



PAIA MANUAL

DOCUMENT CONTROL

Document owner	Head of Admin
Document name	Promotion of Access to Information Act (PAIA) Manual
Reference	D2E;PAIA;V1.1

APPROVED BY

Committee	Title	Name	Date of approval
EXCO	EXCO Chairperson	Robert Fihrer	25.06.2021

CHANGE OF RECORD

Modified Date	Author	Version	Description of Changes
June 2021	Legal Admin	1.0	Created Policy
November 2021		1.1	Adjustments

NEXT REVIEW DATE

24 months from date of approval

CONFIDENTIALITY

No part of this document may be disclosed verbally or in writing, including by reproduction, to any third party without the prior written consent of D2E Properties. This document, its associated appendices and any attachments remain the property of D2E Properties and shall be returned upon request.

TABLE OF CONTENTS

	<u>Page Number</u>
1. Background and Purpose of The PAIA Manual	3
2. Definitions, Acronyms and Abbreviations	4
3. Information required in terms of section 51(1)(a) of PAIA	5
4. Description of the Guide, Obtaining Access and Information Officer (section 51(1)(b))	5
5. Categories of the Records	6
6. Information available in terms of other Legislation	6
7. Subjects and Categories of Records available on Request to Access Information	6
8. Details on Procedures to Request to Access Records	7
9. Remedies available on refusal of a Request	9
10. Access to Records	9
11. Protection of Personal Information	9
12. Availability of the PAIA manual	11

ANNEXURES

A. Form C including Request for Information fees	12
B. Processing of Personal Information	14
C. Categories of Data subjects and personal Information relating thereto	16
D. Recipients of Personal information	17
E. Cross-border flows of personal information	17
F. Description of security measures to be implemented	17
G. Objection to the processing of personal information	18
H. Request for correction or deletion or destruction of personal information or records	20



1. Background to PAIA

PAIA was enacted to give effect to the provisions of Section 32 of the Constitution of the Republic of South Africa, which provides that any person has a right to gain access to information held by a Public or Private Body (as defined below), when that information is required for the exercise or protection of any rights.

The key objectives of PAIA are to:

- promote transparency, accountability and effective governance of all Public and Private bodies;
- to assist members of the public to effectively scrutinize and participate in decision making by public bodies;
- to ensure that the State promotes a human rights culture and social justice;
- to encourage openness; and
- to establish voluntary and mandatory mechanisms or procedures which give effect to the right of access to information in a prompt, inexpensive and effortless manner.

In terms of section 51 of PAIA, all Private Bodies are required to compile an information manual (**PAIA Manual**).

D2E Properties Pty Ltd is a property company for the development of building projects (SIC code 41000) and is regarded as a private body in terms of PAIA. For this manual is known as D2E Properties.

This manual was prepared in accordance with section 51 of PAIA, addresses certain requirements of POPIA and constitutes the D2E Properties PAIA Manual.

The purpose of the PAIA Manual

The purpose of the PAIA Manual is to promote the right of access to information, to foster a culture of transparency and accountability within D2E Properties by ensuring that the people of South Africa can effectively exercise their right to information that is required for the exercise or protection of any right, and to establish mechanisms or procedures to give effect to that right in a manner which enables persons to obtain access to records of a Private Body as promptly, inexpensively and reasonably as possible.

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

- i) limitations aimed at the reasonable protection of privacy;
- ii) commercial confidentiality; and
- iii) effective, efficient and good governance

This PAIA Manual complies with the requirements of the Guide and recognises that the Information Regulator will be responsible to regulate compliance with PAIA and its regulations by both Private and Public Bodies.

