



PAIA MANUAL **HRP -17**

AMENDMENT SCHEDULE

Revision No.	Revision Description	Prepared By	Approved By	Date
1	First Issue	Lexigent Consulting	Nokulunga Sithebe – Operations Manager	01 January 2022
2	Second Issue	Carol Peacock	Nozipho Damasane – Operations Manager	29 April 2023
3	Third Issue	Carol Peacock	Claudia Pather - Operations Manager	10 April 2024

Promotion of Access to Information Manual

Preamble:

The Promotion of Access to Information Act, 2 of 2000 (“PAIA”) came into operation on 9 March, 2001. PAIA seeks, among other things, to give effect to the Constitutional right of access to any information held by the State or by any other person where such information is required for the exercise or protection of any right and gives natural and juristic persons the right of access to records held by either a private or public body, subject to certain limitations, in order to enable them to exercise or protect their rights. Where a request is made in terms of PAIA to a private body, that private body must disclose the information if the requester is able to show that the record is required for the exercise or protection of any rights, and provided that no grounds of refusal contained in PAIA are applicable. PAIA sets out the requisite procedural issues attached to information requests.

Section 51 of PAIA obliges private bodies to compile a manual to enable a person to obtain access to information held by such body and stipulates the minimum requirements that the manual has to comply with.

This document constitutes the PAIA manual (“Manual”) in respect of BEE123 Proprietary Limited (“BEE123”). This Manual is compiled in accordance with section 51 of PAIA as amended by the Protection of Personal Information Act, 4 of 2013 (“POPI”), which gives effect to everyone’s Constitutional right to privacy and largely commenced on 1 July 2020. POPI promotes the protection of personal information processed by public and private bodies, including certain conditions so as to establish minimum requirements for the processing of personal information. POPI amends certain provisions of PAIA, balancing the need for access to information against the need to ensure the protection of personal information by providing for the establishment of an Information Regulator to exercise certain powers and perform certain duties and functions in terms of POPI and PAIA, providing for the issuing of codes of conduct and providing for the rights of persons regarding unsolicited electronic communications and automated decision making in order to regulate the flow of personal information and to provide for matters concerned therewith.

This Manual also includes information on the submission of objections to the processing of personal information and requests to delete or destroy personal information or records thereof in terms of POPI.

Version	Policy Owner	Date	
3	Carol Peacock	10/04/2024	

About BEE123

BEE123 is South Africa's leading provider of Solutions to manage B-BBEE compliance and transformation. With its origins in industry-leading BEE management software, BEE123 has built the expertise and experience to offer clients both exceptional technology solutions and a game-changing standard of consulting and advisory service.

Contact Details

BEE123 Proprietary Limited
(Registration Number: 2016/150254/07)

Information Officer: Claudia Pather

Telephone: (+27-861) 233-123

E-Mail: info@bee123.co.za

Physical Address:

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Waverley Office Park
15 Forest Road
Waverley 2199
Johannesburg
Gauteng
South Africa

Postal Address:

Postnet Suite 240
Private Bag X1
Melrose Arch
2017

Information Regulator's Guide.

An official Guide has been compiled which contains information to assist a person wishing to exercise a right of access to information in terms of PAIA and POPI. This Guide is made available by the Information Regulator (established in terms of POPI). Copies of the updated Guide are available from Information Regulator in the manner prescribed. Any enquiries regarding the Guide should be directed to:

Postal Address:	33 Hoofd Street, Forum III, 3 rd Floor Braampark, Braamfontein, Johannesburg
Telephone Number:	(010) 023 5207
Fax Number:	(086) 500 3351
E-mail Address:	info@justice.gov.za
Website:	https://www.justice.gov.za/info@justice.gov.za/

Objectives of this Manual.

The objectives of this Manual are:

- to provide a list of all records held by the legal entity;
- to set out the requirements with regard to who may request information in terms of PAIA as well as the grounds on which a request may be denied;
- to define the manner and form in which a request for information must be submitted; and
- to comply with the additional requirements imposed by POPI.

Entry Point for Requests

PAIA provides that a person may only make a request for information if the information is required for the exercise or protection of a legitimate right.

