

C VAN DYK ATTORNEYS

**PROMOTION TO ACCESS OF INFORMATION ACT OF 2000
(PAIA Manual)**

This manual was prepared in accordance with section 51 of the Promotion of Access to Information Act, 2000 and to address requirements of the Protection of Personal Information Act, 2013.

This manual applies to

C VAN DYK ATTORNEYS

(hereinafter)

C Van Dyk Attorneys

29 April 2021

Contents	Clause
1. Background to the Promotion of Access to Information Act	3
2.C Van Dyk Attorneys	3
3. Purpose of the PAIA Manual	3
4. Contact Details of the Owner/Managing Person [Section 51(1)(a)]....	4
5. The Information Officer [Section 51(1)(b)].....	4
6. Guide of SA Human Rights Commission (Section 51(1) (b)).....	5
7. The Latest Notice in Terms of Section 52(2) (if any)[Section 51(1)(c)]	5
8. Subjects and Categories of Records Available only on Request to Access in Terms of the Act (Section 51(1))	6
9. Records Available without a Request to Access in terms of the Act .	8
10. Description of the Records of the Body Which are Available in Accordance with any other Legislation (Section 51(1) (d))	9
11. Detail to Facilitate a Request for Access to a Record of Rawlinson Attorneys/Consultant (Section 51(1) (e))	10
12. Refusal of Access to Records	11
13. Remedies Available When C Van Dyk Attorneys Refuses a Request	12
14. Access to Records Held by C Van Dyk Attorneys	13
15. Prescribed Fees (Section 51 (1) (f))	14
16. Reproduction Fee	14
17. Decision	16
18. Protection of Personal Information that is Processed by C Van Dyk Attorneys	16
19. Availability and Updating of the PAIA Manual	19
Appendix 1: Access Request Form	20
Appendix 2: Part 1 - Processing of Personal Information in Accordance with POPI	26
Appendix 2: Part 2 - Categories of Data Subjects and Categories of Personal Information relating thereto	28
Appendix 2: Part 3 - Recipients of Personal Information.....	30
Appendix 2: Part 4 “ Cross border transfers of Personal Information	30
Appendix 2: Part 5 “ Description of information security measures	30
Appendix 3: Objection to the Processing of Personal Information in terms of Section 11(3) of the Protection of Personal Information Act, 2013	32
Appendix 4: 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	33

1. Background to the Promotion of Access to Information Act

1.1. The Promotion of Access to Information Act, No.2 of 2000 (the Act) was enacted on 3 February 2000, giving effect to the constitutional right in terms of section 32 of the Bill of Rights contained in the Constitution of the Republic of South Africa 108 of 1996 (the Constitution) of access to any information held by the state and any information that is held by another person and that is required for the exercise or protection of any rights.

1.2. In terms of section 51 of the Act, all Private Bodies are required to compile an Information Manual (PAIA Manual).

1.3. Where a request is made in terms of the Act, the body to whom the request is made is obliged to release the information, subject to applicable legislative and / or regulatory requirements, except the Act expressly provides that the information may be adopted when requesting information from a public or private body.

2. C Van Dyk Attorneys

2.1. C Van Dyk Attorneys delivers flexible and personalised business-defining solutions. We have built a reputation for providing the Legal profession excellent services and services specialised expertise, tailored to provide our clients with sustainable value and an ongoing competitive advantage for C Van Dyk Attorneys assists in professional resourcing and project-based workforce solutions.

2.2. This PAIA Manual of C Van Dyk Attorneys is available at its premises: at Sunward Park Boksburg Gauteng at the registered office as set out herein

3. Purpose of the PAIA Manual

3.1 The purpose of PAIA is to promote the right of access to information, to foster a culture of transparency and accountability within C Van Dyk Attorneys by giving the right to information that is required for the exercise or protection of any right and to actively promote a society in which the people of South Africa have effective access to information to enable them to exercise and protect their rights.

