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1. Background

At REAM Insurance Brokers (Pty) Ltd (hereinafter referred to as "REAM") we are committed to protecting the right to privacy of our employees, our vendors, and our clients. We will ensure that personal information is collected and used properly, lawfully and transparently in line with the Protection of Personal Information Act 4 of 2013 (hereinafter referred to as POPIA).

2. Scope

The data subject request procedure is intended to be used when a data subject exercises one or more of the rights they are granted under the Protection of Personal Information Act (POPIA).

Each of the rights involved has its own specific aspects and challenges to REAM in complying with them and doing so within the required timescales. In general, a proactive approach will be taken that places as much control over personal information in the hands of the data subject as possible, with a minimum amount of intervention or involvement required on the part of REAM.

However, in some cases there is a decision-making process to be followed by REAM regarding whether a request will be allowed or not; where this is the case, the steps involved in these decisions are explained in this document.

3. Data Subject Request Procedure

3.1 General

The following general points apply to all of the requests described in this document and are based on Condition 8 of the POPI Act requirements:

- a) Information shall be provided to the data subject in a concise, transparent, intelligible and easily accessible form, using clear and plain language, in particular for any information addressed specifically to a child.
- b) The data subject must provide adequate proof of identity with each request.

- c) Information may be provided in writing, or electronically or by other means.
- d) The data subject may request the information orally (e.g. over the telephone or face to face), as long as the identity of the data subject has been established.
- e) We must act on a request from a data subject unless we are unable to establish their identity.
- f) We must provide information within a reasonable time.
- g) The data subject must be informed of any delays in providing the requested information and the reasons for said delays must be provided.
- h) If a request is made via electronic form, the response should be via electronic means where possible, unless the data subject requests otherwise.
- i) If it is decided that we will not comply with a request, we must inform the data subject without delay, stating the reason(s) and informing the data subject of their right to complain to the Regulator.
- j) If there is doubt about a data subject's identity, we may request further information to establish it.
- k) If the data subject is required to pay a fee for services provided a written estimate of the fee must be provided to the data subject.
- l) When we provide the requested information, the data subject must be advised of their right to correct the information.

Please refer to the exact text in POPIA if clarification of any of the above is required.

The procedure for responding to requests from data subjects is set out below. The specifics of each step in the procedure will vary according to the type of request involved – refer to the relevant section of this procedure for more detail.

3.2 Procedure Steps

The steps below are expanded upon further under the section addressing each type of request.

| Step | Description | Person |
|------|-------------|--------|
|------|-------------|--------|

| | | |
|----------------------------------|--|--|
| Data subject request received | <p>The data subject submits a request via one of a number of methods, including electronically (via email or via our website), by letter or on the telephone. This may be received by any part of the organisation but should ideally be channelled through the Information Officer.</p> <p><i>[A Data Subject Request Forms are available for this purpose, attached as Annexure A, B,]</i></p> | Information Officer / Deputy Information Officer |
| Log data subject request | <p>The fact that the request has been received is logged and the date of the request recorded.</p> <p><i>[Data Subject Request Register]</i></p> | Compliance manager |
| Confirm identity of data subject | <p>The identity of the data subject is confirmed via an approved method. More information may be requested to confirm identity if required. If the identity of the data subject cannot be confirmed, the request is rejected and the reason for this communicated to the data subject.</p> | Request Administrator/ Compliance manager |
| Evaluate validity of request | <p>The test of whether the request is valid. If not, a decision is made whether to reject the request or apply a charge to it.</p> | Information Officer / Deputy Information Officer |

| | | |
|-------------------------------|--|--|
| | In the case of requests for rectification, erasure, restriction of, or objection to, processing, a decision is also taken about whether the request is reasonable and lawful. If not, the request is rejected and the data subject informed of the decision and their right to complain to the supervisory authority. | |
| Charge for request | If a charge is applied, the data subject is informed of the charge and has an opportunity to decide whether or not to proceed. If the data subject decides not to proceed, the request is rejected and the reasons communicated. | Information Officer/ Deputy Information Officer |
| Compile requested information | The relevant information is compiled according to the type of request. This may involve planning how the requested action, e.g. erasure or restriction of processing, will be achieved. A maximum of one month is permitted; if the request will take longer than that then a maximum of two further months are allowed and the data subject must be informed of the delay and the reasons for it within one month of the request being submitted. | Information Officer/ Deputy Information officer/ Compliance manager/ Data Owner |