Information will, therefore, not be furnished unless a person provides sufficient particulars to enable BEE123 to identify the right that the requester is seeking to protect, as well as an explanation as to why the requested information is required for the exercise or protection of that right. The exercise of a data subject's rights is subject to justifiable limitations, including the reasonable protection of privacy, commercial confidentiality and effective, efficient and good governance. PAIA and the request procedure contained in this Manual may not be used for access to a record for criminal or civil proceedings, nor should information be requested after the commencement of such proceedings.

The Information Officer has been delegated with the task of receiving and co-ordinating all requests for access to records in terms of PAIA, to ensure proper compliance with PAIA and POPI.

The Information Officer will facilitate the liaison with the internal legal team on all these requests.

All requests in terms of PAIA and this Manual must be addressed to the Information Officer using the contact details above.

Records Held by BEE123

Customer Information:

These records include contact details and other identifying particulars of BEE123 customers and their respective management, employees and suppliers.

Personnel Information:

These records include employment contracts of all BEE123 employees, employment policies and remuneration details.

Business Records of BEE123:

These records include:

- financial records;
- minutes of meetings of the executive committee, departmental meetings and staff meetings;
- strategic plans and other operational policies;
- annual reports and other statutory reports; and
- newsletters, press releases and other publications.

Automatically Available Information

Information that is obtainable via BEE123's website about BEE123 is automatically available and need not be formally requested in terms of this Manual.

Disclosures on Request

Communications	Press releases
Human resources	BEE123 Code of Ethics Employment Equity reports HR Reports Training Reports Payroll Reports
Financial management	Budgets Strategic plans Annual performance plans Financial statements Auditor's reports

Information Available in Terms of POPI

Categories of Personal Information Collected by BEE123

Depending on the context, BEE123 may collect information relating to an identifiable, living, natural person and, where it is applicable, an identifiable, existing juristic person, including, but not limited to:

- information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person.
- information relating to the education or the medical, financial, criminal or employment history of the person.
- any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other assignment to the person.
- the biometric information of the person.
- the personal opinions, views or preferences of the person.
- 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.

- 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 about the person.

Purpose of Processing Personal Information

In terms of POPI, personal information must be processed for a specified purpose. The purpose for which personal information is processed by BEE123 will depend on the nature of the personal information and the data subject. This purpose is ordinarily disclosed, explicitly or implicitly, at the time the personal information is collected.

In general, personal information is processed for purposes of providing BEE123's web-based BEE management solution, performing customer relationship management, dealing with complaints under the CPA, procurement purposes, records management, security, employment and related matters.

Description of the Categories of Data Subjects

BEE123 holds information and records on the following categories of data subjects:

- customers of BEE123 and their respective management, employees and suppliers;
- employees/personnel of BEE123;
- distributors/resellers/agents of BEE123;
- any third party with whom BEE123 conducts business;
- contractors of BEE123; and
- suppliers of BEE123.

(This list of categories of data subjects is non-exhaustive.)

Recipients or Categories of Recipients to Whom Personal Information may be Supplied

Depending on the nature of the personal information, BEE123 may supply information or records to the following categories of recipients:

- accredited BEE verification agencies for purposes of conducting an independent audit process aimed at verifying and validating the BEE status of BEE123's customers;
- service providers who assist BEE123 in providing or enriching its BEE management solution;
- statutory oversight bodies, regulators or judicial commissions of enquiry making a request for personal information;
- any court, administrative or judicial forum, arbitration, statutory commission, or ombudsman making a request for personal information or discovery in terms of the applicable rules;
- South African Revenue Services, or another similar authority;
- anyone making a successful application for access in terms of PAIA or POPI; and

- subject to the provisions of POPI and other relevant legislation, BEE123 may share information about a customer's creditworthiness with any credit bureau or credit providers industry association or other association for an industry in which BEE123 operates.

Planned Transborder Flows of Personal Information

If a data subject visits BEE123's website from a country other than South Africa, the various communications will necessarily result in the transfer of information across international boundaries.

BEE123 may need to transfer a data subject's information to service providers in countries outside South Africa, in which case it will fully comply with applicable data protection legislation.

These countries may not have data protection laws which are similar to those of South Africa.

General Description of Information Security Measures to be Implemented by BEE123

BEE123 takes extensive information security measures to ensure the confidentiality, integrity and availability of personal information in our possession. BEE123 takes appropriate technical and organisational measures designed to ensure that personal information remains confidential and secure against unauthorised or unlawful processing and against accidental loss, destruction or damage.