3.2. In order to promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in relation to public and private bodies.

3.3. Section 9 of the Act recognises that the right to access information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

- 3.3.1. Limitations aimed at the reasonable protection of privacy;
- 3.3.2 Commercial confidentiality; and
- 3.3.3. Effective, efficient, and good governance;

3.4. This PAIA Manual complies with the requirements of guide mentioned in section 10 of the Act and recognises that upon commencement of the Protection of Personal Information Act 4 of 2013, that the appointed Information Regulator will be responsible to regulate compliance with the Act and its regulations by private and public bodies. and in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

4. Contact Details of the Managing Director [Section 51(1)(a)]

Managing Owner: Mrs C Van Dyk
C Van Dyk Attorneys
Registered Address:
14 POLKA CORNER, SUNWARD PARK 1459

Postal Address:
P.O Box 18155 Sunward Park 1470
Telephone Number: 083 230 5777
Email: christine@cvd-attorneys.com

5. The Information Officer [Section 51(1)(b)]

5.1. The Act prescribes the appointment of an Information Officer for public bodies where such Information Officer is responsible to, inter alia, assess request for access to information. The head of a private body fulfils such a function in terms of section 1 of PAIA, and section 51 of POPIA, C Van Dyk Attorneys has appointed an Information Officer to assess such a request for access to information as well as to oversee its required functions in terms of the Act.

5.2. The Information Officer appointed in terms of the Act also refers to the Information Officer as referred to in the Protection of Personal Information Act 4 of 2013. The Information Officer oversees the functions and responsibilities as required for in terms of both this Act as well as the responsibilities in terms of section 55 of the Protection of Personal Information Act 4 of 2013 after registering with the Information Regulator.

5.3. The Information Officer may appoint, where it is deemed necessary, Deputy Information Officers, as allowed in terms of section 17 of the Act as well as section 56 of the Protection of Personal Information Act 4 of 2013. This is in order to render Van Dyk Attorneys as accessible as reasonable for requesters of its records and to ensure fulfilment of its obligations and responsibilities as prescribed in terms of section 55 of the Protection of Personal Information Act 4 of 2013. All requests for information in terms of this Act must be addressed to the Information Officer.

Contact Details of the Information Officer.
Information Officer: Christine Van Dyk C/O C Van Dyk Attorneys
Physical Address: 14 Polka Corner, Sunward Park 1459
Postal address: P.O Box 18155 Sunward Park 1470
Telephone Number: : 083 230 5777
Email: Christine@cvd-attorneys.com

6. Guide of SA Human Rights Commission (Section 51(1) (b))

6.1. The ACT grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.

6.2. Requests in terms of the ACT shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.

6.3. Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.

6.4. The contact details of the SAHRC:

Contact body: The South African Human Rights Commission

Physical Address:

PAIA Unit
29 Princess of Wales Terrace
Cnr York and Andrew Streets
Parktown
Postal Address:
Private Bag 2700, Houghton 2041
Telephone Number: +27 11 877 3600
E-Mail: PAIA@sahrc.org.za
Web Site: www.sahrc.org.za

7. The Latest Notice in Terms of Section 52(2) (if any)[Section 51(1)(c)]

No notice has been published on the categories of records that are automatically available without a person having to request access in terms of Section 52(2) of PAIA.

8. Subjects and Categories of Records Available only on Request to Access in Terms of the Act (Section 51(1) (e))

8.1. Records held by C Van Dyk Attorneys

For the purposes of this clause 8.1, Personnel refers to any person who works for, or provides services to, or on behalf of C Van Dyk Attorneys and receives or is entitled to receive remuneration and any other person who assists in carrying out or conducting the business of C Van Dyk Attorneys. This includes, without limitation, Partners (Attorneys and Authorised Consultants), all permanent, temporary, and part-time staff, as well as contract workers, where /when applicable

This clause serves as a reference to the categories of information that C Van Dyk Attorneys holds. The information is classified and grouped according to records relating to the following subjects and categories:

Subject Category
Legal Practice Act Records
Documents of Admission of Attorney/Consultant;
Index of names of Partners-if any;
Certificate of Admission as Attorney;

Records relating to the appointment of:

Auditors;
Owner/Partners;
Responsible Person
Prescribed Information Officer.