2. Definitions, Acronyms and Abbreviations

D2E Properties Pty Ltd	D2E Properties, registration no. 2019/406767/07
Companies Act	Companies Act, 71 of 2008, as amended from time to time
Data Subject	the person to whom Personal Information relates
EXCO Member	a member of the executive committee at the D2E Properties, and “EXCO Members” shall mean all of them
Guide	the guide referred to in section 10 of PAIA, being the guide originally compiled by the Human Rights Commission in each official language containing such information as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA, which guide is to be updated by the Information Regulator to ensure that it contains such information as may reasonably be required by a person who wishes to exercise any right contemplated in both POPIA and PAIA
Human Rights Commission	the South African Human Rights Commission referred to in section 181(1)(b) of the Constitution of the Republic of South Africa
Information Officer	the person named at Part II of this PAIA Manual and identified as the information officer for the D2E Properties;
PAIA	the Promotion of Access to Information Act, 2 of 2000, as amended from time to time
Personal Information	Information relating to an identifiable natural person, including, but not limited to – <ul style="list-style-type: none">• 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, email address, physical address, telephone number, location information, online identifier or other particular assigned 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, but excludes information about an individual who has been dead for more than 20 years
POPIA	the Protection of Personal Information Act, 4 of 2013, as amended from time to time
POPIA Regulations	means the regulations promulgated in terms of section 112(2) of POPIA
Prescribed Officer	bears the meaning set out in the Companies Act
Private Body	any former or existing juristic person
Processing	means any operation or activity or any set of operations, whether or not by automatic means, concerning Personal Information, including – <ol style="list-style-type: none">a) the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;b) dissemination by means of transmission, distribution or making available in any other form; orc) merging, linking, as well as restriction, degradation, erasure or destruction of information

Public Body	(a) any department of state or administration in the national or provincial sphere of government or any municipality in the local sphere of government; or (b) any other functionary or institution when – a. exercising a power or performing a duty in terms of the Constitution or a provincial constitution; or b. exercising a public power or performing a public function in terms of any legislation
Record	any recorded information – (a) regardless of form or medium; (b) in the possession or under the control of that Public or Private Body, respectively; and (c) whether or not it was created by that Public or Private Body respectively
Responsible Party	means a Public or Private Body or any other person which, alone or in conjunction with others, determines the purpose of and means for processing Personal Information
Requester	in relation to a Private Body, means (i) any person, including, but not limited to, a Public Body or an official thereof, making a request for access to a Record of that Private Body; or (ii) a person acting on behalf of the person contemplated in (i)

3. Information required in terms of section 51(1)(a) of PAIA

Name of Private Body	D2E Properties Pty LTD
Head of Private Body	Robin Magid (Chief Executive Officer)
Postal Address	Capricorn House, 32 Impala Road, Chislehurst, 2196
Physical Address	Capricorn House, 32 Impala Road, Chislehurst, 2196
Telephone Number	+27 83 675 8703
Email address	robin@d2eproperties.co.za

4. Description of the Guide and the manner in obtaining access to the Guide and the Information Officer (section 51(1)(b))

The Guide contains information required by any person wishing to exercise any right set out in PAIA and currently available in all of the official languages of South Africa and is available for inspection by the public at the offices of the Human Rights Commission at Braampark Forum 3, 33 Hoofd Street, Braamfontein, telephone number: 011 877 3600 OR on its website – www.sahrc.org.za.

In terms of the POPIA amendments to PAIA, the Information Regulator must update and make available the existing Guide that has been compiled by the South African Human Rights Commission containing such information as may reasonably be required by a person who wishes to exercise any right contemplated in POPIA and PAIA. Thus, the Guide will soon be made available for inspection by the public at the offices of the Information Regulator at 33 Hoofd Street, Forum III, 3rd Floor Braampark, Braamfontein, Johannesburg, 2017, telephone number: 010 023 5207, email address inforeg@justic.gov.za

PAIA prescribes the appointment of an Information Officer for Public Bodies where such Information Officer is responsible to, amongst other things, assess requests for access to information. The Head of a Private Body fulfils such a function in terms of section 51 of PAIA. D2E Properties has opted to appoint an Information Officer to assess such a request for access to information as well as to oversee its required functions in terms of PAIA.

The Information Officer appointed in terms of PAIA also refers to the Information Officer as referred to in POPIA. The Information Officer oversees the functions and responsibilities as required for in terms of both PAIA and in terms of section 55 of POPIA. The Information Officer may appoint, where it is deemed necessary, Deputy Information Officers, as allowed in terms of section 17 of PAIA as well as section 56 of POPIA – this is in order to ensure that D2E Properties is as accessible as reasonably possible for Requesters of its Records and to ensure fulfilment of its obligations and responsibilities as prescribed in terms of section 55 of POPIA.

The contact details of the Information Officer are:

Information Officer	Shirley Magid
Physical Address	Capricorn House, 32 Impala Road, Chislehurst, 2196
Telephone Number	+27 82 888 3006
Email address	shirley@d2eproperties.co.za

5. Categories of Records of D2E Properties which are available without a person having to request access in terms of PAIA (section 51(1)(c))

Any Records of a public nature, typically those that are required to be made available in terms of the Companies Act are made available for inspection by interested parties. Such public information includes all information made available on D2E's offices.

