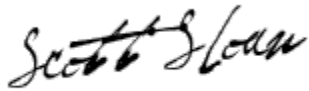
A data subject may at any time object to the processing of his/her/their personal information on reasonable grounds relating to his/her/their particular situation, unless legislation provides for such processing (as contemplated in Section 11(3)(a) of POPIA). The data subject must complete the

prescribed form attached to this manual as **Annex 4** and submit it to the Information Officer via the contact details stated in paragraph 5, as indicated above.

Request for Correction or Deletion of Personal Information

A data subject may also request his/her/their personal information be corrected or deleted (as contemplated in Section 24 of POPIA). The data subject must complete the prescribed form attached to this manual as **Annex 5** and submit it to the Information Officer via the contact details stated in paragraph 5, as indicated above.

Approved and Reviewed by:

A handwritten signature in black ink that reads "Scott Sloan". The signature is written in a cursive, slightly slanted style.

Scott Sloan,

Executive Director

Sources

Promotion of Access to Information Act No. 2 of 2000

Protection of Personal Information Act, 2013

**ANNEX 1: REQUEST FOR ACCESS TO A RECORD CONCERNING 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:

School of Hard Knocks SA NPC
Head of SOHK: Scott Sloan
Information Officer: Scott Sloan
Postal Address: SOHK % Cape Town High, Hatfield St, Cape Town, 8000
Street Address: SOHK % Cape Town High, Hatfield St, Cape Town, 8000
Office Phone: +27 (0) 729395283
E-mail address: info@schoolofhardknocks.co.za

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

- (a) The particulars of the person who requests access to the record must be given below.
- (b) The address and/or fax number 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: _____

Email address: _____

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

3. 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 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: _____

Telephone number: _____

Email address: _____

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

4. 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: _____

5. 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 page and attach it to this form. The requester must sign all the additional pages.

Description of record or relevant part of the record:

Reference number, if available:

Any further particulars of record:

6. FEES

- (a) A request for access to a record will be processed only after a non-refundable request fee of R50 (exclusive of 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:

7. 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 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.			
(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 a 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 images*		
3. If a record consists of recorded words or information which can be reproduced in sound:			
<input type="checkbox"/>	Listen to the soundtrack (audio CD)	<input type="checkbox"/>	transcription of the soundtrack (written or printed documents)*
4. If a record is held on a 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 (flash drive)*		
*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

8. PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

If the provided space is inadequate, please continue on a separate page and attach it to this form. The requester must sign all the additional pages.

Indicate which right is to be exercised or protected:

Explain why the record requested is required for the exercise or protection of the aforementioned right.

9. 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

ANNEX 2: PRESCRIBED FEES IN TERMS OF REGULATION 11

PRESCRIBED FEES FOR REPRODUCTION OF RECORDS

PLEASE NOTE THAT ALL AMOUNTS LISTED ARE EXCLUSIVE OF VALUED-ADDED TAX
(Section 54(7) of the Promotion of Access to Information, Act No. 2 of 2000)
[Regulation 11(1)]

TYPE OF RECORD	COST
For every photocopy of an A4-size page or part thereof	R1.10
For every printed copy of an A4-size page or part thereof held on a computer or in an electronic or machine-readable form	R0.75
For a transcription of visual images, for an A4-size page or part thereof	R40.00
For a copy of visual images	R60.00
For a transcription of an audio record, for an A4-size page or part thereof	R20.00
For a copy of an audio record	R30.00
To search for and prepare the record for disclosure or part thereof	R30.00 for each hour or part thereof reasonably required for such search and preparation
Six hours of searching to be exceeded before a deposit is payable.	
One-third of the access fee is payable as a deposit by the requester	
The actual postage fee is payable when a copy of a record must be posted to a requester	

ANNEX 3: RECORDS HELD IN ACCORDANCE WITH OTHER LEGISLATION

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

Basic Conditions of Employment Act 75 of 1997
Broad-Based Black Economic Empowerment Act 53 of 2003
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
Currency and Exchanges Act 9 of 1933
Electronic Communications and Transactions Act 25 of 2002
Employment Equity Act 55 of 1998
Financial Intelligence Centre Act 38 of 2001
Income Tax Act 58 of 1962
King Report IV
Labour Relations Act 66 of 1995
National Credit Act 34 of 2005
National Health Act 61 of 2003
Occupational Health and Safety Act 85 of 1993
Pension Funds Act 24 of 1956
Prevention and Combating of Corrupt Activities Act 12 of 2004
Promotion of Access to Information Act 2 of 2000
Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
Protection of Personal Information Act 4 of 2013
Skills Development Act 97 of 1998
Skills Development Levies Act 9 of 1999
Trade Marks Act 194 of 1993
Unemployment Insurance Contributions Act 4 of 2002
Value-Added Tax Act 89 of 1991

PLEASE NOTE: While all reasonable endeavours have been made to provide a complete list of applicable legislation above, the above list may be incomplete. Wherever it comes to SONK'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.