Financial Records
Accounting Records;
Annual Financial Reports;
Annual Financial Statements
Asset Registers;
Bank Statements;
Banking details and bank accounts;

Banking Records;
Debtors / Creditors statements and invoices;
General ledgers and subsidiary ledgers;
General reconciliation;
Invoices;
Paid/Electronic Bank Transfers proof;
Policies and procedures;

Income Tax Records and Returns -SARS
Documents issued for income tax purposes;
Records of payments made to SARS ;
All other applicable statutory compliances and returns of forms

Personnel Documents and other records
Address Lists;

Training Manuals;
PAIA
FICA
POPIA

Procurement Department
Where and if applicable
Standard Terms and Conditions for supply of services and products;
Contractor, client, and supplier agreements;
Lists of suppliers, products, services, and distribution; and
Policies and Procedures.

Risk Management and Audit
Audit reports;
Risk management frameworks; and
Risk management plans.

Safety, Health and Environment
Responsibility of owners of property

SYSTEMS INFORMATION RECORDS
Computer / mobile device usage policy documentation;
Disaster recovery plans; All records backed up on separate device
Hardware asset registers;
Information security policies/standards/procedures;
Information technology systems and user manuals
Information usage policy documentation;
Project implementation plans;
Software licensing; and
System documentation and manuals.

Corporate Social
Responsibility (CSR)
Not Applicable

8.2. Note that the accessibility of the records may be subject to the grounds of refusal set out in this PAIA manual. Amongst other, records deemed confidential on the part of a third party, will necessitate permission from the third party concerned, in addition to normal requirements, before C Van Dyk Attorneys will consider access.

9. Records Available without a Request to Access in terms of the Act

9.1. Records of a public nature- may be accessed without the need to submit a formal application.

9.2. Other non-confidential records, such as statutory records maintained at LPC may also be accessed without the need to submit a formal application, however, please note that an appointment to view such records will still have to be made with the Information Officer.

10. Description of the records of the Body which are available in accordance with any other legal practice requirements (Section 51(1) (d))

10.1. Where applicable to its operations, C Van Dyk Attorneys also retains records and documents in terms of the legislation below. Unless disclosure is prohibited in terms of legislation, regulations, contractual agreement or otherwise, records that are required to be made available in terms of these acts shall be made available for inspection by interested parties in terms of the requirements and conditions of the Act; the below mentioned legislation and applicable internal policies and procedures, should such interested parties be entitled to such information. A request to access must be done in accordance with the prescriptions of the following Acts.

- Business Act, No 71 of 1991;
- Companies Act, No 71 of 2008;
- Constitution of the Republic of South Africa 2008;
- Deeds Office Registry Act 47 of 1937;
- Electronic Communications Act, No 36 of 2005;
- Electronic Communications and Transactions Act, No 25 of 2002;
- Financial Intelligence Centre Act, No 38 of 2001;
- Income Tax Act, No 58 of 1962;
- Legal Practice Act 28 of 2014;
- Prevention of Organised Crime Act, No 121 of 1998;
- Promotion of Access to Information Act, No 2 of 2000;
- Protection of Personal Information Act, No. 4 of 2013;
- Value Added Tax Act 89 of 1991.

Although we have used our best endeavours to supply a list of applicable legislation, it is the possible that this list may be incomplete. Whenever it comes to our attention that existing or new legislation allows a Requester access on a basis other than as set out in PAIA, we shall update list accordingly. If a Requester believes that a right of access to a record exists in terms of other legislation listed above or any other legislation, the Requester is required to indicate whether legislative right the request is based on, to allow the Information Officer the opportunity of request in light thereof.

10.2. It is further recorded that the accessibility of documents and records may be subject to the POPIA of refusal set out in this PAIA Manual.

