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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

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DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NO. R. 1383

14 DECEMBER 2018

INFORMATION REGULATOR

PROTECTION OF PERSONAL INFORMATION ACT, 2013

(ACT NO. 4 OF 2013):

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION

The Information Regulator has, under section 112(2) of the Protection of Personal Information Act, 2013 (Act No. 4 of 2013), made the regulations in the Schedule.

SCHEDULE

**Definitions**

1. In these Regulations, any word or expression to which a meaning has been assigned in the Act has the meaning so assigned and, unless the context otherwise indicates:

“**data message**” includes a data message as defined in section 1 of the Electronic Communications and Transactions Act, 2002 (Act No. 25 of 2002);

“**form(s)**” as referred to in these Regulations, means a form referred to in the annexures to these Regulations or any form which is substantially similar to that form;

“**signature**” includes an electronic signature as defined in section 1 of the Electronic Communications and Transactions Act, 2002 (Act No. 25 of 2002)

"submit" means submit by-

- (a) data message;
- (b) electronic communication;
- (c) registered post;
- (d) electronic mail;
- (e) facsimile; and
- (f) personal delivery.

"the Act" means the Protection of Personal Information Act, 2013 (Act No. 4 of 2013);

and

"writing" includes writing as referred to in section 12 of the Electronic Communications and Transactions Act, 2002 (Act No. 25 of 2002).

### **Objection to the processing of personal information**

2. (1) A data subject who wishes to object to the processing of personal information in terms of section 11(3)(a) of the Act, must submit the objection to the responsible party on **Form 1**.

(2) The responsible party, or a designated person, must render such reasonable assistance as is necessary, free of charge, to enable the data subject to make an objection on **Form 1**.

### **Request for correction or deletion of personal information or destruction or deletion of record of personal information**

3. (1) A data subject who wishes to request a correction or deletion of personal information or the destruction or deletion of a record of personal information in terms of section 24(1) of the Act, must submit a request to the responsible party on **Form 2**.

(2) The responsible party, or a designated person, must render such reasonable assistance, as is necessary free of charge, to enable a data subject to complete **Form 2**.

### **Responsibilities of Information Officers**

4. (1) An information officer must, in addition to the responsibilities referred to in section 55(1) of the Act, ensure that-

- (a) a compliance framework is developed, implemented, monitored and maintained
- (b) 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;
- (c) a manual is developed, monitored, maintained and made available as prescribed in sections 14 and 51 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000);
- (d) internal measures are developed together with adequate systems to process requests for information or access thereto; and
- (e) internal awareness sessions are conducted regarding the provisions of the Act, regulations made in terms of the Act, codes of conduct, or information obtained from the Regulator.

(2) The information officer shall upon request by any person, provide copies of the manual to that person upon the payment of a fee to be determined by the Regulator from time to time.

### **Application for issuing code of conduct**

5. A private or public body which is sufficiently representative of any class of bodies, or of any industry, profession, or vocation that wishes to apply for the issuing of a code of conduct in terms of section 61(1)(b) of the Act, must submit an application to

the Regulator on **Form 3**.

### **Request for data subject's consent to process personal information**

6. A responsible party who wishes to process personal information of a data subject for the purpose of direct marketing by electronic communication must in terms of section 69(2) of the Act submit a request for written consent to that data subject on **Form 4**.

### **Submission of complaint**

7. (1) Any person who wishes to submit a complaint contemplated in section 74(1) of the Act must submit such a complaint to the Regulator on **Part I of Form 5**.

(2) A responsible party or a data subject who wishes to submit a complaint contemplated in section 74(2) of the Act must submit such a complaint to the Regulator on **Part II of Form 5**.

### **Regulator acting as conciliator during investigation**

8. (1) If during the investigation of a complaint the Regulator decides to act as a conciliator in terms of section 76(1)(b) of the Act, and convene a conciliation meeting, the Regulator must, as soon as it is practically possible, inform the data subject and the responsible party implicated in the complaint on **Form 6** of the following:

- (a) the Regulator's decision to act as a conciliator in the matter; and
- (b) the date, time and place of the conciliation meeting.

(2) The Regulator-

(a) may consolidate separate complaints, which are alleged to relate to the same interference with the protection of personal information by the same responsible party, in order to deal with the complaints in the same conciliation proceedings;

- (b) must ensure that all persons entitled to attend the conciliation meeting are notified within a reasonable time, of the date, time and place of the meeting;
  - (c) may request all the relevant documentation relating to the complaint from the data subject and the responsible party; and
  - (d) may confer with the parties in person, by electronic communication means, or by any other means as is deemed appropriate.
- (3) Where a conciliation meeting fails to take place, the Regulator must arrange for an alternative date and notify the persons entitled to attend the conciliation meeting accordingly.
- (4) The Regulator must issue a conciliation certificate on **Form 7** within a reasonable time after the date of the conclusion of the conciliation meeting.
- (5) If the complaint is not resolved, or either or both of the parties did not attend a conciliation meeting, the Regulator must proceed with the complaint as provided for in terms of section 76 of the Act.