**ANNEX 4: 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 in this Form is inadequate, submit information as an annex to this Form and sign each page.
3. Complete as is applicable.

Details of Data Subject	
Name(s) and Surname of Data Subject:	
ID or Passport number:	
Residential, postal or business address:	
Contact number(s):	
Email address:	
Details of Responsible Party	
Name(s) and Surname of Responsible Party	
Residential, postal or business address:	
Contact number(s):	
Email address:	
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 of 20_____.

SIGNATURE OF DATA SUBJECT/DESIGNATED PERSON

ANNEX 5: 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 in this Form is inadequate, submit information as an annex to this Form and sign each page.
3. Complete as is applicable.

Mark the appropriate answer 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.

Details of Data Subject	
Name(s) and Surname of Data Subject:	
ID or Passport number:	
Residential, postal or business address:	
Contact number(s):	
Email address:	
Details of Responsible Party	
Name(s) and Surname of Responsible Party	
Residential, postal or business address:	
Contact number(s):	
Email address:	
INFORMATION TO BE CORRECTED/DELETED/DESTRUCTED/DESTROYED	

REASONS FOR CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(a) WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY;

and/or

REASONS FOR DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(b) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN.

(Please provide detailed reasons for the request)

Signed at _____ this ____ day of 20 _____.

SIGNATURE OF DATA SUBJECT/DESIGNATED PERSON

ANNEX 6: REQUEST FOR WHAT PERSONAL INFORMATION M2M HOLDS IN TERMS OF SECTION 23(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)

Under section 23 of the Protection of Personal Information Act (4 of 2013), you have a right to: (i) request SOHK to confirm whether or not it holds personal information about you; and (ii) request a copy of the record or a description of the personal information SOHK holds about you, including information about the identity of all third parties, or categories of third parties, who have, or have had, access to the information.

SOHK could hold personal information in several different areas. Completing this form will help us to locate the information you are seeking and deal with your request as quickly as possible.

Part 1 – About Yourself

SURNAME:	
FIRST NAME(S):	
ALTERNATIVE NAMES:	
IDENTITY NUMBER:	
DATE OF BIRTH:	
CURRENT ADDRESS:	
PHONE NUMBER:	
EMAIL ADDRESS:	
RELATIONSHIP TO DATA SUBJECT:	

Part 2 – Are You Requesting Information About Yourself?

IF YES:	Please go to Part 4
IF NO	If you are making the request on behalf of another person you must enclose with the request a signed authority from them to do so. If you are making the application because the data subject lacks the capacity to make the application in their own right please outline your authority to make the application in their stead (for example, Power of Attorney). You should enclose a copy of any evidence that you may have of that authority. The Information Officer of SOHK will contact you if further evidence is required. (please complete Part 3)

Part 3 – Details of the Data Subject (if requesting information on behalf of someone else)

If requesting information about an individual:	
SURNAME:	
FIRST NAME(S):	
ALTERNATIVE NAMES:	
IDENTITY NUMBER:	
DATE OF BIRTH:	
CURRENT ADDRESS:	
PHONE NUMBER:	
EMAIL ADDRESS:	

If requesting information about a juristic person:	
NAME OF ENTITY:	
ALTERNATIVE NAMES:	For example, if the entity trades under a name different to its registered name or it has changed its name
REGISTRATION NUMBER:	
REGISTERED ADDRESS:	
PRINCIPAL PLACE OF BUSINESS:	

Part 4 - Locating Your Personal Information

For SOHK to be able to locate the information you are seeking, please provide some details, if known, as to where you feel the information is held about you. If you would like to provide any further information that you feel would help locate your personal information, please provide this in the box named Additional Information.

DESCRIBE THE INFORMATION YOU ARE REQUESTING:	If you are only seeking certain records, it would be helpful for us to know which type(s) of record you are seeking, any time period to cover, and if you would like to see only specific document(s). Please describe these below in as much detail as you can.
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DATES OF CONTACT: (approximately)	
ADDITIONAL INFORMATION:	

Part 5 – Confirming Your Identity

We may ask for identification to confirm who you are.

It would therefore be helpful if, at the outset, you could provide, for identification purposes, a copy of any one of the documents listed below. Your document will be returned once the search for your personal data is completed.

- Certified copy of current identity document
- Certified copy of current passport

Part 6 - Declaration

Please read the following declaration carefully and sign and date it.

I, _____, certify that the information provided on this application to SOHK is true and correct. I understand that it is necessary for SOHK to confirm the data subject's identity, and that it may be necessary for SOHK to request more details from me to be able to locate the correct information.

Signature: _____ Date: _____