Information Available in Terms of Other Legislation

Information is available in terms of certain provisions of the following legislation to the persons or entities specified in such legislation:

- Broad-based Black Economic Empowerment Act, 53 of 2003
- Basic Conditions of Employment Act, 75 of 1997
- Companies Act, 71 of 2008
- Compensation for Occupational Injuries and Health Diseases Act, 130 of 1993
- Consumer Protection Act, 68 of 2008
- Copyright Act, 98 of 1978
- Employment Equity Act, 55 of 1998
- Financial Intelligence Centre Act, 38 of 2001
- Income Tax Act, 58 of 1962
- Insolvency Act, 24 of 1936
- Labour Relations Act, 66 of 1995
- Occupational Health and Safety Act, 85 of 1993
- Pension Funds Act, 24 of 1956
- Skills Development Act, 97 of 1998

- Skills Development Levies Act, 9 of 1999
- Stock Exchanges Control Act, 1 of 1985 (and the rules and listing requirements of the JSE Securities Exchange authorised in terms thereof)
- Trade Marks Act, 194 of 1993
- Unemployment Contributions Act, 4 of 2002
- Unemployment Insurance Act, 63 of 2001
- Value-Added Tax Act, 89 of 1991

Categories of Records Available Upon Request

BEE123 maintains records on the categories and subject matters listed below. Please note that recording a category or subject matter in this Manual does not imply that a request for access to such records will be granted. All requests for access will be evaluated on a case-by-case basis in accordance with the provisions of PAIA.

Please note, further, that many of the records held by BEE123 are those of third parties, such as customers and employees, and BEE123 takes the protection of third-party confidential information very seriously. For further information on the grounds of refusal of access to a record please see the "Grounds for refusal of access and protection of information" section below. Requests for access to these records will be considered very carefully. Please ensure that requests for such records are carefully motivated.

Category of Records	Records
Internal records <i>The records listed pertain to BEE123 own affairs</i>	<ul style="list-style-type: none"> • Memoranda and Articles of Association • Financial records • Operational records • Intellectual property • Marketing records • Internal correspondence • Service records • Statutory records • Internal policies and procedures • Minutes of meetings
Personnel records <i>For the purposes of this section, "personnel" means any person who works for or provides services to or on behalf of BEE123 and receives or is entitled to receive any remuneration and any other person who assists in carrying out or conducting the business of BEE123. This includes partners, directors, all permanent, temporary and part-time staff as well as consultants and contract workers</i>	<ul style="list-style-type: none"> • Any personal records provided to us by our personnel • Any records a third party has provided to us about any of their personnel • Conditions of employment and other personnel-related contractual and quasi-legal records • Employment policies and procedures; • Internal evaluation and disciplinary records

Category of Records	Records
	<ul style="list-style-type: none"> Other internal records and correspondence
Customer-related records	<ul style="list-style-type: none"> Contracts with the customer and between the customer and other persons
<p>Other third-party records <i>Records are kept in respect of other parties, including, without limitation, joint ventures and consortia to which BEE123 is a party, contractors and sub-contractors, suppliers, service providers, and providers of information regarding general market conditions. In addition, such other parties may possess records which can be said to belong to BEE123.</i></p>	<ul style="list-style-type: none"> Personnel, customer, or BEE123 records which are held by another party as opposed to being held by BEE123 Records held by BEE123 pertaining to other parties, including financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about the contractors or suppliers
Other records	<ul style="list-style-type: none"> Information relating to BEE123 Research information belonging to BEE123 or carried out on behalf of a third party

Request Procedure

Completion of the Prescribed Form:

Any request for access to a record from a public body in terms of PAIA must substantially correspond with the form included in Appendix A hereto.

A request for access to information which does not comply with the formalities as prescribed by PAIA will be returned to you.

POPI provides that a data subject may, upon proof of identity, request BEE123 to confirm, free of charge, all the information it holds about the data subject and may request access to such information, including information about the identity of third parties who have or have had access to such information.

POPI also provides that where the data subject is required to pay a fee for services provided to him/her, BEE123 must provide the data subject with a written estimate of the payable amount before providing the service and may require that the data subject pays a deposit for all or part of the fee.

