



# 中国建设银行

## China Construction Bank

**Johannesburg Branch**

(Incorporated in the People's Republic of China)

**Access To Information Manual in terms of Section 51 of  
The Promotion of Access to Information Act 2 of 2000**

Issued By:	Compliance Department
Approved By:	Risk, Compliance and Internal Control Committee
Implementation Scope:	Whole Branch
Contact Person:	Susan Xu

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## 1. Introduction

- 1.1. China Construction Bank Corporation, Johannesburg Branch (CCB-JHB), in the course of conducting business activities, collects personal information from clients to establish a business relationship. The access to information manual describes the process to assist a person requesting access to personal information held by CCB-JHB.

## 2. Contact Details

All requests for access to records in terms of the Promotion of Access to Information Act (PAIA Act) from CCB-JHB must be in writing and must be addressed to the designated information officer, using the contact details below:

### **CCB-JHB Information Officer / Deputy Information Officer**

Information Officer:	Poendree Govender
Deputy Information Officer:	Joalene Janse van Rensburg
Company Registration Number:	2000/011198/10
Postal Address:	Private Bag X10007, Sandton, 2146
Physical Address:	Fifth Floor, China Construction Bank Johannesburg, 95 Grayston Drive, Morningside, 2196
Tel:	(011) 520 9400
Email:	<a href="mailto:compliance@ccbjhb.co.za">compliance@ccbjhb.co.za</a> <a href="mailto:poendreeg@ccbjhb.co.za">poendreeg@ccbjhb.co.za</a> <a href="mailto:joalenejvr@ccbjhb.co.za">joalenejvr@ccbjhb.co.za</a>
Website:	<a href="http://www.ccbjhb.co.za">www.ccbjhb.co.za</a>

### **3. Introduction to the Promotion of Access to Information Act (“PAIA”)**

- 3.1. PAIA gives effect to the Constitutional right of access to any information held by the State or by any other person. The right to access information is one of the most effective ways of upholding the constitutional values of transparency, participation and accountability. PAIA sets out the requisite procedure for information requests, including the obligation to compile a PAIA Manual. Section 51 of PAIA obliges private bodies to compile a manual to enable a person to obtain access to information held by such body and stipulates the minimum requirements that the manual has to comply with.
- 3.2. Where a person wishes to obtain information, in terms of PAIA, such a request needs to be in the format as prescribed in the PAIA Manual. The information request has to be disclosed if the requester is able to show that the records is required for the protection of any rights, provided that no grounds of refusal contained in PAIA are applicable.
- 3.3. CCB-JHB has compiled this manual, in accordance with section 51 of PAIA as amended by the Protection of Personal Information Act, 2013 ("POPIA"), to inform requesters of the procedure to be followed when requesting records and inform the requestor of any other requirements which they must meet, when requesting records. This manual also includes information on the submission of objections to the processing of personal information and requests to delete or destroy personal information or records thereof in terms of POPIA.

### **4. The Information Regulator Guide**

- 4.1. In order to assist those who are not familiar with PAIA or POPIA, a Guide that contains information to assist you in understanding how to exercise your rights under PAIA (“the Guide”) is available in all the South African official languages.. The Guide is made available free of charge on the following link:  
[https://www.justice.gov.za/infoereg/docs/misc/PAIA-Guide-English\\_20210905.pdf](https://www.justice.gov.za/infoereg/docs/misc/PAIA-Guide-English_20210905.pdf)
- 4.2. Alternatively, the requester can also request a copy from CCB-JHB.
- 4.3. The contact details of the Information Regulator are as follows:

Postal Address: P.O. Box 31533, Braamfontien, Johannesburg, 2017

Physical Address: JD House, 27 Stiemens Street, Braamfontien, Johannesburg, 2001

Telephone Number: +27-10-023 5200

Complaints email: [PAIAComplaints@info regulator.org.za](mailto:PAIAComplaints@info regulator.org.za)

General enquiries email: [enquiries@info regulator.org.za](mailto:enquiries@info regulator.org.za)

Website: [www.info regulator.org.za](http://www.info regulator.org.za)