#### **Pre-investigation proceedings of Regulator**

9. (1) If the Regulator intends to investigate any matter contemplated in Chapter 10 of the Act, the Regulator must in terms of section 79 of the Act, notify the parties to whom the investigation relates of such intention on **Part I of Form 8** prior to conducting the investigation.
- (2) The Regulator must inform the responsible party to whom the investigation relates on **Part II of Form 8** of the complaint, or the subject matter of the investigation, and must inform the responsible party of the right to submit a written response to the complaint or the subject matter of the investigation within the time allocated by the Regulator.

### Settlement of complaints

10. (1) If it appears from a complaint or any written reply to the complaint under section 79(b)(ii) of the Act or during a conciliation meeting, that it may be possible to secure a settlement between the parties and if appropriate, satisfactory assurances as contemplated in section 80 of the Act, the Regulator may confer with the parties in person, by electronic communication means, or by any other means as is deemed appropriate to endeavour to obtain a settlement and if appropriate, satisfactory assurances as contemplated in section 80 of the Act.

(2) If during the process referred to in sub-regulation (1) the Regulator decides to convene a settlement meeting, the Regulator must, as soon as it is practically possible, inform the data subject and the responsible party on **Form 9** of the date, time and place of the settlement meeting.

(3) For the purpose of settlement proceedings, the Regulator has the same powers of a conciliator contemplated in sub-regulations (2) to (3) of Regulation 8. (4) The Regulator must issue a settlement certificate on **Form 10** within a reasonable time after the date of the conclusion of the settlement meeting.

(5) If no settlement and assurance is secured or if either or both of the parties did not wish to attend a settlement meeting, the Regulator must proceed with the matter as provided for in terms of section 76 of the Act.

### Assessments

11. (1) A request for an assessment in terms of section 89(1) of the Act must be submitted to the Regulator on **Part 1 of Form 11**

(2) The Regulator must inform the requester on **Part II of Form 11** if it has decided to conduct an assessment on-

(a) its own initiative; or

(b) as requested in terms of sub-regulation (1);

within a reasonable time from the date that the decision was made,

(3) The period of assessment will be determined by the Regulator on a case by case basis.

(4) The Regulator must notify the requester or the responsible party (if not the requester) of any decision made, or action taken, or view formed on **Form 12** within a reasonable time from the date that the decision was made or action taken or view formed.

#### **Informing the parties of developments regarding investigation**

**12.** (1) During the course of an investigation, the Regulator must within a reasonable time from the date of a decision being made or action being taken-

(a) keep the complainant, the data subject (if not the complainant) and the responsible party informed of the developments of the investigation; and

(b) inform the complainant, data subject (if not complainant) and the responsible party of the result of the investigation.

(2) The notifications contemplated in sub-regulation (1) must be served at the designated addresses of the complainant, the data subject and the responsible party advising--

(a) on **Form 13** that an enforcement notice will not be issued in terms of section 94(a) of the Act;

(b) on **Form 14** that the complaint has been referred to the Enforcement Committee in terms of section 92 of the Act;

(c) on **Form 15** that an enforcement notice has been served in terms of section 95 of the Act;

(d) on **Form 16** that an enforcement notice had been cancelled or varied in terms of section

96 of the Act;

(e) on **Form 17** that an appeal has been lodged against an enforcement notice for cancellation or variation of the notice in terms of section 97 of the Act;

(f) on **Form 18** that an appeal against an enforcement notice has been allowed and that an enforcement notice has been substituted in terms of section 98 of the Act; or

(g) on **Form 19** that an appeal has been dismissed in terms of section 98 of the Act.

### **Short title**

**13. These Regulations shall be called the** Regulations relating to the Protection of Personal Information, 2018 and shall commence on a date to be determined by the Regulator by proclamation in the Government Gazette.



**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]

*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) (Please provide detailed reasons for the objection)</b>


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

.....  
*Signature of data subject/designated person*

## 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.

<b>A</b>	<b>DETAILS OF THE 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>INFORMATION TO BE CORRECTED/DELETED/ DESTROYED/ DESTROYED</b>
<b>D</b>	<b>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</b> <b>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.</b> <i>(Please provide detailed reasons for the request)</i>

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

.....  
*Signature of data subject/ designated person*

## FORM 3

**APPLICATION FOR THE ISSUE OF A CODE OF CONDUCT IN TERMS OF SECTION  
61(1)(b) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF  
2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018  
[Regulation 5]**

<b>A</b>	<b>DETAILS OF PRIVATE OR PUBLIC BODY</b>
Name of the body:	
Private / Public body	
List the class of body or any industry size, profession, or vocation, you represent: ( <i>Attach proof of representation</i> )	
Total number of members of industry, or any class of bodies, profession or vocation:	
Proportion of representation (expressed as a percentage) in the industry, class of bodies, profession or vocation ( <i>Attach proof of representation</i> ):	
Business address:	
	Code (    )
Contact number(s):	
Fax number/ E-mail address:	
<b>B</b>	<b>DETAILS OF PERSON WHO COMPLETES THIS FORM</b>
Name(s) and surname of person completing this form:	
Capacity in body:	



**FORM 4**

**APPLICATION FOR THE CONSENT OF A DATA SUBJECT FOR THE PROCESSING OF PERSONAL INFORMATION FOR THE PURPOSE OF DIRECT MARKETING IN TERMS OF SECTION 69(2) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018**  
[Regulation 6]

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
*(Name of data subject)*

FROM: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Contact number(s): \_\_\_\_\_  
Fax number: \_\_\_\_\_  
E-mail address: \_\_\_\_\_  
*(Name, address and contact details of responsible party)*

Full names and designation of person signing on behalf of responsible party:



.....  
*Signature of designated person*

Date: \_\_\_\_\_

**PART B**

I, \_\_\_\_\_ *(full names of data subject)* hereby:

Give my consent.