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

POPI provides that a data subject may object, at any time, to the processing of personal information by BEE123, on reasonable grounds relating to his/her particular situation, unless legislation provides for such processing. The data subject must complete the prescribed form attached hereto as Appendix C and submit it to the Information Officer at the postal or physical address, facsimile number or electronic mail address set out above.

A data subject may also request BEE123 to correct or delete personal information about the data subject in its

possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully, or destroy or delete a record of personal information about the data subject that BEE123 is no longer authorised to retain records in terms of POPI's retention and restriction of records provisions.

A data subject that wishes to request a correction or deletion of personal information or the destruction or deletion of a record of personal information must submit a request to the Information Officer at the postal or physical address, facsimile number or electronic mail address set out above on the form attached hereto as Appendix D.

Proof of Identity

Proof of identity is required to authenticate your identity and the request. In addition to the prescribed form, you will be required to submit acceptable proof of identity, such as a certified copy of your identity document or other legal forms of identity.

Payment of the Prescribed Fees

There are two categories of fees which are payable:

- **The request fee:** R50
- **The access fee:** This is calculated by taking into account reproduction costs, search and preparation costs, as well as postal costs. These fees are set out in Appendix B.

Section 54 of PAIA entitles BEE123 to levy a charge or to request a fee to enable it to recover the cost of processing a request and providing access to records. The fees that may be charged are set out in Regulation 9(2)(c) promulgated under PAIA.

Where a decision to grant a request has been taken, the record will not be disclosed until the necessary fees have been paid in full.

Timelines for Consideration of a Request for Access

Requests will be processed within 30 (thirty) days, unless the request contains considerations that are of such a nature that an extension of the time limit is needed.

Should an extension be required, you will be notified, together with reasons explaining why the extension is necessary.

Grounds for Refusal of Access and Protection of Information

There are various grounds upon which a request for access to a record may be refused. These grounds include:

- the protection of personal information of a third person (who is a natural person) from unreasonable disclosure;
- the protection of commercial information of a third party (for example, trade secrets, financial, commercial, scientific or technical information that may harm the commercial or financial interests of a third party);
- if disclosure would result in the breach of a duty of confidence owed to a third party;
- if disclosure would jeopardise the safety of an individual or prejudice or impair certain property rights of a third person;
- if the record was produced during legal proceedings, unless that legal privilege has been waived;

- if the record contains trade secrets, financial or sensitive information or any information that would put BEE123 at a disadvantage in negotiations or prejudice it in commercial competition; and
- if the record contains information about research being carried out or about to be carried out on behalf of a third party or by BEE123.

Section 70 of PAIA contains an overriding provision. Disclosure of a record is compulsory if it would reveal (i) a substantial contravention of, or failure to comply with, the law; or (ii) there is an imminent and serious public safety or environmental risk; and (iii) the public interest in the disclosure of the record in question clearly outweighs the harm contemplated by its disclosure.

If the request for access to information affects a third party, then such third party must first be informed within 21 (twenty-one) days of receipt of the request. The third party would then have a further 21 (twenty-one) days to make representations and/or submissions regarding the granting of access to the record.

Remedies Available to a Requester on Refusal of Access

If the Information Officer decides to grant you access to the particular record, such access must be granted within 30 (thirty) days of being informed of the decision.

There is no internal appeal procedure that may be followed after a request to access information has been refused. The decision made by the Information Officer is final. In the event that you are not satisfied with the outcome of the request, you are entitled to apply to the Information Regulator or a court of competent jurisdiction to take the matter further.

Where a third party is affected by the request for access and the Information Officer has decided to grant you access to the record, the third party has 30 (thirty) days in which to appeal the decision in a court of competent jurisdiction. If no appeal has been lodged by the third party within 30 (thirty) days, you must be granted access to the record.

Availability of this Manual

Copies of this Manual are available for inspection, free of charge, at the offices of BEE123 and at <https://www.bee123.co.za/>.

APPENDIX A: Request Form for Access to Record of Private Body

FORM 2

REQUEST FOR ACCESS TO RECORD

[Regulation 7]

NOTE:

1. Proof of identity must be attached by the requester.
2. If requests made on behalf of another person, proof of such authorisation, must be attached to this form.