## 5. Applicable Legislation

5.1. CCB-JHB is subject to many laws and regulations, some of which require us to keep certain records.

5.2. The core legislation relevant to CCBJHB is listed below: (This list is not exhaustive.)

No.	Legislation
1.	Banks Act, No 94 of 1990
2.	Financial Intelligence Centre Act 2001 (as amended)
3.	Currencies and Exchanges Act, No. 9 of 1993 (Exchange Control Rulings, Exchange Control Regulations)
4.	National Payment System Act.
5.	Financial Markets Act (OTC Derivative Regulation)
6.	Companies Act, No. 71 of 2008
7.	Protection of Personal Information Act 4 of 2013
8.	Labour Relations Act, No 66 of 1995 and amendments
9.	Basic Conditions of Employment Act, No. 57 of 1997
10.	Electronic Communications and Transactions Act
11.	Occupational Health and Safety Act, No. 85 of 1993
12.	Income Tax Act, No. 58 of 1962
13.	Employment Equity Act, No. 55 of 1998
14.	Compensation of Occupational Injuries and Diseases Act, No. 130 of 1993
15.	Financial sector code read with Broad Based Black Economic Empowerment Act, No. 53 of 2003

## 6. Categories of Records

Records are categorized and sub-divided into the following categories:

- those that are voluntarily disclosed and automatically available to the public by a private body;
- personnel records;
- client related records;
- CCB-JHB's internal records; and
- other party records.

### 6.1 Voluntary Disclosed and Automatically Available Records

- a. This category of records are automatically available without a person being required to request access in terms of the Act. Such records are available on CCB-JHB's website, to the Information Regulator and during inspection.
  - i. Public product information
  - ii. PAIA Manual
  - iii. Public Corporate Records
  - iv. Media Releases

### 6.2 Personnel Records

- a. Personal records provided by personnel
- b. Records acquired from a third party relating to personnel,
- c. Employment contracts relating to personnel,
- d. Internal performance records of personnel,
- e. Training schedules and material
- f. Employment policies and procedures;
- g. Employment Equity Plan;
- h. Medical Aid records;
- i. Pension Fund records;
- j. Internal evaluations and disciplinary records;
- k. Salary records;
- l. Disciplinary codes;
- m. Leave records;
- n. Operating manuals;

- o. Personal records provided by personnel;
- p. Other statutory records; and
- q. Related correspondence.

### **6.3 Client Related Records**

- a. Personal Records provided by a client to CCB-JHB for transactional purposes;
- b. Records provided by a third party;
- c. Records generated by CCB-JHB within China Construction Bank, Head Office systems and its Branches, relating to the client, including transactional records.
- d. Documents of Incorporation;
- e. Memorandum of Incorporation;
- f. Minutes of Board of Directors meetings and General Meetings;
- g. Written Resolutions;
- h. Records relating to the appointment of directors / auditors / company secretary / public officer and other officers;
- i. Share Register and other Statutory Registers; and
- j.** Other Statutory Records.
- k. Annual Financial Statements;
- l. Tax Returns;
- m. Accounting Records;
- n. Banking Records;
- o. Bank Statements;
- p. Paid Cheques;
- q. Electronic Banking Records;
- r. Asset Register;
- s. Rental Agreements; and
- t. Invoices.

### **6.4 CCB-JHB Internal Records**

- a. Annual Financial Statements;
- b. Tax Returns;
- c. Accounting Records;
- d. Banking Records;
- e. Bank Statements;
- f. Paid Cheques;

- g. Electronic Banking Records;
- h. Asset Register;
- i. Rental Agreements;
- j. Invoices;
- k. Operational Records;
- l. Databases and internal systems Records;
- m. Information Technology Records;
- n. Product Records;
- o. Statutory Records;
- p. Internal policies and procedures Records;
- q. Treasury related Records;
- r. Service providers Records;
- s. Documents of Incorporation;
- t. Memorandum of Incorporation;
- u. Minutes of Committee Meetings;
- v. Written Resolutions;
- w. Records relating to the appointment of directors / auditors / company secretary / public officer and other officers;
- x. Share Register and other Statutory Registers;
- y. Other Statutory Records.
- z. PAYE Records;
- aa. Documents issued to employees for income tax purposes;
- bb. Records of payments made to SARS on behalf of employees;
- cc. All other statutory compliances;
- dd. VAT records;
- ee. Regional Services Levies;
- ff. Skills Development Levies;
- gg. UIF; and
- hh. Workmen's Compensation.