To receive direct marketing of goods or services to be marketed by means of electronic communication.

**SPECIFY GOODS or SERVICES:**

**SPECIFY METHOD OF COMMUNICATION:** FAX:

E - MAIL:

SMS:

OTHERS – SPECIFY:

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

.....  
*Signature of data subject*



**FORM 5**

**COMPLAINT REGARDING INTERFERENCE WITH THE PROTECTION OF PERSONAL INFORMATION/COMPLAINT REGARDING DETERMINATION OF AN ADJUDICATOR IN TERMS OF SECTION 74 OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018**  
[Regulation 7]

*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".

**Complaint regarding:**

Alleged interference with the protection of personal information

Determination of an adjudicator.

PART I	ALLEGED INTERFERENCE WITH THE PROTECTION OF THE PERSONAL INFORMATION IN TERMS OF SECTION 74(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (Act No. 4 of 2013)
A	PARTICULARS OF COMPLAINANT
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>PARTICULARS OF RESPONSIBLE PARTY INTERFERING WITH PERSONAL INFORMATION</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 COMPLAINT</b> <i>(Please provide detailed reasons for the complaint)</i>
<b>PART II</b>	<b>COMPLAINT REGARDING DETERMINATION OF ADJUDICATOR IN TERMS OF SECTION 74(2) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)</b>
<b>A</b>	<b>PARTICULARS OF COMPLAINANT</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>PARTICULARS OF ADJUDICATOR AND RESPONSIBLE PARTY</b>
Name(s) and surname of adjudicator:	



## FORM 6

**NOTICE TO PARTIES: CONCILIATION MEETING REGARDING INTERFERENCE WITH  
THE PROTECTION OF PERSONAL INFORMATION IN TERMS OF SECTION 76 OF THE  
PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018  
[Regulation 8(1)]**

Reference Number \_\_\_\_\_

<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:	

**KINDLY TAKE NOTE** that the Regulator has decided to act as a conciliator in the matter.

**YOU ARE HEREBY INVITED**

to attend a conciliation meeting at (place) .....on the.....day of  
..... at .....(time) and on any subsequent date that may be required,  
regarding the following matter:

\_\_\_\_\_

\_\_\_\_\_

Kindly confirm your attendance with the Regulator on/before  
\_\_\_\_\_.

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

.....  
*Regulator (Represented by)*

**FORM 7**

**NOTICE TO PARTIES: CONCILIATION REGARDING INTERFERENCE WITH THE PROTECTION OF PERSONAL INFORMATION IN TERMS OF SECTION 76 OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018  
[Regulation 8(4)]**

**CONCILIATION CERTIFICATE**

Reference Number: \_\_\_\_\_

**IN THE MATTER BETWEEN**

**Name(s) and surname of complainant(s) (if not the data subject):**

\_\_\_\_\_

**Name(s) and surname of data subject:**

\_\_\_\_\_

**AND**

**Name(s) and surname of responsible party(s):**

\_\_\_\_\_

**CERTIFICATE OF COMPLETED CONCILIATION**

The complaint number: \_\_\_\_\_

The nature of the complaint:


**THIS IS TO CERTIFY THAT**

\_\_\_\_\_  
(Full names of conciliator)

the dispute has been resolved

the dispute has not been resolved

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

.....  
Conciliator (Represented by)

**FORM 8**  
**NOTICE TO PARTIES OF INTENTION OF REGULATOR TO INVESTIGATE A COMPLAINT**  
**IN TERMS OF SECTION 79 OF THE PROTECTION OF PERSONAL INFORMATION ACT,**  
**2013 (ACT NO. 4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018**  
 [Regulation 9]

Reference Number \_\_\_\_\_

PART I	DETAILS OF DATA SUBJECT
<b>A</b>	
Name(s) and surname/registered name of data subject/complainant/aggrieved party:	
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>NOTICE TO DATA SUBJECT TO WHOM THE INVESTIGATION RELATES (if not the complainant) AND ANY PERSON ALLEGED TO BE AGGRIEVED (if not the complainant) IN TERMS OF SECTION 79(a) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (Act 4 of 2013)</b>
<b>YOU ARE HEREBY INFORMED THAT:</b>	
The Regulator intends to investigate the following matter:	

Dated at .....on this ..... day of .....20.....

.....  
*Regulator (Represented by)*

<b>PART II</b>	<b>NOTICE TO RESPONSIBLE PARTY</b>
<b>D</b>	

**YOU ARE HEREBY INFORMED THAT:**

The Regulator received a complaint and intends to investigate the following matter:

.....