| | | |
|---|--|--|
| Take requested action/provide requested information | The requested action is carried out (if applicable) and the information requested is provided to the data subject electronically, if that is the preferred method, or via other means. | Information Officer/ Deputy Information Officer |
| Close data subject request | The fact that the request has been responded to is logged together with the date of closure. <i>[Data Subject Request Register]</i> | Compliance Manager |

3.3. Role Players

| Person | Name | Contact |
|----------------------------|---------------|--|
| Information Officer | RV du Plessis | raymond@tuffstuff.co.za |
| Deputy Information Officer | A du Plessis | andre@tuffstuff.co.za |
| Compliance Manager | M du Plessis | meliska@tuffstuff.co.za |

4. The rights of Data Subjects

4.1 The right to withdraw consent

The data subject has the right to withdraw consent where the basis for processing of their personal information is that of consent (i.e. the processing is not based on a different justification allowed by POPIA such as contractual or legal obligation).

Before excluding the data subject's personal information from processing, it must be confirmed that consent is indeed the basis of the processing. If not, then the request may be rejected on the grounds that the processing does not require the data subject's consent. Otherwise, the request should be allowed.

In many cases, the giving and withdrawal of consent will be available electronically i.e. online, and this procedure will not be required.

Where consent involves a child (defined by POPIA as age 16+ unless changed by law) the giving or withdrawal must be authorised by the holder of parental responsibility over the child.

4.2 The right to be informed

At the point where personal information is collected from the data subject or obtained from another source, there is a requirement to inform the data subject about our use of that data and their rights over it.

Compliance with this right is addressed in our Privacy Statements and the Website Privacy Policy.

4.3 The right of access

A data subject has the right to ask REAM whether we process data about them, to have access to that personal information and in addition the following information:

- a) The purposes of the processing.
- b) The categories of the personal information concerned.
- c) The recipients, or categories of recipients, of the personal information, if any, in particular any third countries or international organisations.
- d) The length of time that the personal information be stored for (or the criteria used to determine that period).
- e) The data subject's rights to rectification or erasure of their personal information and restriction of, or objection to, its processing.
- f) The data subject's right to lodge a complaint with the Regulator.
- g) Information about the source of the personal information, if not directly from the data subject.
- h) Whether the personal information will be subject to automated processing, including profiling and, if so, the logic and potential consequences involved.

- i) Where the personal information is transferred to another country or international organisation, information about the safeguards that apply.

In most cases, the decision-making process for such requests will be straightforward unless it is judged that the request is manifestly unfounded or excessive. The compilation of the information is likely to require the input of the data owner.

4.4 The right to rectification

Where personal information is inaccurate, the data subject has the right to request that it be corrected and incomplete personal information completed based on information they may provide.

Where necessary, REAM will take steps to validate the information provided by the data subject to ensure that it is accurate before amending it.

4.5 The right to erasure

Also known as “the right to be forgotten”, the data subject has the right to require REAM to erase personal information about them without undue delay where one of the following applies:

- The personal information is no longer necessary for the purpose for which they were collected.
- The data subject withdraws consent and there is no other legal ground for processing.
- The data subject objects to the processing of the personal information.
- The personal information has been unlawfully processed.
- For compliance reasons, i.e. to meet the legal obligations of REAM.
- Where the personal information was relevant to the data subject as a child,

Reasonable efforts must be made to ensure erasure where the personal information has been made public.

REAM will need to make a decision on each case of such requests as to whether the request can or should be declined for one of the following reasons:

- Right of freedom of expression and information.
- Compliance with a legal obligation.
- Public interest in the area of public health.
- To protect archiving purposes in the public interest.
- The personal information is relevant to a legal claim.