11. Detail to Facilitate a Request for Access to a Record of C Van Dyk Attorneys (Section 51(1) (e))

11.1. The requester must comply with all the procedural requirements contained in the Act relating to the request for access to a record.

11.2. The requester must complete the prescribed form enclosed herewith, and submit same as well as of a request fee and a deposit (if applicable) to the Information Officer or the Deputy Information Officer at the postal or physical address, fax number or electronic mail address as noted in clause 5 above.

11.3. The prescribed form must be filled in with sufficient information to enable the Information Officer to identify:

- a. the record or records requested; and
- b. the identity of the requester.

11.4. The requester should indicate which form of access is required and specify a postal address or email address of the requester in the Republic;

11.5. The requester must state that he/she requires the information in order to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. The requester must clearly specify why the record is necessary to exercise or protect such a right (section 53(2)(d)).

11.6. C Van Dyk Attorneys will process the request within 30 (thirty) days, unless the requester has stated special reasons to the satisfaction of the Information Officer that circumstances dictate that above time periods not be complied with.

11.7. The requester shall be advised whether access is granted or denied in writing. If, in addition, the requester requires the reasons for the decision in any other manner, the requester will be obliged to state which manner and the particulars required.

11.8. If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the Information Officer (section 53(2)(f)).

11.9. If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.

11.10. The requester must pay the prescribed fee before any further processing can take place.

11.11. All information as listed in clause 11 herein should be provided and failing which the process will be delayed until the required information is provided. The prescribed time periods will not commence until the requester has furnished all the necessary and required information. The Information Officer shall sever a record, if possible, and grant only access to that portion requested and which is not prohibited from being disclosed.

12. Refusal of Access to Records

12.1. Grounds to Refuse Access

12.1.1. The main grounds for C Van Dyk Attorneys to refuse a request for information relates to a private body such as C Van Dyk Attorneys is entitled to refuse a request for information.

The grounds for refusal may be any one of the below listed grounds:

- a. mandatory protection of the privacy of a third party who is a natural person or a deceased person (section 63) or a juristic person, as included in the Protection of Personal Information Act 4 of 2013, which would involve the unreasonable disclosure of personal information of that natural or juristic person;
- b. mandatory protection of personal information and for disclosure of any personal information to, in addition to any other legislative, regulatory, or

contractual comply with the provisions of the Protection of Personal Information Act 4 of 2013;

c. mandatory protection of the commercial information of a third party (section 64) if the record contains

i. trade secrets of the third party;

ii. financial, commercial, scientific, or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;

iii. information disclosed in confidence by a third party to Adept Advisory, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;

d. mandatory protection of confidential information of third parties (section 65) if it is protected in terms of any agreement;

e. mandatory protection of the safety of individuals and the protection of property (section 66);

f. mandatory protection of records which would be regarded as privileged in legal proceedings (section 67).

12.1.2. The commercial activities (section 68) of a private body, such as C Van Dyk Attorneys, which may include:

a. trade secrets of C Van Dyk Attorneys;

b. financial, commercial, scientific, or technical information which disclosure could likely cause harm to the financial or commercial interests of C Van Dyk Attorneys /Consultant;

c. information which, if disclosed could put C Van Dyk Attorneys at a disadvantage in negotiations or commercial competition;

d. a computer program which is owned by C Van Dyk Attorneys, and which is protected by copyright;

e. the research information (section 69) of C Van Dyk Attorneys or a third party, if its disclosure discloses the identity of C Van Dyk Attorneys, the researcher or the subject matter of the research and would place the research at a serious disadvantage.

12.1.3. Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

12.1.4. All requests for information will be assessed on their own merits and in accordance with the applicable legal principles and legislation.

12.1.5. If a requested record cannot be found or if the record does not exist, the Information Officer by way of an affidavit or affirmation, notify the requester that it is not possible to give access to the requested record. Such a notice will be regarded as a decision to refuse a request for access to the record concerned for the purpose of the Act. If the record 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 the Information Officer refuses access to such record.