## 6.5 Other Party Records



- a. Records held by CCB-JHB pertaining to other parties, including but not limited to, financial records, correspondence, contractual records, records provided by another other party or records third parties have provided about contractors or suppliers.
- b. Personnel or client records held by a third party, on behalf of CCB-JHB.

## **7. Categories of Data Subjects**

5.3. CCB-JHB utilizes various forms to collect the personal information of clients, employees, third party service providers and visitors, which are all lawful and only the relevant, necessary and non-excessive information is collected, directly from the data subjects or their authorized representatives.

5.4. CCB-JHB ensures that only the minimal and necessary personal information of the data subjects which can be categories into the following categories:

- Employees / Prospective employees
- Customers / Prospective Customers
- Children
- Users
- Students
- Vulnerable adults
- Subscribers
- Vendors/Service Providers
- Other

## **8. Processing and Protection of Personal Information**

8.1 The Protection of Personal Information Act (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.

8.2 CCB-JHB collects personal information from both individual and juristic persons in order to carry out its business and operational functions. The manner in which this information

is processed and the purpose for which it is processed is determined by CCB-JHB and governed by the protection of personal information policy and manual.

8.3 CCB-JHB is accordingly a responsible party for the purposes of POPIA and will ensure that the personal information of a data subject:

- a) Is processed lawfully, fairly and transparently.
- b) is processed only for the purposes for which it was collected;
- c) will not be processed for a secondary purpose unless that processing is compatible with the original purpose.
- d) is adequate, relevant and not excessive for the purposes for which it was collected;
- e) is accurate and kept up to date;
- f) will not be retained for longer than necessary;
- g) is processed in accordance with integrity and confidentiality principles;
- h) is stored or processed securely and is protected against unauthorized access.
- i) Is processed in accordance with the rights of Data Subjects, where applicable.

8.4 Data subjects have the right to:

- a) be notified that their personal information is being collected by CCB-JHB.
- b) be notified in the event of a data breach;
- c) know whether CCB-JHB 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;
- d) request the correction or deletion of inaccurate, irrelevant, excessive, out of date, incomplete, misleading or unlawfully obtained personal information;
- e) object to CCB-JHB's use of their personal information and request the deletion of such personal information (deletion would be subject to CCB-JHB record keeping requirements);
- f) object to the processing of personal information for purposes of direct marketing by means of unsolicited electronic communications;
- g) 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 noncompliance with the protection of his, her or its personal information.

## **9. Information Related to POPIA**

9.1 POPIA requires CCB-JHB to provide certain information relating to how personal information are processed, used, disclosed and destroyed.

9.2 Requests for personal information under POPIA must be made in accordance with the provisions of PAIA. A person have the right to request the correction, deletion or destruction of personal information in a prescribed form and may also object to the processing of personal information

## **10. Processing of Personal Information**

10.1 CCB-JHB will only process the personal information for ordinary business purposes (this includes to open and maintain account, execute transactions, administer claims where applicable, manage CCB-JHB risks and maintain CCB-JHB overall relationship with the data subject).

10.2 CCB-JHB ensure to only process a data subject's personal information where:

- consent of the data subject (or a competent person, where the data subject is a Child) is obtained;
- Processing is necessary to carry out the actions for conclusion of a contract to which a Data Subject is party;
- Processing complies with an obligation imposed by law
- Processing protects a legitimate interest of the data subject; and/or
- Processing is necessary for pursuing the legitimate interests of CCB-JHB or of a third party to whom the information is supplied;
- Processing for purposes of proof and
- for the protection of the rights of another natural or legal person or if such processing is in the public interest.