.....

.....

*(Details of complaint or subject matter of the investigation)*

Kindly note that you have the right to submit to the Regulator, on/before.....(date), a written response in relation to the complaint or subject-matter of the investigation.

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

.....  
*Regulator (Represented by)*



**FORM 9**

**NOTICE TO PARTIES: SETTLEMENT MEETING REGARDING INTERFERENCE WITH THE PROTECTION OF PERSONAL INFORMATION IN TERMS OF SECTION 76 OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018 [Regulation 10]**

Reference Number \_\_\_\_\_

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

**KINDLY TAKE NOTE** that the Regulator has decided to facilitate a settlement in the matter.

**YOU ARE HEREBY INVITED**

To attend a SETTLEMENT meeting at (place).....on the..... day of ..... at ..... (*time*) and on any subsequent day that may be required, regarding the following matter:

\_\_\_\_\_

Kindly confirm your attendance with the Regulator on/before \_\_\_\_\_.

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

.....  
*Regulator (Represented by)*

**FORM 10**

**NOTICE TO PARTIES: SETTLEMENT REGARDING INTERFERENCE WITH THE PROTECTION OF PERSONAL INFORMATION IN TERMS OF SECTION 76 OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018**  
[Regulation 10]

**SETTLEMENT CERTIFICATE**

Reference Number: \_\_\_\_\_

**IN THE MATTER BETWEEN**

**Name(s) and surname of complainant(s) (if not the data subject):**

\_\_\_\_\_

**Name(s) and surname of data subject:**

\_\_\_\_\_

**AND**

**Name(s) and surname of responsible party(s):**

\_\_\_\_\_

**CERTIFICATE OF SETTLEMENT**

The complaint number: \_\_\_\_\_

The nature of the complaint:


**THIS IS TO CERTIFY THAT**

\_\_\_\_\_  
(Full names of conciliator)

has reached a settlement in this matter

The assurances obtained:


has not reached a settlement in this matter

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

.....  
Regulator (Represented by)

**FORM 11  
REQUEST FOR AN ASSESSMENT  
SECTION 89(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018  
[Regulation 11]**

Reference Number: \_\_\_\_\_

<b>PART I</b>	<b>REQUEST FOR AN ASSESSMENT IN TERMS OF SECTION 89(1) AND (2) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)</b>
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A request is hereby made in terms of section 89 of the Protection of Personal Information Act 4 of 2013 that the Information Regulator must assess whether the processing of personal information complies with the provisions of the Act:

**1. CONTACT DETAILS**

**REQUESTER:**

Name(s) and surname: .....

Address: .....

.....

.....

Contact number/s: .....

E-mail address: .....

**RESPONSIBLE PARTY:**

Name(s) and surname: .....

Address: .....

.....

.....

Contact number/s: .....

E-mail address: .....

**2. INFORMATION PROCESSING TO BE ASSESSED**

.....

.....

.....

.....

**3. PERSONS AFFECTED BY THE RELEVANT INFORMATION PROCESSING PRACTICE/S**

.....

.....

.....

.....

**4. THE REASON WHY AN ASSESSMENT IS REQUESTED**

.....

.....

.....

.....

**5. SPECIFIC ASPECTS OF THE PROCESSING OF INFORMATION THAT THE ASSESSMENT SHOULD ADDRESS**

.....  
.....  
.....  
.....

**6. PERIOD**

**I first become aware that the processing of information should be assessed on:**

the ..... day of ..... 20.....

**Explain the reasons for the delay (if any) in requesting the assessment:**

.....  
.....  
.....  
.....

**7. DATA SUBJECT PARTICIPATION:**

**Does the requester:**

Have the right to access personal information held by the responsible party in terms of section 23 of the Protection of Personal Information Act 4 of 2013:

Yes  No  Not applicable

Have to right to request the responsible party to correct personal information in terms of section 24 of the Protection of Personal Information Act 4 of 2013:

Yes  No  Not applicable

Signed on this \_\_\_ day of \_\_\_\_\_ 20...

\_\_\_\_\_  
Requester

**PART II NOTICE OF A DECISION ON AN ASSESSMENT**  
*(Section 89(1) of the Protection of Personal Information Act, 2013 (Act No. 4 of 2013))*

**1. NOTICE OF A DECISION ON AN ASSESSMENT**

The Regulator has decided to conduct an assessment in terms of section 89(1) of the Protection of Personal Information Act 4 of 2013.

**2. INFORMATION PROCESSING TO BE ASSESSED**

.....  
.....  
.....  
.....

**3. PERSONS AFFECTED BY THE RELEVANT INFORMATION PROCESSING PRACTICE/S**

.....  
.....  
.....  
.....

**4. THE REASON WHY AN ASSESSMENT IS TO BE CONDUCTED/ NOT TO BE CONDUCTED**

.....  
.....  
.....  
.....

**5. SPECIFIC ASPECTS OF THE PROCESSING OF INFORMATION THAT THE ASSESSMENT SHOULD ADDRESS**

.....  
.....  
.....  
.....