TO: The Information Officer

 (Address)

E-mail address: _____

Fax number: _____

Mark with an "X"

Request is made in my own name Request is made on behalf of another person.

PERSONAL INFORMATION			
Full Names	_____		
Identity Number	_____		
Capacity in which request is made (when made on behalf of another person)	_____		
Postal Address	_____		
Street Address	_____		
E-mail Address	_____		
Contact Numbers	Tel. (B):	_____	Facsimile: _____
	Cellular:	_____	
Full names of person on whose behalf request is made (if applicable):	_____		
Identity Number	_____		
Postal Address	_____		

Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
PARTICULARS OF RECORD REQUESTED			
<i>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. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i>			
Description of record or relevant part of the record:			
Reference number, if available			
Any further particulars of record			
TYPE OF RECORD <i>(Mark the applicable box with an "X")</i>			
Record is in written or printed form			
Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>			
Record consists of recorded words or information which can be reproduced in sound			
Record is held on a computer or in an electronic, or machine-readable form			

FORM OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Printed copy of record <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i>	<input type="checkbox"/>
Written or printed transcription of virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	<input type="checkbox"/>
Transcription of soundtrack <i>(written or printed document)</i>	<input type="checkbox"/>
Copy of record on flash drive <i>(including virtual images and soundtracks)</i>	<input type="checkbox"/>
Copy of record on compact disc drive <i>(including virtual images and soundtracks)</i>	<input type="checkbox"/>
Copy of record saved on cloud storage server	<input type="checkbox"/>

MANNER OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Personal inspection of record at registered address of public/private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i>	<input type="checkbox"/>
Postal services to postal address	<input type="checkbox"/>
Postal services to street address	<input type="checkbox"/>
Courier service to street address	<input type="checkbox"/>
Facsimile of information in written or printed format <i>(including transcriptions)</i>	<input type="checkbox"/>
E-mail of information <i>(including soundtracks if possible)</i>	<input type="checkbox"/>
Cloud share/file transfer	<input type="checkbox"/>
Preferred language <i>(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)</i>	<input type="checkbox"/>

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED	
<i>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.</i>	
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:	

FEES	
a)	<i>A request fee must be paid before the request will be considered.</i>
b)	<i>You will be notified of the amount of the access fee to be paid.</i>
c)	<i>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.</i>
d)	<i>If you qualify for exemption of the payment of any fee, please state the reason for exemption</i>
Reason	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Facsimile	Electronic communication <i>(Please specify)</i>

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

<i>Reference number:</i>	
<i>Request received by: (State Rank, Name And Surname of Information Officer)</i>	
<i>Date received:</i>	
<i>Access fees:</i>	
<i>Deposit (if any):</i>	

Signature of Information Officer

APPENDIX C: Objection Form to the Processing of Personal Information

FORM 3 OUTCOME OF REQUEST AND OF FEES PAYABLE [Regulation 8]

Note:

1. If your request is granted the—
 - (a) amount of the deposit, (if any), is payable before your request is processed; and
 - (b) requested record/portion of the record will only be released once proof of full payment is received.
2. Please use the reference number hereunder in all future correspondence.

TO:

Reference number:

--

Your request dated

--

, refers.

1. You requested:

Personal inspection of information at registered address of public/private body (<i>including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form</i>) is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you will be liable for the fees prescribed in Annexure B.	
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OR

2. You requested:

Printed copies of the information (<i>including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form</i>)	
Written or printed transcription of virtual images (<i>this includes photographs, slides, video recordings, computer-generated images, sketches, etc</i>)	
Transcription of soundtrack (<i>written or printed document</i>)	
Copy of information on flash drive (<i>including virtual images and soundtracks</i>)	
Copy of information on compact disc drive (<i>including virtual images and soundtracks</i>)	
Copy of record saved on cloud storage server	

3. To be submitted:

Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format (<i>including transcriptions</i>)	
E-mail of information (<i>including soundtracks if possible</i>)	
Cloud share/file transfer	
Preferred language: (<i>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</i>)	

Kindly note that your request has been:

Approved

Denied, for the following reasons:

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4. Fees payable with regards to your request:

Item	Cost per A4-size page or part thereof/item	Number of pages/items	Total
Photocopy			
Printed copy			
For a copy in a computer-readable form on:			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor	R60.00		
• If provided to the requestor			
For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on the quotation of the service provider		
Copy of visual images			
Transcription of an audio record, per A4-size	R24.00		
Copy of an audio record			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor	R60.00		
• If provided to the requestor			
Postage, e-mail or any other electronic transfer:	Actual costs		
TOTAL:			

5. Deposit payable (if search exceeds six hours):

Yes No

Hours of search	Amount of deposit (calculated on one third of total amount per request)

The amount must be paid into the following Bank account:

Name of Bank: _____
 Name of account holder: _____
 Type of account: _____
 Account number: _____
 Branch Code: _____
 Reference Nr: _____
 Submit proof of payment to: _____

Signed at _____ this _____ day of _____ 20 _____

 Information officer

APPENDIX D:

INTERNAL APPEAL FORM

FORM 4

[Regulation 9]

Reference Number:

PARTICULARS OF PUBLIC BODY				
Name of Public Body				
Name and Surname of Information Officer:				
PARTICULARS OF COMPLAINANT WHO LODGES THE INTERNAL APPEAL				
Full Names				
Identity Number				
Postal Address				
Contact Numbers	Tel. (B)		Facsimile	
	Cellular			
E-Mail Address				
Is the internal appeal lodged on behalf of another person?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
If answer is "yes", capacity in which an internal appeal on behalf of another person is lodged: <i>(Proof of the capacity in which appeal is lodged, if applicable, must be attached.)</i>				
PARTICULARS OF PERSON ON WHOSE BEHALF THE INTERNAL APPEAL IS LODGED <i>(If lodged by a third party)</i>				
Full Names				
Identity Number				
Postal Address				
Contact Numbers	Tel. (B)		Facsimile	
	Cellular			
E-Mail Address				

DECISION AGAINST WHICH THE INTERNAL APPEAL IS LODGED <i>(mark the appropriate box with an "X")</i>	
Refusal of request for access	<input type="checkbox"/>
Decision regarding fees prescribed in terms of section 22 of the Act	<input type="checkbox"/>
Decision regarding the extension of the period within which the request must be dealt with in terms of section 26(1) of the Act	<input type="checkbox"/>
Decision in terms of section 29(3) of the Act to refuse access in the form requested by the requester	<input type="checkbox"/>
Decision to grant request for access	<input type="checkbox"/>
GROUNDS FOR APPEAL <i>(If the provided space is inadequate, please continue on a separate page and attach it to this form. all the additional pages must be signed)</i>	
State the grounds on which the internal appeal is based:	
State any other information that may be relevant in considering the appeal:	

You will be notified in writing of the decision on your internal appeal. Please indicate your preferred manner of notification:

Postal address	Facsimile	Electronic communication <i>(Please specify)</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Signed at this day of 20

Signature of Appellant/Third party

FOR OFFICIAL USE
OFFICIAL RECORD OF INTERNAL APPEAL

Appeal received by: <i>(state rank, name and surname of Information Officer)</i>				
Date received:				
Appeal accompanied by the reasons for the 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:				Yes <input type="checkbox"/>
				No <input type="checkbox"/>
OUTCOME OF APPEAL				
Refusal of request for access. Confirmed?	Yes	<input type="checkbox"/>	New decision <i>(if not confirmed)</i>	
	No	<input type="checkbox"/>		
Fees (Sec 22). Confirmed?	Yes	<input type="checkbox"/>	New decision <i>(if not confirmed)</i>	
	No	<input type="checkbox"/>		
Extension (Sec 26(1)). Confirmed?	Yes	<input type="checkbox"/>	New decision <i>(if not confirmed)</i>	
	No	<input type="checkbox"/>		
Access (Sec 29(3)). Confirmed?	Yes	<input type="checkbox"/>	New decision <i>(if not confirmed)</i>	
	No	<input type="checkbox"/>		
Request for access granted. Confirmed?	Yes	<input type="checkbox"/>	New decision <i>(if not confirmed)</i>	
	No	<input type="checkbox"/>		

Signed at _____ this _____ day of _____ 20 _____

Relevant Authority

Data Subject Access Request Policy and Form

Receipt of Subject Access Requests

A Subject Access Request may be received by BEE123 in any of a number of different forms, including a telephone call, e-mail or letter requesting access to personal information. Subject Access Requests generally tend to originate from current or past employees, job applicants, customers or third parties acting on their behalf (particularly where criminal or civil proceedings are involved).