10.3 Further, personal information may only be processed if, given the purpose for which it is processed is lawful as per POPIA:

- processing is carried out with the prior consent of a data subject or competent person if a child
- processing is necessary for the establishment, exercise or defence of a right or obligation in law;
- processing is necessary to comply with an obligation of international public law;
- processing is for historical, statistical or research purposes to the extent that(i) the purpose serves a public interest and the processing is necessary for the purpose concerned (the notion that an action or process or outcome widely and generally benefits the public at large).
- processing is for historical, statistical or research purposes to the extent that(ii) it appears to be impossible or would involve a disproportionate effort to ask for consent, and sufficient guarantees are provided for to ensure that the processing does not adversely affect the individual privacy of the data subject to a disproportionate extent;
- information has deliberately been made public by the data subject; or
- provisions of sections 28 to 33 are, as the case may be, complied with.
- prior authorisation by Information Regulator

10.4 Personal information will only be processed in accordance with the following POPIA conditions:

- “Accountability”, as referred to in section 8;
- “Processing limitation”, as referred to in sections 9 to 12;
- “Purpose specification”, as referred to in sections 13 and 14;
- “Further processing limitation”, as referred to in section 15;
- “Information quality”, as referred to in section 16;
- “Openness”, as referred to in sections 17 and 18;
- “Security safeguards”, as referred to in sections 19 to 22; and
- “Data subject participation”, as referred to in sections 23 to 25.

10.5 CCB-JHB ensures that personal information is processed:

- in a lawful manner that does not infringe on the privacy of the relevant clients, employees and third party service providers;

- in an adequate, relevant, necessary and non-excessive manner given the purpose for which it is being processed;
- with the consent of the relevant clients, employees, tenants, visitors and third party service providers
- to protect a legitimate interest of the clients, employees, tenants, visitors and third party service providers
- in order to comply with obligation imposed by any law;
- in order to protect the legitimate interests of the Bank.

## 11. Security Safeguards

- 11.1 CCB-JHB manages the security of its record retention systems to ensure that personal information is adequately protected. Security controls have been implemented to minimise the risk of loss, unauthorised access, disclosure, interference, modification or destruction of personal information.
- 11.2 The IT Department continuously reviews and tests the security controls to mitigate the risk of cyber-attacks.
- 11.3 The Registry ensures that all paper and electronic records comprising personal information are securely stored and made accessible only to appropriately authorised individuals/ employees.
- 11.4 All the service level agreements (SLA) concluded between CCB-JHB and third part service providers contain a clause pledging both parties mutual commitment to POPIA and the lawful processing of any personal information pursuant to the agreement.
- 11.5 In terms of information security measures CCB-JHB employs appropriate, reasonable technical and organisational measures to prevent loss of, damage to or unauthorised destruction of personal information and unlawful access to or processing of personal information. These measures include but are not limited to:
- Firewalls;
  - Virus protection software and update protocols;
  - Logical and physical access control;
  - Secure setup of hardware and software making up our information technology infrastructure; and
  - Outsourced service providers who are contracted to implement security controls.

## 12. Special Personal Information

- 12.1 Section 26 of the POPI Act creates a special category of personal information called “special personal information”. This relates to religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life or biometric information. Also included in this category is information relating to the alleged commission of any offence or any proceedings in respect of any offence allegedly committed and the outcome of such proceedings.
- 12.2 Failure to obtain consent makes processing this special personal information strictly prohibited, unless:
- it is necessary by law;
  - or is done for historical, statistical or research purposes;
  - or the information has been deliberately made public by the subject.
  - There are limited exceptions to the prohibition against the processing of “special personal information”. Details of such exceptions are set out in the Act.
- 12.3 CCB identifies special personal information in the data process and data subject registers and provides additional safeguards such as limited access and security of certain departments holding special personal information. System safeguards are applied additionally from Head Office .The special/sensitive information safeguards refer to the customized application parameters, system parameters, communication and network parameters, security protection strategies, system attribute information, authority configuration information, environment and facility parameters of important information systems in the technological operation information.