Signed on this \_\_\_ day of \_\_\_\_\_ 20.....

.....  
Regulator (Represented by)

**FORM 12  
NOTIFICATION  
SECTION 89 OF THE PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018  
[Regulation (11) (4)]**

**Reference number:** \_\_\_\_\_

A request was made in terms of section 89 of the Protection of Personal Information Act 4 of 2013 that the Information Regulator must assess whether the processing of information complies with the provisions of the Act:

**Name(s) and surname of Requester:** .....

**Name(s) and surname of Responsible party:** .....

**Date of assessment:** .....

The Information Regulator hereby wishes to confirm that it formed the following views:

.....  
.....

The Information Regulator hereby wishes to confirm that it wishes to take no further action in this regard.

The Information Regulator hereby wishes to confirm that it wishes to take the following action in this regard:

.....  
.....  
.....

Signed on this \_\_\_\_\_ day of \_\_\_\_\_ 20.....

.....  
*Regulator (Represented by)*



## FORM 13

**NOTICE TO PARTIES NOT TO ISSUE AN ENFORCEMENT NOTICE IN TERMS OF  
SECTION 94 OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4  
OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018  
[Regulation 12(2)(a)]**

Reference number: \_\_\_\_\_

<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:	
<p>An investigation has been completed in terms of the Protection of Personal Information Act of 2013. Parties are hereby notified that an enforcement notice will not be issued as no interference with the protection of personal information of a data subject has taken place in terms of section 94(a)</p> <p>Signed at .....on this ..... day of .....20.....</p> <p>.....</p> <p><i>Regulator (Represented by)</i></p>	

## FORM 14

**REFERRAL TO ENFORCEMENT COMMITTEE IN TERMS OF  
SECTION 92 OF THE PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013)  
REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018**

[Regulation 12(2)(b)]

Reference number: \_\_\_\_\_

A	DETAILS OF DATA SUBJECT
Name(s) and surname/registered name of data subject/complainant/aggrieved party:	
Unique Identifier/ Identity Number	
Residential, postal or business address:	
	Code (    )
Contact number(s):	
Fax number E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname/ Registered name of responsible party:	
Residential, postal or business address:	
	Code (    )
Contact number(s):	
Fax number/ E-mail address:	
<b>Complaint received from:</b>	
_____	
(Full name(s) and surname)	
Date received:	
_____	
Responsible party:	
_____	
(Full names)	

An investigation has been completed in terms of Protection of Personal Information Act 4 of 2013.  
Parties are hereby notified that:

Complaint

.....  
.....

Other matter:

.....  
.....

Consideration

.....  
.....

Recommendation

.....  
.....

was as referred to the Enforcement Committee in terms of section 92 on the .....day of .....20.....

.....  
Regulator (Represented by)

**FORM 15**  
**ENFORCEMENT NOTICE IN TERMS OF SECTION 95 OF THE PROTECTION OF PERSONAL**  
**INFORMATION ACT 4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018**  
 [Regulation 12(2)(c)]

Reference number: \_\_\_\_\_

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

**Complaint received by:**

\_\_\_\_\_

(Full name(s) and surname)

Date received:

\_\_\_\_\_

Responsible party:

\_\_\_\_\_

(Full names)

**A. The Enforcement Committee has concluded that the protection of personal information of the data**

**subject has been interfered with as follows:**

- A breach of the conditions for the lawful processing of personal information.
- Non-compliance with the duty to notify security compromises (section 22 of the Protection of Personal Information Act 4 of 2013)
- Non-compliance with the duty of confidentiality (section 54 of the Protection of Personal Information Act 4 of 2013)
- Non-compliance with obligations for direct marketing by means of unsolicited electronic communications (section 69 of the Protection of Personal Information Act 4 of 2013)
- Non-compliance with obligations regarding the inclusion of personal information in directories (section 70 of Protection of Personal Information Act 4 of 2013)
- Non-compliance with obligations regarding automated decision making (section 71 of the Protection of personal Information Act 4 of 2013)
- Non-compliance with obligations regarding personal information outside the (section 72 of the Protection of Personal Information Act 4 of 2013)
- Breach of the provision of a code of conduct issued in terms of section 60: Code of Conduct .....of (Reference .....

**B. The reasons for reaching this conclusion are:**

.....  
.....  
.....

**C. The responsible party is hereby ordered to:**

.....  
.....  
.....

Take the following specified steps:

.....  
.....  
.....

To refrain from taking the following specified steps:

.....  
.....  
.....

To stop the processing, the following specified personal information:

.....  
.....  
.....

To stop processing of personal information for the following purpose:

.....  
.....  
.....

To stop the processing of personal information in the following manner:

.....  
.....  
.....

**D. Urgency**

The Regulator directs that this notice should be complied with a matter of urgency for the following reasons:

.....  
.....  
.....

**E. Time periods**

The responsible party must comply with this Enforcement Notice and the directives under C after 30 (thirty) working days from receiving this notice.

The responsible party must comply with this Enforcement Notice and the directives under C after 4 (four) working days from receiving this notice.

**F. Right of Appeal**

The responsible party may appeal against this Enforcement Notice within 30 (thirty) working days of receiving this notice.