In the first instance, it may not always be clear that a data subject is making a Subject Access Request. Therefore, it is important to be familiar with this policy to be able to identify a Subject Access Request.

If you receive what you believe to be a Subject Access Request in any form, then it is important that you forward a copy of the request to the Information Officer immediately, who will manage the Subject Access Request.

In the case of a telephone call, it is best practice to inform the data subject that his/her/its request for information must be made in writing and cannot be processed otherwise. You should also notify the Information Officer that the phone call has taken place.

Once you have passed the request on to the Information Officer and have received an acknowledgement that it has been received, responsibility for processing the Subject Access Request will be managed by the Information Officer and individuals from the relevant department within BEE123 (as applicable).

Time Period for the Response

BEE123 must respond to a valid Subject Access Request within a reasonable period, but always within 30 (thirty) days.

Where a Subject Access Request is missing any of its required elements, it is essential that a prompt request for the missing part(s) be sent back to the data subject asking for the missing elements.

Once all of the requirements set out above have been met and the request has become a valid Subject Access Request, the stated period for providing a formal response must be complied with.

Who is Entitled to Make a Subject Access Request?

Any data subject is entitled to make a Subject Access Request to BEE123. BEE123 will typically receive Subject Access Requests:

- from its employees or former employees or job applicants;
- from an individual working for a supplier or a supplier;
- from a customer who is an individual or a customer; or
- from an individual that has used BEE123 website.

These individuals and entities have a right to be informed by BEE123 whether personal information about them is being processed. If personal information is being processed in almost any way by BEE123 then the data subject is entitled to be given any of the following information:

- a description of the personal information held; and
- an indication of all the third parties or categories of third parties who have or have had of access to the information.

Validity of a Subject Access Request

It is necessary to confirm that the Subject Access Request is valid. The validity of a Subject Access Request will depend on the format and content of the Request. A valid Subject Access Request:

- is in writing to BEE123 physical or postal address, fax number or e-mail address;
- provides sufficient information to allow the identification of the data subject in requesting the personal information and the information requested;
- indicates the form in which the information should be provided;
- specifies an address, fax number or e-mail address of the data subject in South Africa; and
- includes sufficient identification of the data subject to which the Subject Access Request relates.

Which Information that is Found in the Search Must be Disclosed and what can BEE123 Refuse to Disclose?

A Subject Access Request only entitles the data subject to access personal information about himself/herself. In general, personal information about an data subject is required to be disclosed if it identifies that data subject.

However there are important exemptions which may apply. These exemptions apply to very specific information and are complex in its interpretation. The Information Officer will analyse the retrieved personal information and shall apply any relevant exemption.

Such exemptions are set out in our PAIA manual and may, for example, include information:

- that is subject to legal professional privilege; or
- that reveals the identity of a third party data subject.

Other Information to be Included in the Response

The data subject is also entitled to information about the third parties or categories of third parties who have or have had access to his/her personal information.

[Name and address of the organisation]

[Your name and full postal address]

[Your contact number]

[Your e-mail address]

[The date]

BEE123 Proprietary Limited

Building 2
Waverley Office Park
15 Forest Road
Waverley 2199
Johannesburg
Gauteng
South Africa

Dear Sir/Madam

Data Subject Access Request Form

[Include your full name, company details and other relevant details to help identify you].

Please supply the personal information which you hold about me, which I am entitled to receive under the Protection of Personal Information Act, 2013, held in:

[Give specific details of where to search for the personal data you want, for example:

- my personnel file;
- e-mails between 'person A' and 'person B' (from 1 June 2017 to 1 Sept 2017)
- my medical records (between 2014 and 2017) held by 'Dr C' at 'hospital D';
- the CCTV camera situated at ('location E') on 23 May 2017 between 11am and 5pm;
and
- financial statements (between 2013 and 2017) held in account number xxxxx.]

If you need any more information, please let me know as soon as possible.

[If relevant, state whether you would prefer to receive the data in a particular electronic format, or printed out].

Yours faithfully

[Signature]