6. Information available in terms of other Legislation

D2E Properties also retains Records in terms of certain legislation that applies to its business and operations. Information is available in terms of certain provisions of the following legislation to the persons or entities specified in such legislation:

A request to access to such Records must be done in accordance with the requirements of PAIA 1991.

- Administration of Estates Act 66 of 1965
- Basic Conditions of Employment Act 75 of 1997
- Close Corporations Act 69 of 1984
- Companies Act 71 of 2008
- Compensation for Occupational Injuries and Health Diseases Act 130 of 1993
- Employment Equity Act 55 of 1998
- Estate Agency Affairs Act 112 of 1976
- Income Tax Act 58 of 1962
- Insolvency Act No. 24 of 1936
- Labour Relations Act 66 of 1995
- Occupational Health & 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 Amendment Act 54 of 1995 (and the rules and listing requirements of the JSE Securities Exchange authorised in terms thereof)
- Unemployment Contributions Act 4 of 2002
- Unemployment Insurance Act 63 of 2001
- Value Added Tax Act 89 of 1991

** Although we have used our best efforts to provide a list of applicable legislation, it is 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 will update the 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 what legislative right the request is based on, to allow the Information Officer the opportunity to consider the request in light thereof.*

7. Subjects and categories of Records available only on Request to Access in terms of PAIA (Section 51(1)(e))

This section serves as a reference to the categories of information that D2E Properties holds.

Please note that the accessibility of the records may be subject to the grounds of refusal as set out in this PAIA Manual. In addition, records deemed confidential on the part of a third party will necessitate permission from the third party concerned, in addition to usual requirements, before D2E Properties will consider access.

Internal Records

- 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

For the purposes of this section, “personnel” means any person who works for or provides services to or on behalf of D2E Properties and receives or is entitled to receive any remuneration and any other person who assists in carrying out or conducting the business of D2E Properties. This includes partners, directors, all permanent, temporary and part-time staff as well as consultants.

- 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; and
- Other internal records and correspondence

Client-related records

- Contracts with the client and between the client and other persons;

Other third-party records

Records are kept in respect of other parties, including without limitation joint ventures and consortia to which D2E Properties 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 D2E Properties.

- Personnel, client, or D2E Properties records which are held by another party as opposed to being held by D2E; and
- Records held by D2E Properties 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

- Information relating to D2E Properties; and

Research information belonging to D2E Properties or carried out on behalf of a third party.

8. Detail on the request procedure (section 51(1)(e))

The Requester must comply with all the procedural requirements of PAIA relating to the request for access to a Record.

The Requester must complete the prescribed Form C (available on the website of the Human Rights Commission -www.sahrc.org.za and attached as **Annexure A** and submit this form together with a request fee to the Information Officer (see Annexure A for details).

8.1. Completion of the prescribed form

Any request for access to a record in terms of PAIA must substantially correspond with Form C of Annexure A to Government Notice No. R.187 dated 15 February 2002 and should be specific in terms of the record requested.

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

POPIA provides that a data subject may, upon proof of identity, request the D2E Properties 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.

POPIA also provides that where the data subject is required to pay a fee for services provided to him/her, D2E Properties 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.

POPIA provides that a data subject may object, at any time, to the processing of personal information by D2E Properties, on reasonable grounds relating to his/her circumstances, unless legislation provides for such processing. The data subject must complete the prescribed form attached hereto as annexure A form C and submit it to the Information Officer at the postal or physical address or electronic mail address set out above.

A data subject may also request D2E Properties 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 D2E Properties is no longer authorised to retain records in terms of POPIA'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 or electronic mail address set out above.

8.2. Proof of identity

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

8.3. 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 reproduction costs, research and preparation costs, as well as postal costs. These fees are set out in Annexure A.

Section 54 of PAIA entitles D2E Properties 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.

8.4. 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.

8.5. 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 D2E Properties (at a disadvantage in negotiations or prejudice it in commercial competition); and/or
- if the record contains information about research being carried out or about to be carried out on behalf of a third party or by D2E Properties.

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.

9. Remedies available on refusal of a request for information

Any refusal of a request for information is finally decided by the Information Officer. There is no internal appeal procedure that may follow a request to access information after it has been refused.

If a request for information is denied, the Requester is entitled to apply to a Court with the appropriate jurisdiction for relief.

10. Access to Records held by D2E Properties

Records held by D2E Properties may be accessed by requests only once the prerequisite requirements for access have been met.