.....  
Regulator (Represented by)

**FORM 16  
CANCELLATION OR VARIATION OF ENFORCEMENT NOTICE  
SECTION 96 OF THE PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018**  
[Regulation 12(2)(d)]

Reference number: \_\_\_\_\_

<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:	
<p><b>Complaint received by</b> _____ <b>(state name and surname) on</b> _____ <b>date</b> _____.</p> <p><input type="checkbox"/> The application by the responsible party to cancel the Enforcement Notice .... / ..... (reference) issued on the ... day of ..... 20..... has been granted.</p> <p><input type="checkbox"/> The application by the responsible party to vary the Enforcement Notice .... / ..... (reference) issued on t day of ..... 20..... has been granted.</p> <p>This notice replaces the Enforcement Notice ..... / .....(reference) issued on the .....day of .....20.....with the following attached notice..... Reference Number issued .....</p> <p><b>Right of Appeal</b> The complainant may appeal against the variation of the Enforcement Notice within 180 (one hundred and eighty) days of receiving this notice.</p>	

.....  
Regulator (Represented by)



**FORM 17**  
**NOTICE OF APPEAL**  
**SECTION 97 OF THE PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013)**  
**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018**  
 [Regulation 12(2)(e)]

Reference Number: \_\_\_\_\_

A	DETAILS OF 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	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname/ Registered name of responsible party:	
Residential, postal or business address:	
	Code (    )
Contact number(s):	
Fax number/ E-mail address:	
<p><b>Complaint received by</b> _____ <b>(state name and surname) on</b>                  _____ <b>date</b> _____.</p> <p><b>Responsible party:</b></p> <p><input type="checkbox"/> Kindly take note that an APPEAL HAS BEEN LODGED to the High Court against the variation/                  cancellation of an Enforcement Notice .... / ..... (reference) issued on the ... day of ..... 20.....</p> <p><input type="checkbox"/> Kindly take note that an APPEAL HAS BEEN LODGED to the High Court to set aside of an                  Enforcement Notice .... / ..... (reference) issued on the ... day of ..... 20.....</p> <p>.....                  Regulator (Represented by)</p>	



Complaint received by \_\_\_\_\_ (state name(s) and surname) on \_\_\_\_ day of \_\_\_\_\_ 20....

**Responsible party:**

The High Court of ..... considered the appeal lodged in terms of notice ..... The court has held that Enforcement Notice .... / ..... (reference) issued on the ... day of ..... 20... is set aside for the following reasons:

.....  
.....  
.....

.....  
*Regulator (Represented by)*

**FORM 19  
NOTICE OF DISMISSAL OF APPEAL  
SECTION 98 OF THE PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018**  
[Regulation 12(2)(g)]

<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:	
<p><b>Complaint received by</b> _____ <b>(state name and surname) on</b> _____ <b>date</b> _____.</p> <p><b>Responsible party:</b></p> <p>Kindly take note that an APPEAL HAS BEEN DISMISSED in the High Court against the variation/ cancellation of an Enforcement Notice ... /... issued on ..... day of ..... 20..... Judgment is attached.</p> <p>..... Regulator (Represented by)</p>	

## DEPARTEMENT VAN JUSTISIE EN STAATKUNDIGE ONTWIKKELING

NO. R. 1383

14 DESEMBER 2018

## INLIGTINGSREGULEERDER

## WET OP BESKERMING VAN PERSOONLIKE INLIGTING, 2013

(WET NO. 4 VAN 2013):

## REGULASIES OP DIE BESKERMING VAN PERSOONLIKE INLIGTING

Die Inligtingsreguleerder het, kragtens artikel 112(2) van die Wet op Beskerming van Persoonlike Inligting, 2013 (Wet No. 4 van 2013), die regulasies in die Bylae uitgereik.

## BYLAE

## Woordomsrywings

1. In hierdie Regulasie het enige woord of uitdrukking waaraan 'n betekenis ingevolge die Wet aldus toegeken is en, tensy die samehang anders aandui, beteken:

“**databoodskap**” ook 'n databoodskap soos omskryf in artikel 1 van die Wet op Elektroniese Kommunikasie en Transaksie, 2002 (Wet No. 25 van 2002);

“**die Wet**” die Wet op Beskerming van Persoonlike Inligting, 2013 (Wet No. 4 van 2013); en

“**handtekening**” ook 'n elektroniese handtekening soos omskryf in artikel 1 van die Wet op Elektroniese Kommunikasies en Transaksies, 2002 (Wet No. 25 van 2002);

“**skriftelik**” ook skriftelik soos bedoel in artikel 12 van die Wet op Elektroniese Kommunikasies en Transaksies, 2002 (Wet No. 25 van 2002)

“**voorlê**” voorlê per-

- (a) databoodskap;
- (b) elektroniese kommunikasie;
- (c) geregistreeerde pos;
- (d) elektroniese pos;
- (e) faks; en
- (f) persoonlike aflewering; en

“**vorm(s)**” soos in hierdie Regulasies bedoel, ’n vorm bedoel in die bylaes tot hierdie Regulasies bedoel of enige vorm wat wesenlik soortgelyk aan daardie vorm is.