13. Remedies Available When C Van Dyk Attorneys

13.1. Internal Remedies -C Van Dyk Attorneys, does not have internal appeal procedures. The decision made by the Information Officer is final. Requesters will have to exercise such external remedies at their disposal if the request for information is refused, and the requestor is not satisfied with the answer supplied by the Information Officer.

13.2. External Remedies

13.2.1. A requestor that is dissatisfied with the Information Officer's refusal to disclose information, may within 30 (thirty) days of notification of the decision, may apply to a Court for relief.

13.2.2. A third party dissatisfied with the Information Officer's decision to grant a request for information, may within 30 (thirty) days of notification of the decision, apply to a Court for relief.

For purposes of the Act, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status and a Magistrate's Court designated by the Minister of Justice and Constitutional Development and which is presided over by a designated Magistrate.

14. Access to Records Held by C Van Dyk Attorneys,

14.1. Prerequisites for Access by Personal/Other Requester

14.1.1. Records held by C Van Dyk Attorneys may be accessed by requests only once the prerequisite requirements for access have been met.

14.1.2. A requester is any person making a request for access to a record of C Van Dyk Attorneys There are two types of requesters:

a. Personal Requester

i. A personal requester is a requester who is seeking access to a record containing personal information about the requester.

ii. C Van Dyk Attorneys will voluntarily provide the requested information or give access to any record with regard to the requester's personal information. The prescribed fee for reproduction of the information requested will be charged.

b. Other Requester

i. This requester (other than a personal requester) is entitled to request access to information on third parties.

ii. In considering such a request C Van Dyk Attorneys will adhere to the provisions of the Act. Section 71 requires that the Information Officer take all reasonable steps to inform a third party to whom the requested record relates of the request, informing him/her that he/she may make a written or oral representation to the Information Officer why the request should be refused or, where required, give written consent for the disclosure of the Information.

iii. C Van Dyk Attorneys is not obliged to voluntarily grant access to such records. The requester must fulfil the prerequisite requirements, in accordance with the requirements of the Act and as stipulated in Chapter 5; Part 3, including the payment of a request and access fee.

15. Prescribed Fees (Section 51 (1) (f))

15.1. Fees Provided by the Act

15.1.1. The Act provides for two types of fees, namely:

a. A request fee, which is a form of administration fee to be paid by the requesters except personal requesters, before the request is considered and is not refundable; and

- b. An access fee, which is paid by all requesters in the event that a request for access is granted. This fee is inclusive of costs involved by the private body in obtaining and a record for delivery to the requester.
- 15.1.2. When the request is received by the Information Officer, such officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee, before further processing of the request (section 54(1)).
- 15.1.3. If the search for the record has been made and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the Information Officer shall notify the requester to pay as a deposit the prescribed portion of the access fee which would be payable if the request is granted.
- 15.1.4. The Information Officer shall withhold a record until the requester has paid the fees as indicated below.
- 15.1.5. A requester whose request for access to a record has been granted, must pay an access fee that is calculated to include, where applicable, the request fee, the process fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.
- 15.1.6. If a deposit has been paid in respect of a request for access, which is refused, then the Information Officer concerned must repay the deposit to the requester.

16. Reproduction Fee

16.1. Where C Van Dyk Attorneys has voluntarily provided the Minister with a list of categories of records that will automatically be made available to any person requesting access thereto, the only charge that may be levied -

for obtaining such records, will be a fee for reproduction of the record in question.

Reproduction of Information Fees

Fees to be Charged

Information in an A-4 size page photocopy or part thereof R 1,10

A printed copy of an A4-size page or part thereof R 0,75

A copy in computer-readable format, for example: Compact disc R 70,00

A transcription of visual images, in an A4-size page or part thereof R 40,00

A copy of visual images R 60,00

A transcription of an audio record for an A4-size page or part thereof R 20,00

A copy of an audio record R 30,00

16.2. Request Fees

Where a requester submits a request for access to information held by an institution on a person other than the requester himself/herself, a request fee in the amount of R50,00 is payable up-front before the institution will further process the request received.