There are two types of Requesters:

- Personal Requester
 - This is a Requester who is seeking access to a record containing Personal Information about the Requester.
 - D2E Properties 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.
- Other Requester
 - This Requester is entitled to request access to information on third parties.
 - In considering such a request, D2E Properties will adhere to the provisions of PAIA. 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.
 - D2E Properties is not obliged to voluntarily grant access to such Records. The Requester must fulfil the prerequisite requirements, in accordance with the requirements of PAIA and as stipulated in Chapter 5: Part 3, including the payment of a request and access fee.

11. Protection of Personal Information that is processed by D2E Properties

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.

D2E Properties requires Personal Information relating to both individual and juristic persons in order to carry out its business and organisational functions. The way this information is processed and the purpose for which it is processed is determined by D2E Properties. Accordingly, D2E Properties is a Responsible Party for the purposes of POPIA and will ensure that the Personal Information of a Data Subject:

- is processed lawfully, fairly and transparently. This includes the provision of appropriate information to Data Subjects when their data is collected by D2E Properties, in the form of privacy or data collection notices. D2E Properties must also have a legal basis (ie, consent) to process Personal Information;
- is processed only for the purposes for which it was collected;
- will not be processed for a secondary purpose unless that Processing is compatible with the original purpose;
- is adequate, relevant and not excessive for the purposes for which it was collected;
- is accurate and kept up to date;
- will not be kept for longer than necessary;
- 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 D2E Properties, in order to protect against access and acquisition by unauthorised persons and accidental loss, destruction or damage;
- is processed in accordance with the rights of Data Subjects, where applicable. Data Subjects have the right to:
 - be notified that their Personal Information is being collected by D2E Properties. The Data Subject also has the right to be notified in the event of a data breach;
 - know whether D2E Properties holds Personal Information about them, to access that information. Any request for information must be handled in accordance with the provisions of this PAIA Manual;
 - request the correction or deletion of inaccurate, irrelevant, excessive, out of date, incomplete, misleading or unlawfully obtained Personal Information;
 - object to D2E Properties use of their Personal Information and request the deletion of such Personal Information (deletion would be subject to D2E Properties record keeping requirements);
 - object to the Processing of Personal Information for purposes of direct marketing by means of unsolicited electronic communications; and
 - 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.

11.1 Purpose of the Processing of Personal Information by D2E Properties

As abovementioned, Personal Information held by D2E Properties can only be processed for a specific purpose. The purpose for which D2E Properties processes or will process Personal Information is set out in **Annexure B**.

11.2 Categories of Data Subjects and Personal Information relating thereto

As stipulated by section 1 of POPIA, a Data Subject may either be a natural or a juristic person. **Annexure C** sets out the various categories of Data Subjects that D2E Properties processes Personal Information on and the types of Personal Information relating thereto.

11.3 Recipients of Personal Information

Annexure D outlines the recipients to whom D2E Properties may provide a Data Subject's Personal Information to.

11.4 Cross-border flows of Personal Information

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

- recipient country can offer such data an "adequate level" of protection. This means that its data privacy laws must be substantially similar to the Conditions for Lawful Processing as contained in POPIA; or
- Data Subjects consent to the transfer of their Personal Information; or

- transfer is necessary for the performance of a contractual obligation between the Data Subject and the Responsible Party; or
- 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
- 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.

Annexure E sets out the planned cross-border transfers of Personal Information and the condition from above that applies thereto.

11.5 Description of information security measures to be implemented by D2E Properties

Annexure F sets out the types of security measures to be implemented by D2E Properties 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 D2E Properties may be conducted in order to ensure that the Personal Information that is processed by D2E Properties is safeguarded and processed in accordance with the Conditions for Lawful Processing.

11.6 Objection to the Processing of Personal Information by a Data Subject

Section 11(3) of POPIA 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 **Annexure G** subject to exceptions contained in POPIA.

11.7 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 **Annexure H**.

12. Availability of the PAIA Manual

This PAIA Manual is made available in terms of PAIA and section 4 of the POPIA Regulations.

This PAIA Manual is further available at the offices of the Company situated at **Capricorn House, 32 Impala Road, Chislehurst, 2196**, for inspection during normal business hours.

Copies of the PAIA Manual can be obtained from the Information Officer. A fee will be levied for copies of the PAIA Manual.

