

# ANNEXURE B: POPI COMPLAINT FORM

## POPI COMPLAINT FORM

We are committed to safeguarding your privacy and the confidentiality of your personal information and are bound by the Protection of Personal Information Act.

### Please submit your complaint to the Information Officer:

Name

Contact Number

Email Address:

Where we are unable to resolve your complaint, to your satisfaction you have the right to complaint to the Information Regulator.

### The Information Regulator

**Physical Address:** SALU Building, 316 Thabo Sehume Street, Pretoria

**Email:** [inforreg@justice.gov.za](mailto:inforreg@justice.gov.za)

**Website:** <http://www.justice.gov.za/inforeg/index.html>

### A. Particulars of Complainant

Name & Surname

Identity Number:

Postal Address:

Contact Number:

Email Address:

### B. Details of Complaint

### C. Desired Outcome

### D. Signature Page

Signature:

Date

# ANNEXURE C: POPI NOTICE AND CONSENT FORM

## POPI NOTICE AND CONSENT FORM

We understand that your personal information is important to you and that you may be disclosing such information. We are committed to safeguarding and processing your information in a lawful manner.

We are obligated to ensure that you understand the purpose of processing your personal information. Should you be of the opinion that your information is not processed in line with good practice in terms of the POPIA, or that information is being used for a purpose other than that for what it was originally intended, you can contact our Information Officer.

You can request access to information in our possession that pertain to you or in the event that you believe your information is outdated.

### Our Information Officer's Contact Details

Name

Contact Number

Email Address:

### Purpose for Processing your Information

We collect, hold, use and disclose your personal information mainly to provide you with access to the services and/or products that we provide. We will only process your information for a purpose you would reasonably expect, including:

- Providing you with advice, products and services that suit your needs as requested
- To confirm, verify and update your details
- To comply with any legal and regulatory requirements

Information in our possession may include, your first and last name, email address, a home, postal or other physical address, other contact information, your title, birth date, gender, occupation, qualifications, past employment, residency status, family history, medical information, banking details and other related information.

### Consent to Disclose and Share your Information

We may need to share your information to provide services and related support you have requested or require.

In the event that we are required to share your information, we will take all precautions to ensure that the third party will treat your information with the same level of protection as required by us in terms of the Act. Your information may be hosted on servers managed by a third-party service provider, which may be located outside of South Africa.

### I hereby authorize and consent to the organization sharing my personal information with the following persons:

Name & Surname

Signature

Date

## ANNEXURE D: EMPLOYEE CONSENT AND CONFIDENTIALITY CLAUSE

### EMPLOYEE CONSENT AND CONFIDENTIALITY CLAUSE

- "Personal Information" (PI) shall mean the race, gender, sex, pregnancy, marital status, national or ethnic origin, colour, sexual orientation, age, physical or mental health, disability, religion, conscience, belief, culture, language and birth of a 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 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 whether the information is recorded electronically or otherwise.
- "POPIA" shall mean the Protection of Personal Information Act 4 of 2013 as amended from time to time.
- The employer undertakes to process the PI of the employee only in accordance with the conditions of lawful processing as set out in terms of POPIA and in terms of the employer's relevant policy available to the employee on request and only to the extent that it is necessary to discharge its obligations and to perform its functions as an employer and within the framework of the employment relationship and as required by South African law.
- The employee acknowledges that the collection of his/her PI is both necessary and requisite as a legal obligation, which falls within the scope of execution of the legal functions and obligations of the employer. The employee therefore irrevocably and unconditionally agrees:
  - That he/she is notified of the purpose and reason for the collection and processing of his or her PI insofar as it relates to the employer's discharge of its obligations and to perform its functions as an employer.
  - That he/she consents and authorises the employer to undertake the collection, processing and further processing of the employee's PI by the employer for the purposes of securing and further facilitating the employee's employment with the employer.
  - Without derogating from the generality of the aforesaid, the employee consents to the employer's collection and processing of PI pursuant to any of the employer's Internet, Email and Interception policies in place insofar as PI of the employee is contained in relevant electronic communications.
  - To make available to the employer all necessary PI required by the employer for the purpose of securing and further facilitating the employee's employment with the employer.
  - To absolve the employer from any liability in terms of POPIA for failing to obtain the employee's consent or to notify the employee of the reason for the processing of any of the employee's PI.
  - To the disclosure of his/her PI by the employer to any third party, where the employer has a legal or contractual duty to disclose such PI.
  - The employee further agrees to the disclosure of his/her PI for any reason enabling the employer to carry out or to comply with any business obligation the employer may have or to pursue a legitimate interest of the employer in order for the employer to perform its business on a day-to-day basis.
  - The employee authorises the employer to transfer his/her PI outside of the Republic of South Africa for any legitimate business purpose of the employer within the international community. The employer undertakes not to transfer or disclose his/her PI unless it is required for its legitimate business requirements and shall comply strictly with legislative stipulations in this regard.
- The employee acknowledges that during the course of the performance of his/her services, he/she may gain access to and become acquainted with the personal information of certain clients, suppliers and other employees. The employee will treat personal information as a confidential business asset and agrees to respect the privacy of clients, suppliers and other employees.
- To the extent that he/she is exposed to or insofar as PI of other employees or third parties are disclosed to him/her, the employee hereby agree to be bound by appropriate and legally binding confidentiality and non-usage obligations in relation to the PI of third parties or employees.
- Employees may not directly or indirectly, utilise, disclose or make public in any manner to any person or third party, either within the organisation or externally, any personal information, unless such information is already publicly known or the disclosure is necessary in order for the employee or person to perform his or her duties on behalf of the employer.

Signed on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ at \_\_\_\_\_.

\_\_\_\_\_  
Employee

\_\_\_\_\_  
Employer

## ANNEXURE E: SLA CONFIDENTIALITY CLAUSE

### SLA CONFIDENTIALITY CLAUSE

- "Personal Information" (PI) shall mean the race, gender, sex, pregnancy, marital status, national or ethnic origin, colour, sexual orientation, age, physical or mental health, disability, religion, conscience, belief, culture, language and birth of a 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 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 whether the information is recorded electronically or otherwise.
- "POPIA" shall mean the Protection of Personal Information Act 4 of 2013 as amended from time to time.
- The parties acknowledge that for the purposes of this agreement that the parties may come into contact with, or have access to PI and other information that may be classified, or deemed as private or confidential and for which the other party is responsible. Such PI may also be deemed or considered as private and confidential as it relates to any third party who may be directly or indirectly associated with this agreement. Further, it is acknowledged and agreed by the parties that they have the necessary consent to share or disclose the PI and that the information may have value.
- The parties agree that they will at all times comply with POPIA's Regulations and Codes of Conduct and that it shall only collect, use and process PI it comes into contact with pursuant to this agreement in a lawful manner, and only to the extent required to execute the services, or to provide the goods and to perform their respective obligations in terms of this agreement.
- The parties agree that it shall put in place, and at all times maintain, appropriate physical, technological and contractual security measures to ensure the protection and confidentiality of PI that it, or its employees, its contractors or other authorised individuals comes into contact with pursuant to this agreement.
- Unless so required by law, the parties agree that it shall not disclose any PI as defined in POPIA to any third party without the prior written consent of the other party, and notwithstanding anything to the contrary contained herein, shall any party in no manner whatsoever transfer any PI out of the Republic of South Africa.

Signed on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ at \_\_\_\_\_.

\_\_\_\_\_  
Service Provider

\_\_\_\_\_  
Contracting Party