### **Beswaar teen die verwerking van persoonlike inligting**

2. (1) ’n Datasubjek wat beswaar wil aanteken teen die verwerking van persoonlike inligting ingevolge artikel 11(3)(a) van die Wet, moet die beswaar op **Vorm 1** aan die verantwoordelike party voorlê.

(2) Die verantwoordelike party, of ’n aangewese persoon, moet waar nodig redelike bystand lewer, kosteloos, om die datasubjek in staat te stel om ’n beswaar op **Vorm 1** te maak.

### **Versoek om regstelling of skraping van persoonlike inligting of vernietiging of skraping van rekord van persoonlike inligting**

3. (1) ’n Datasubjek wat ’n regstelling of skraping van persoonlike inligting of die vernietiging of skraping van ’n rekord van persoonlike inligting ingevolge artikel

24(1) van die Wet wil aanvra, moet 'n versoek op **Vorm 2** aan die verantwoordelike party voorlê.

(2) Die verantwoordelike party, of 'n aangewese persoon, moet waar nodig redelike bystand lewer, gratis, sodat 'n datasubjek **Vorm 2** kan invul.

### **Verantwoordelikhede van inligtingsbeamptes**

4. (1) 'n Inligtingsbeampte moet, bykomend tot die verantwoordelikhede in artikel 55(1) van die Wet beoog, verseker dat-

- (a) 'n voldoeningsraamwerk ontwikkel, geïmplementeer, gemonitor en onderhou word;
- (b) 'n persoonlike inligtingsimpakassessering gedoen word om te verseker dat voldoende maatreëls en standaarde bestaan ten einde te voldoen aan die voorwaardes vir die wettige verwerking van persoonlike inligting;
- (c) 'n handleiding ontwikkel, gemonitor, onderhou en beskikbaar gestel word soos in artikels 14 en 51 van die Wet op Bevordering van Toegang tot Inligting, 2000 (Wet No. 2 van 2000), voorgeskryf;
- (d) interne maatreëls ontwikkel word saam met voldoende stelsels om versoeke om inligting of toegang daartoe te verwerk; en
- (e) interne bewustheidsessies oor die bepalings van die Wet, regulasies ingevolge die Wet uitgevaardig, gedragskode, of inligting van die Reguleerder verkry, gehou word.

(2) Die inligtingsbeampte moet op versoek van enigiemand afskrifte van die handleiding aan daardie persoon voorsien by betaling van gelde van tyd tot tyd deur die Reguleerder vasgestel.

### **Aansoek om uitreiking van gedragskode**

5. 'n Privaat of openbare liggaam wat voldoende verteenwoordigend van enige klas van liggame, of van enige nywerheid, professie of ambag is wat om die uitreiking van 'n

gedragskode ingevolge artikel 61(1)(b) van die Wet wil aansoek doen, moet 'n aansoek op **Vorm 3** aan die Reguleerder voorlê.

### **Versoek om datasubjek se toestemming om persoonlike inligting te verwerk**

6. 'n Verantwoordelike party wat die persoonlike inligting van 'n datasubjek wil verwerk met die oog op regstreekse bemerking deur elektroniese kommunikasie moet ingevolge artikel 69(2) van die Wet 'n versoek om skriftelike toestemming op **Vorm 4** aan daardie datasubjek voorlê.

### **Voorlegging van klagte**

7. (1) Enigiemand wat 'n klagte in artikel 74(1) van die Wet bedoel, wil voorlê, moet sodanige klagte op **Deel I van Vorm 5** aan die Reguleerder voorlê.

(2) 'n Verantwoordelike party of 'n datasubjek wat 'n klagte in artikel 74(2) van die Wet beoog, wil voorlê, moet sodanige klagte op **Deel II van Vorm 5** aan die Reguleerder voorlê.

### **Optrede deur Reguleerder as konsiliator tydens ondersoek**

8. (1) Indien die Reguleerder tydens die ondersoek van 'n klagte besluit om ingevolge artikel 76(1)(b) van die Wet as 'n konsiliator op te tree, en 'n konsiliasievergadering saamroep, moet die Reguleerder, so gou as prakties moontlik, die datasubjek en die geïmpliseerde verantwoordelike party op **Vorm 6** oor die volgende in kennis stel:

- (a) die Reguleerder se besluit om as 'n konsiliator in die aangeleentheid op te tree; en