Annexure A

FORM C

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY
(Section 53(1) of the Promotion of Access to Information Act, 2000
(Act No. 2 of 2000) [Regulation 10]

A. Particulars of private body

The Head:

B. Particulars of person requesting access to the record

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

Full names and surname:

Identity number:

Postal address:

Fax number:

Telephone number:

E-mail address:

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

C. Particulars of person on whose behalf request is made

This section must be completed <i>ONLY</i> if a request for information is made on behalf of another person.

Full names and surname:

Identity number:

D. Particulars of record

- | | |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (a) | Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located. |
| (b) | If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios. |

1 Description of record or relevant part of the record:

2 Reference number, if available:

3 Any further particulars of record:

E. Fees

- | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none">• A request for access to a record, other <i>than</i> a record containing personal information about yourself, will be processed only after a request fee has been paid.• You will be <i>notified</i> of the amount required to be paid as the request fee.• The fee payable for access to a record depends <i>on</i> the form <i>in which</i> access is required and the reasonable time <i>required</i> to search for and prepare a record.• If you qualify for exemption <i>of</i> the payment <i>of</i> any fee, please state the reason for exemption. |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Access of information fees	Fees to be charged
Information in an A-4 size page photocopy or part thereof	R1.10
A printed copy of an A4-size page or part thereof	R0.75
A copy in computer-readable format	R70
A transcription of visual images, in an A4-size page or part thereof	R40
A copy of visual images	R60
A transcription of an audio record for an A4-size page or part thereof	R20
A copy of an audio record (*per hour or part of an hour reasonably required for such search)	R30
Where a copy of a record needs to be posted the actual postal fee is payable	

Reason for exemption from payment of fees: full explanation as to reasons for exemption requested.

F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability:	Form in which record is required
Form in which record is required:	
Mark the appropriate box with an X.	
<p>NOTES:</p> <p>(a) Compliance with your request in the specified form may depend on the form in which the record is available.</p> <p>(b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.</p> <p>(c) The fee payable for access for the record, if any, will be determined partly by the form in which access is requested.</p>	

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

F. Particulars of right to be exercised or protected

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

1. Indicate which right is to be exercised or protected:
2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

H. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved/denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at..... This..... day of20....

SIGNATURE OF REQUESTER / PERSON ON
WHOSE BEHALF REQUEST IS MADE

Annexure B

Processing of Personal Information in accordance with POPIA

1. For employees

- 1.1. Verification of applicant employees' information during the recruitment process
- 1.2. General matters relating to employees:
 - 1.2.1. Pension
 - 1.2.2. Medical aid
 - 1.2.3. Payroll
 - 1.2.4. Disciplinary action
 - 1.2.5. Training
- 1.3. Any other reasonably required purpose relating to the employment or possible employment relationship

2. For vendors/ suppliers/other businesses

- 2.1. Verifying information and performing checks
- 2.2. Purposes relating to the agreement or business relationship or possible agreement or business relationships between the parties
- 2.3. Payment of invoices
- 2.4. Complying with the D2E Properties regulatory and other obligations
- 2.5. Any other reasonably required purpose relating to D2E Properties business

3. For members of property associations

- 3.1. Verifying information and performing checks
- 3.2. General matters relating to members and directors of property associations:
 - 3.2.1. Member's meetings
 - 3.2.2. Director's meetings and the election of directors
 - 3.2.3. Issuing of invoices for the collection of levies
- 3.3. Any other reasonably required purpose relating to D2E Properties membership to and management of property associations

4. For tenants or prospective tenants

- 4.1. Verifying information and performing credit checks
- 4.2. Purposes relating to the lease agreement or possible lease agreement between the parties
- 4.3. Any other reasonably required purpose relating to D2E Properties business

Annexure C

Categories of Data Subjects and Personal Information relating thereto

1. Employees

- 1.1. Name and contact details
- 1.2. Identity number and identity documents (including passports)
- 1.3. Employment history and references
- 1.4. Banking and financial details
- 1.5. Details of payments to third parties (deductions from salary)
- 1.6. Employment contracts
- 1.7. Remuneration/ salary records
- 1.8. Performance appraisals
- 1.9. Disciplinary records
- 1.10. Leave records

2. Corporate

- 2.1. Shareholders
- 2.2. Directors

3. Vendors / suppliers/ other businesses

- 3.1. Name and contact details
- 3.2. Identity and/or company information and directors' information
- 3.3. Banking and financial information
- 3.4. Information about products or services
- 3.5. Other information not specified, reasonably required to be processed for business operations
- 3.6. Payment beneficiaries – bank account details
- 3.7. Tax certificates
- 3.8. Professional curriculum vitae
- 3.9. B-BBEE certificates