16.3. Access Fees

16.3.1. An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of the or an exclusion is determined by the Minister in terms of section 54(8).

The applicable access fees which will be payable are:
Access of Information Fees -Fees to be Charged
Information in an A-4 size page photocopy or part thereof R 1,10
A printed copy of an A4-size page or part thereof R 0,75
A copy in computer-readable format, for example:
Hard disc R 7,50
Compact disc R 70,00
A transcription of visual images, in an A4-size page or part thereof R 40,00
A copy of visual images R 60,00
A transcription of an audio record for an A4-size page or part thereof R 20,00
A copy of an audio record *Per hour or part of an hour reasonably required for such search. R 30,00*
Where a copy of a record needs to be posted the actual postal fee is payable.

16.4. Deposits

16.4.1. Where the institution receives a request for access to information held on a person other than the requester himself/herself and the Information Officer upon receipt of the request is of the opinion that the preparation of the required record of disclosure will take more than 6 (six) hours, a deposit is payable by the requester.

16.4.2. The amount of the deposit is equal to 1/3 (one third) of the amount of the applicable access fee.

16.5. Collection Fees

16.5.1. The initial "request fee" of R50,00 should be deposited into the bank account below and a copy of the deposit slip, application form and other correspondence / documents, forwarded to the Information Officer via email.

16.5.2. The officer will collect the initial "request fee" of applications received directly by the Information Officer via email.

16.5.3. All fees are subject to change as allowed for in the Act and as a consequence such escalations may not always be immediately available at the time of the request being made. Requesters shall be informed of any changes in the fees prior to making a payment.

17. Decision

17.1. Time Allowed to Institution

17.1.1. C Van Dyk Attorneys 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.

17.1.2. The 30 (thirty) day period within which C Van Dyk Attorneys , to decide whether to grant or refuse the request, may be extended for a further period of not more than (30) thirty days if the request is for a large number of information, or the request requires a search for information held elsewhere for C Van Dyk Attorneys and the information cannot reasonably be obtained within the original 30 (thirty) day period.

17.1.3. C Van Dyk Attorneys will notify the requester, in writing should an extension be sought.

18. Protection of Personal Information that is processed by C Van Dyk Attorneys

18.1. Chapter 3 of POPIA provides for the minimum Conditions for Lawful Processing of Personal Information by a Responsible Party. These conditions may not be derogated from unless specific exclusions apply as outlined in POPIA.

18.2. C Van Dyk Attorneys needs Personal Information relating to both individual and juristic persons in order to carry out its business and organisational functions. The manner in which this information is processed and the purpose for which it is Processed is determined by C Van Dyk Attorneys it will accordingly advise a Responsible Party for the purposes of POPIA and will ensure that the Personal Information of a Data Subject:

- 18.2.1. is processed lawfully, fairly, and transparently. This includes the provision of appropriate information to Data Subjects when their data is collected by C Van Dyk Attorneys, in the form of privacy or data collection notices C Van Dyk Attorneys, must also have a legal basis (for example, (consent) to process Personal Information;
- 18.2.2 is processed only for the purposes for which it was collected;
- 18.2.3. will not be processed for a secondary purpose unless that processing is compatible with the original purpose.
- 18.2.4. is adequate, relevant, and not excessive for the purposes for which it was collected;
- 18.2.5. is accurate and kept up to date;
- 18.2.6. will not be kept for longer than necessary;
- 18.2.7. is processed in accordance with integrity and confidentiality principles; this includes physical and organisational measures to ensure that Personal Information, in both physical and electronic form, are subject to an appropriate level of security when stored, used, and communicated by C Van Dyk Attorneys , in order to protect against access and acquisition by unauthorised persons and accidental loss, destruction or damage;
- 18.2.8. is processed in accordance with the rights of Data Subjects, where applicable. Data Subjects have the right to:
 - (a) be notified that their Personal Information is being collected by C Van Dyk Attorneys. The Data Subject also has the right to be notified in the event of a data breach;
 - (b) know whether C Van Dyk Attorneys holds Personal Information about them, and to access that information, Any request for information must be handled in accordance with the provisions of this Manual;
 - (c) request the correction or deletion of inaccurate, irrelevant, excessive, out of date, incomplete, misleading, or unlawfully obtained personal information;
 - (d) object to C Van Dyk Attorneys , use of their Personal Information and request the deletion of such Personal Information (deletion would be subject to C Van Dyk Attorneys record keeping requirements);
 - (e) object to the processing of Personal Information for purposes of direct marketing by means of unsolicited electronic communications; and