## 13. Cross-border Transfer of Personal Information

- 13.1 CCB-JHB does not transfer the personal information of a data subject to a third party who is in a foreign country unless:

- a) the third party who is the recipient of the information is subject to a law, binding corporate rules or binding agreement which provide an adequate level of protection that—
  - i. effectively upholds principles for reasonable processing of the information that are substantially similar to the conditions for the lawful processing of personal information relating to a data subject who is a natural person and, where applicable, a juristic person; and
  - ii. includes provisions, that are substantially similar to this section, relating to the further transfer of personal information from the recipient to third parties who are in a foreign country; For information transfers to overseas branches, the department responsible for the transfer of the information shall contact the Information Officer or the Chief Compliance Officer for approval of the transfer prior to the information being transferred cross border.
- b) the data subject consents to the transfer;
- c) the transfer is necessary for the performance of a contract between the data subject and CCB-JHB, or for the implementation of pre-contractual measures taken in response to the data subject's request;
- d) the transfer is necessary for the conclusion or performance of a contract concluded in the interest of the data subject between CCB-JHB and a third party; or
- e) the transfer is for the benefit of the data subject, and—
  - i. It is not reasonably practicable to obtain the consent of the data subject to that transfer; and
  - ii. if it were reasonably practicable to obtain such consent, the data subject would be likely to give it.

13.2 Currently, CCB-JHB transfers client and employee information to CCB Head Office where the information is stored in various data centers in the People's Republic of China.

## **14. Responsibilities of the Information Officer or the Deputy Information Officer**

14.1 The information officer's responsibilities include:

- a) encouragement of compliance within CCB-JHB, and heed to the conditions for the lawful processing of personal information;
- b) dealing with requests made to CCB-JHB pursuant to the POPI Act and PAIA;
- c) working with the Regulator in relation to investigations conducted pursuant to the POPI Act and PAIA;
- d) ensuring overall compliance to the provisions of the POPI Act and PAIA;
- e) POPIA compliance framework is developed, implemented, monitored and maintained;
- f) a personal information impact assessment is done to ensure that adequate measures and standards exist in order to comply with the conditions for the lawful processing of personal information;
- g) a PAIA manual is developed, monitored, maintained and made available as prescribed in sections 51 of PAIA, as amended;
- h) upon request by any person, hard or electronic copies of the PAIA manual are provided to the requester.
- i) internal measures are developed together with adequate systems to process requests for information or access thereto; and
- j) internal awareness sessions are conducted regarding the provisions of POPIA, regulations made in terms of POPIA, codes of conduct, or information obtained from the Regulator.

## **15. Request Procedure**

15.1 Any request for access to a record from a requester in terms of PAIA must substantially correspond with the form attached hereto marked – Annexure C: Form 2 - Request for access to record [Regulation 7].



- 15.2 All requests for records made by a requester will be assisted by the Information Officer or the Deputy Information Officer. The requester must comply with the guidelines set out below, which have been set out in line with requirements of the PAIA Act, relating to the request for records:
- 15.3 The requester must complete the prescribed form enclosed herein (Annexure C) and submit to the CCB-JHB Compliance Department on the address stated in Section 2 above.
- 15.4 The request must be addressed to the CCB-JHB Compliance Department as the Designated Information Officer.
- 15.5 The prescribed form must be completed in detail in order to allow the Information Officer to identify :
- a) The record (s) requested;
  - b) The identity of the requester (proof of identity is such as a certified copy of identity document or other legal forms of identity);
  - c) The form of access as required;
  - d) The contact details of the requester; and
  - e) The right which the requester is seeking to exercise or protect, with an explanation of the reason the record is required to exercise or protect the right.
- 15.6 The request for access to records may be submitted orally under the circumstance of illiteracy or a disability of the requester. The completion of Annexure C will be done on behalf of the requester and provide a copy thereof to the requester.
- 15.7 Access to records will only be considered after the above checks are done, thereafter, CCB-JHB will respond to the requester within 30 days with a copy of the requested record or the reason/s of grounds of refusal.
- 15.8 The above 30 days timeline may be extended for a further 30 days, should such a circumstance arise that an extension is needed. The requester will be notified, together with reasons explaining why the extension is necessary before the original 30 days expires.