4. Tenants and prospective tenants

- 4.1. Name and contact details
- 4.2. Identity and/or company information and directors' information
- 4.3. Banking and financial information
- 4.4. If signing surety, details of assets and liabilities, previous insolvency details (if applicable), marital status
- 4.5. Trading references
- 4.6. Other lessor references
- 4.7. Other information not specified, reasonably required to be processed for lease relationship
- 4.8. "know-your customer" data

5. Members and directors of property associations

- 5.1. Name and contact details
- 5.2. Identity and/or company information
- 5.3. Other information not specified, reasonably required to be processed for business operations

Annexure D

Recipients of Personal Information

1. D2E Properties
2. Any firm, organisation or person that D2E Properties uses to collect payments and recover debts or to provide a service on its behalf
3. Any firm, organisation or person that/who provides D2E Properties with products or services
4. Any payment system that D2E Properties uses
5. Regulatory and governmental authorities or ombudsmen, or other authorities, including tax authorities, where D2E Properties has a duty to share information
6. Financial institutions from whom payments are received on behalf of Data Subjects
7. Employees, contractors and temporary staff
8. Agents and estate agent brokers

Annexure E

Cross-border flows of Personal Information

When making authorised disclosures or transfers of Personal Information in terms of Section 72 of POPIA, Personal Information may be disclosed to recipients located in countries which do not offer a level of protection for those Data Subjects as high as the level of protection offered in South Africa.

Annexure F

Description of security measures to be implemented by D2E Properties

D2E Properties undertakes to institute and maintain data protection measures to accomplish the following objectives outlined below. The details given are to be interpreted as examples of how to achieve an adequate data protection level for each objective. D2E Properties may use alternative measures and adapt to technological security development, as needed, provided that the objectives are achieved.

1. **Access control of persons**

D2E Properties will implement suitable measures in order to prevent unauthorised persons from gaining access to the data processing equipment where the data is processed.

2. **Data media control**

D2E Properties undertakes to implement suitable measures to prevent the unauthorised manipulation of media, including reading, copying, alteration or removal of the data media used by D2E Properties and containing personal data of customers, tenants, suppliers, employees and so forth.

3. **Data memory control**

D2E Properties undertakes to implement suitable measures to prevent unauthorised input into data memory and the unauthorised reading, alteration or deletion of stored data.

4. **User control**

D2E Properties will implement suitable measures to prevent its data processing systems from being used by unauthorised persons by means of data transmission equipment.

5. **Access control to data**

D2E Properties represents that the persons entitled to use D2E Properties data processing system are only able to access the data within the scope and to the extent covered by their respective access permission (authorization).

6. Transmission control

D2E Properties will be obliged to enable the verification and tracing of the locations / destinations to which the Personal Information is transferred by utilizing D2E Properties data communication equipment/ devices.

7. Transport control

D2E Properties will implement suitable measures to prevent Personal Information from being read, copied, altered or deleted by unauthorised persons during the transmission thereof or during the conveyance of the data media.

8. Organisation control

D2E Properties will maintain its internal organisation in a manner that meets the requirements of this manual.

Annexure G

Objection to the Processing of Personal Information in terms of Section 11(3) of POPIA by a Data Subject

Regulations relating to the protection of Personal Information, 2018

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	
Contact number(s)	
Fax number / e-mail address	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname/ registered name of Data Subject	
Residential, postal or business address	
Contact number(s)	
fax number / email address	
C	REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(D) TO (F) (Please provide detailed reasons for the objection)

Signed atthis.....day of20.....

Signature of Data Subject

Annexure H

Request for correction or deletion of Personal Information or destroying or deletion of record of Personal Information in terms of Section 24(1) of POPIA

Regulations relating to the protection of Personal Information, 2018

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 authorized to retain the record of information.

A	Details of Data Subject
Names(s) and surname/ registered name of Data Subject	
Unique Identifier/ Identity Number	
Residential, postal or business address	
Contact number(s)	
Fax number / email address	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname/ registered name of Data Subject	
Residential, postal or business address	
Contact number(s)	
Fax number / email address	
C	Reasons for objection in terms of Section 11(1)(d) to (f) (Please provide details reasons for the objection)
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 (please provide detailed reasons for the request)