It is likely that such decisions will require the involvement of the REAM Information Officer and in some cases senior management.

4.6 The right to restrict processing

The data subject can exercise the right to a restriction of processing of their personal information in one of the following circumstances:

- Where the data subject contests the accuracy of the data, until we have been able to verify its accuracy.
- As an alternative to erasure in the circumstances that the processing is unlawful.
- Where the data subject needs the data for legal claims but it is no longer required by us.
- Whilst a decision on an objection to processing is pending.

REAM will need to make a decision on each case of such requests as to whether the request should be allowed. It is likely that such decisions will require the involvement of the REAM Information Officer and in some cases senior management.

Where a restriction of processing is in place, the personal information may be stored but not processed without the data subject's consent, unless for legal reasons (in which case the data subject must be informed). Other organisations who may process the data on our behalf must also be informed of the restriction.

4.7 The right to data portability

The data subject has the right to request that their personal information be provided to them in a reasonable manner and format and to transfer that data to another party e.g. service provider. This applies to personal information for which processing is based on the data subject's consent and the processing carried out by automated means.

Where feasible, the data subject can also request that the personal information be transferred directly from our systems to those of another provider.

4.8 The right to object

The data subject has the right to object to processing that is based on the following legal justifications:

- For the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.
- For the purposes of the legitimate interests of the responsible party.

Once an objection has been made, REAM must justify the grounds on which the processing is based and suspend processing until this is done. Where the personal information is used for direct marketing we have no choice but to no longer process the data.

4.9 Rights in relation to automated decision making and profiling

The data subject has the right to not be the subject of automated decision-making where the decision has a significant effect on them and can insist on human intervention where appropriate. The data subject also has the right to express their point of view and contest decisions.

There are exceptions to this right, which are if the decision:

- Is necessary for a contract.

- Is authorised by law.
- Is based on the data subject's explicit consent.

In assessing these types of request, a judgement needs to be made about whether the above exceptions apply in the particular case in question.

5. Related Policies

This procedure should be read in conjunction with:

- a) Data protection management framework
- b) Privacy Statement
- c) Website Privacy Policy
- d) Disclosure document

ANNEXURE A

FORM 1

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

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018 [Regulation 2]

Note:

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

| A | DETAILS OF DATA SUBJECT |
|--|-------------------------------------|
| Name(s) and surname/ registered name of data subject: | |
| Unique Identifier/ Identity Number | |
| Residential, postal or business address: | |
| | |
| | Code () |
| Contact number(s): | |
| Fax number / E-mail address: | |
| B | DETAILS OF RESPONSIBLE PARTY |
| Name(s) and surname/ Registered name of responsible party: | |
| Residential, postal or business address: | |
| | |
| | |
| | Code () |
| Contact number(s): | |
| Fax number/ E-mail address: | |

| c | REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f) <i>(Please provide detailed reasons for the objection)</i> |
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Signed at this day of
.....20.....

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Signature of data subject/designated person

ANNEXURE B

FORM 2

REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTRUCTION OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018 [Regulation 3]

Note:

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

Mark the appropriate box with an "x".

Request for:

Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.

Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information.

| A | DETAILS OF THE DATA SUBJECT |
|---|------------------------------|
| Name(s) and surname / registered name of data subject: | |
| Unique identifier/ Identity Number: | |
| Residential, postal or business address: | |
| | |
| | Code () |
| Contact number(s): | |
| Fax number / E-mail address: | |
| B | DETAILS OF RESPONSIBLE PARTY |
| Name(s) and surname / registered name of responsible party: | |
| | |

| | |
|--|-------------|
| Residential, postal or business address: | |
| | |
| | Code () |
| Contact number(s): | |
| Fax number/ E-mail address: | |

| C | INFORMATION TO BE CORRECTED/DELETED/ DESTROYED/ DESTROYED |
|---|---|
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| | |
| D | REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(a) WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY; and or REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(b) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN. <i>(Please provide detailed reasons for the request)</i> |
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| | |

Signed at this day of20.....

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