## 16. Grounds for Refusal of Access to Records

- 16.1 CCJ-JHB has a legal right to refuse access to records which a requester has requested on the following grounds:
- a) Mandatory protection of privacy of a third party, who is natural person, if the disclosure of a record would involve the unreasonable disclosure of personal information about the third party, including a deceased individual;
  - b) Mandatory protection of commercial information of a third party, if the request includes trade secrets, information supplied in confidence by the third party and financial, commercial, scientific or technical information of the third party, which the disclosure thereof would cause harm to the commercial or financial interest of that third party;
  - c) Mandatory protection of certain confidential information of a third party, which if it is disclosed would constitute an action for breach of duty of confidence owed to the third party in terms of an agreement;
  - d) Mandatory protection of safety of individuals, and protection of property where the disclosure could be reasonably expected to endanger the life or physical safety of an individual;
  - e) Commercial information of China Construction Bank Corporation;
  - f) Mandatory protection of records privileged from production in legal proceedings; and
  - g) Mandatory protection of research information of a third party, and protection of research information of CCB-JHB.
  - h) Where CCB-JHB were unable to disclose any certain part of information because of above Grounds of Refusal, any other information that is not part of the Ground of Refusal must be disclosed.
  - i) 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.

## **17. Remedies Available to Requester on Refusal of Access**

- 17.1 There is an appeal procedure that may be followed after a request to access information has been refused, which will be described in the correspondence addressed to the requester by the Information Officer.
- 17.2 Should the requester be unsatisfied with the outcome of the appeal, the requester is entitled to apply to the Information Regulator or a court of competent jurisdiction to take the matter further.

## **18. Remedies Available to Third Party**

- 18.1 If the request for access to information affects a third party, then such third party must first be informed within 7 (seven) 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.
- 18.2 Where the Information Officer has decided to grant a third party's record to the requester, the third party has 30 (thirty) days (after notification from CCB-JHB on the decision taken) in which to lodge a complaint to the Information Regulator or appeal the decision in a court of competent jurisdiction. If no appeal has been lodged by the third party within 30 (thirty) days, then the requester must be granted access to the record.

## **19. Availability of Manual**

- 19.1 A copy of this manual shall be available on CCB-JHB's website as stated below: [www.ccbjhb.co.za](http://www.ccbjhb.co.za).
- 19.2 A hard copy of this manual is also available free of charge upon request to Information Officer or Deputy Information Officer. Contact detail is on Section 2 of this manual.

## **20. Objection to the Processing of Personal Information by a Data Subject**

- 20.1 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 subject to exceptions contained in POPIA.
- 20.2 The data subject may use of Annexure A: Form 1 - Objection to the Processing of Personal Information to request this. Once completed, the data subject is to follow the Request Procedure set out on section 16.3 of this Manual.
- 20.3 CCB-JHB chooses not to charge fees for personal information requests and reserves the right to change this condition at any point.

## **21. Request for correction or deletion of Personal Information**

- 21.1 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.
- 21.2 The data subject may use of Annexure B: Form 2 –Request for Correction or Deletion of Personal Information to request for the correction or deletion of their personal information. Once completed, the data subject is to follow the Request Procedure set out on section 16.3 of this Manual.
- 21.3 CCB-JHB chooses not to charge fees for personal information requests and reserves the right to change this condition at any point.

## **22. Responsibilities**

- 22.1 The Information Officer is the owner of this manual.
- 22.2 The Information Officer and all staff of CCB-JHB are responsible for the implementation of this procedure manual.

- 22.3 The Risk, Internal Control and Compliance Committee is responsible for reporting and monitoring compliance with this procedure.
- 22.4 The Information Officer is responsible for updating this manual, as and when the Promotion of Access to Information Act is updated and when contacts details or internal procedures of CCB-JHB change.
- 22.5 The Compliance Department will ensure the latest version of the PAIA Manual is uploaded on the CCB-JHB website.

## 23. Annexures:

**ANNEXURE A:** FORM 1- OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF SECTION 11(3) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013) REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018 [Regulation 2]

**ANNEXURE B:** FORM 2- 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 (ACT NO. 4 OF 2013) REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018 [Regulation 3]

**ANNEXURE C:** FORM 2- REQUEST FOR ACCESS TO RECORD (THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000) [REGULATION 7]

**ANNEXURE D:** FORM 3- OUTCOME FO REQUEST AND FEES PAYABLE (THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000) [REGULATION 8]

## 24. Revision history

Document Number	Effective Date	Remarks/ Changes/ Updates
R1	July 2020	First Issue
R2	April 2021	Inclusion of POPIA conditions
R2.1	Feb 2022	Inclusion of PAIA Notice 757 - Remove Section 10 - Fees in Respect of Private Bodies - Added the Information Regulator's details.