(f) complain to the Information Regulator regarding an alleged infringement of any of the rights protected under POPIA and to institute civil proceedings regarding the alleged non-compliance with the protection of his, her or its personal information.

18.3. Purpose of the Processing of Personal Information by the Entity As outlined above, Personal Information may only be processed for a Specific purpose. The purposes for which C Van Dyk Attorneys processes or will process Personal Information is set out in Part 1 of Appendix 2.

18.4. Categories of Data Subjects and Personal Information/special Personal Information relating thereto as per section 1 of POPIA, a Data Subject may either be a natural or a juristic person. Part 2 of Appendix 2 sets out the various categories of Data Subjects that C Van Dyk Attorneys Processes Personal Information on and the types of Personal Information relating thereto.

18.5. Recipients of Personal Information Part 3 of Appendix 2 outlines the recipients to whom C Van Dyk Attorneys , may provide a Data Subjects Personal Information to.

18.6. Cross-border flows of Personal Information

18.6.1. Section 72 of POPIA provides that Personal Information may only be transferred out of the of South Africa if the:

- a. recipient country can offer such data and protection. This means that its data privacy laws must be substantially similar to the Conditions for Lawful Processing as contained in POPIA; or
- b. Data Subject consents to the transfer of their Personal Information; or
- c. transfer is necessary for the performance of a contractual obligation between the Data Subject and the Responsible Party; or
- d. transfer is necessary for the performance of a contractual obligation between the Responsible Party and a third party, in the interests of the Data Subject; or
- e. the transfer is for the benefit of the Data Subject, and it is not reasonably practicable to -

obtain the consent of the Data Subject, and if it were, the Data Subject, would in all likelihood provide such consent.

18.6.2. Part 4 of Appendix 2 sets out the planned cross-border transfers of Personal Information and the condition from above that applies thereto.

18.7. Description of information security measures to be implemented by C Van Dyk Attorneys, Part 5 of Appendix 2 sets out the types of security measures to implemented by C Van Dyk Attorneys in order to ensure that Personal Information is respected and protected. A preliminary assessment of the suitability of the information security measures implemented or to be implemented by Van Dyk Attorneys may be conducted in order to ensure that the Personal Information that is processed by Van Dyk Attorneys is safeguarded and processed in accordance with the Conditions for Lawful Processing.

18.8. Objection to the Processing of Personal Information by a Data Subject section 11 (3) of POPIS and regulation 2 of the POPIA Regulations provides that a Data Subject may, at any time object to the Processing of his/her/its Personal Information in the prescribed form attached to this manual as Appendix 3 subject to exceptions contained in POPIA.

18.9. Request for correction or deletion of Personal Information Section 24 of POPIA and regulation 3 of the POPIA Regulations provides that a Data Subject may request for their Personal Information to be corrected/deleted in the prescribed form attached as Appendix 4 to this Manual

19. Availability and Updating of the PAIA Manual

19.1. Regulation Number R.187 of 15 February 2002 Section 19.1.1 This PAIA Manual is made available in terms of Regulation Number R.187 of 15 February 2002. C Van Dyk Attorneys will update this PAIA Manual at such intervals as may be deemed necessary.

Section 19.1.2. This PAIA Manual of C Van Dyk Attorneys is available to view at its premises and at SAHRC on its website.

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).