R.3	April 2022	Inclusion of POPIA forms
R3.1	June 2022	Align the Request Procedure.
PR-PAIA Manual-2023	14 December 2023	<p>Updated Annexure C: Form 2 – Request for Access to Record.</p> <p>Added Annexure D: Form 3 – Outcome of request and of fees payable.</p> <p>Updated the Deputy Information Officer and the Information Regulator details.</p> <p>Remove Personal Information of Children.</p>

**ANNEXURE A:****FORM 1 - OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION  
IN TERMS OF SECTION 11(3) OF POPIA****REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018**

[Regulation 2]

*Note:*

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

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



Name(s) and surname / Registered name of responsible party:	
Residential, postal or business address:	
	Code (    )
Contact number(s):	
Fax number/ E-mail address:	

<b>C</b>	<b>REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f)</b> <i>(Please provide detailed reasons for the objection)</i>

Signed at ..... this ..... day of .....20.....

.....

*Signature of data subject/designated person*

## ANNEXURE B:

### FORM 2

**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 (ACT NO. 4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018**

[Regulation 3]

*Note:*

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

Mark the appropriate box with an "x".

**Request for:**

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

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

A	DETAILS OF THE DATA SUBJECT
Name(s) and surname / registered name of data subject:	
Unique identifier/ Identity Number:	
Residential, postal or business address:	
	Code (     )

Contact number(s):	
Fax number/E-mail address:	
<b>B</b>	<b>DETAILS OF RESPONSIBLE PARTY</b>
Name(s) and surname / registered name of responsible party:	
Residential, postal or business address:	
	Code (    )
Contact number(s):	
Fax number/ E-mail address:	
<b>C</b>	<b>INFORMATION TO BE CORRECTED/DELETED/ DESTROYED/ DESTROYED</b>
<b>D</b>	<p>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</p> <p>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.</p>

	<i>(Please provide detailed reasons for the request)</i>

Signed at ..... this ..... day of .....20.....

.....

*Signature of data subject/ designated person*

**ANNEXURE C:**

**FORM 2**

**REQUEST FOR ACCESS TO RECORD**

[Regulation 7]

**NOTE:**

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

**TO:** The Information Officer


(Address)

E-mail address:

Fax number:

Mark with an "X"

Request is made in my own name

Request is made on behalf of another person.

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

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

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

<b>MANNER OF ACCESS</b> <i>(Mark the applicable box with an "X")</i>	
Personal inspection of record at registered address of public/private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i>	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language <i>(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)</i>	

<b>PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED</b> <i>If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.</i>	
Indicate which right is to be exercised or protected	

Explain why the record requested is required for the exercise or protection of the aforementioned right:	

FEES	
a)	<i>A request fee must be paid before the request will be considered.</i>
b)	<i>You will be notified of the amount of the access fee to be paid.</i>
c)	<i>The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.</i>
d)	<i>If you qualify for exemption of the payment of any fee, please state the reason for exemption</i>
Reason	

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

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

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_

*Signature of Requester / person on whose behalf request is made*

-----  
**FOR OFFICIAL USE**

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

\_\_\_\_\_

*Signature of Information Officer*



**ANNEXURE D:**

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

Note:

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

TO:

Reference number:

Your request dated , refers.

**1. You requested:**

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

**2. You requested:**

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

**3. To be submitted:**

Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format ( <i>including transcriptions</i> )	
E-mail of information ( <i>including soundtracks if possible</i> )	
Cloud share/file transfer	
Preferred language: ( <i>Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available</i> )	

Kindly note that your request has been:

Approved

Denied, for the following reasons:

--

**4. Fees payable with regards to your request:**

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

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

Yes  No

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

The amount must be paid into the following Bank account:

Name of Bank: \_\_\_\_\_

Name of account holder: \_\_\_\_\_

Type of account: \_\_\_\_\_

Account number: \_\_\_\_\_

Branch Code: \_\_\_\_\_

Reference Nr: \_\_\_\_\_

Submit proof of payment to: \_\_\_\_\_

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
Information officer