- (b) die datum, tyd en plek van die konsiliasievergadering.
- (2) Die Reguleerder-
- (a) kan aparte klagtes konsolideer wat na bewering verband hou met dieselfde inmenging met die beskerming van persoonlike inligting deur dieselfde verantwoordelike party, ten einde die klagtes in dieselfde konsiliasieverrigtinge te hanteer;
- (b) moet verseker dat alle persone met die reg om die konsiliasievergadering by te woon, binne 'n redelike tydperk van die datum, tyd en plek van die vergadering in kennis gestel word;
- (c) kan al die tersaaklike dokumente betreffende die klagte van die datasubjek en die verantwoordelike party aanvra; en
- (d) kan persoonlik met die partye oorleg pleeg, per elektroniese kommunikasiemiddele, of per enige ander middele soos gepas geag.
- (3) Waar 'n konsiliasievergadering nie plaasvind nie, moet die Reguleerder 'n alternatiewe datum reël en die persone wat die reg het om die konsiliasievergadering by te woon, dienooreenkomstig in kennis stel.
- (4) Die Reguleerder moet 'n konsiliasiesertifikaat op **Vorm 7** uitreik binne 'n redelike tyd ná die datum van die afhandeling van die konsiliasievergadering.
- (5) Indien die klagte nie afgehandel word nie, of een van of albei partye 'n konsiliasievergadering nie bygewoon het nie, moet die Reguleerder met die klagte voortgaan soos ingevolge artikel 76 van die Wet voor voorsiening gemaak.

### **Voor-onderzoekverrigtinge van Reguleerder**

9. (1) Indien die Reguleerder voornemens is om enige aangeleentheid beoog in Hoofstuk 10 van die Wet beoog, te ondersoek, moet die Reguleerder ingevolge artikel

79 van die Wet die partye op wie die ondersoek betrekking het, op **Deel I van Vorm 8** verwittig van sodanige voorneme voordat die ondersoek gedoen word.

(2) Die Reguleerder moet die verantwoordelike party op wie die ondersoek betrekking het op **Deel II van Vorm 8** verwittig van die klagte, of die onderwerp van die ondersoek, en moet die verantwoordelike party verwittig van die reg om 'n skriftelike reaksie op die klagte of onderwerp van die ondersoek voor te lê binne die tyd deur die Reguleerder toegeken.

### Skikking van klagtes

**10.** (1) Indien dit uit 'n klagte of enige skriftelike antwoord op die klagte kragtens artikel 79(b)(ii) van die Wet of tydens 'n konsiliasievergadering, voorkom dat dit moontlik kan wees om 'n skikking tussen die partye en indien gepas, bevredigende versekerings soos beoog in artikel 80 van die Wet, te verkry, kan die Reguleerder persoonlik oorleg pleeg met die partye, per elektroniese kommunikasie-middele, of per enige ander middele soos gepas geag word om te poog om 'n skikking te verkry en indien van toepassing, bevredigende versekerings soos beoog in artikel 80 van die Wet.

(2) Indien die Reguleerder tydens die proses in subregulasie (1) bedoel besluit om 'n skikkingsvergadering te belê, moet die Reguleerder, so gou soos prakties moontlik, die datasubjek en die verantwoordelike party op **Vorm 9** verwittig van die datum, tyd en plek van die skikkingsvergadering.

(3) Vir die doeleindes van skikkingsverrigtinge, het die Reguleerder dieselfde bevoegdhede as 'n konsiliator in subregulasies (2) tot (3) van Regulasie 8.

(4) Die Reguleerder moet 'n skikkingsertifikaat op **Vorm 10** uitreik binne 'n redelike tyd ná die afhandeling van die skikkingsvergadering.

(5) Indien geen skikking of versekering verkry word nie of as enige van of albei partye nie 'n skikkingsvergadering wou bywoon nie, moet die Reguleerder met die

aangeleentheid voortgaan soos ingevolge artikel 76 van die Wet voor voorsiening gemaak.

## Oudit

11. (1) 'n Versoek om 'n oudit ingevolge artikel 89(1) van die Wet moet op **Deel 1 van Vorm 11** aan die Reguleerder voorgelê word.
- (2) Die Reguleerder moet die versoeker op **Deel II van Vorm 11** verwittig indien die Reguleerder -
- (a) uit eie beweging; of
- (b) soos ingevolge subregulasie (1) versoek,
- besluit het om 'n oudit te doen, binne 'n redelike tyd vanaf die datum waarop die besluit geneem is.
- (3) Die tydperk van assessering sal op 'n saak-per-saak grondslag deur die Reguleerder bepaal word.
- (4) Die Reguleerder moet die versoeker of die verantwoordelike party (indien nie die versoeker nie) op **Vorm 12** in kennis stel van enige besluit geneem, of stap gedoen, of opinie gevorm, binne 'n redelike tyd ná die datum waarop die besluit geneem is, stap gedoen is of opinie gevorm is.

## Verwittig partye van ontwikkelings in ondersoek

12. (1) Deur die loop van 'n ondersoek moet die Reguleerder binne 'n redelike tyd vanaf die datum waarop 'n besluit geneem of stap gedoen word-
- (a) die klaer, die datasubjek (indien nie die klaer nie) en die verantwoordelike party ingelig hou van die ontwikkelings in die ondersoek; en
- (b) die klaer, datasubjek (indien nie klaer nie) en die verantwoordelike party verwittig van die uitslag van die ondersoek.

- (2) Die kennisgewings in subregulasie (1) beoog moet by die aangewese adresse van die klaer, die datasubjek en die verantwoordelike party beteken word wat hulle--
- (a) op **Vorm 13** verwittig dat 'n afdwingingskennisgewing nie ingevolge artikel 94(a) van die Wet uitgereik sal word nie;
  - (b) op **Vorm 14** verwittig dat die klaer ingevolge artikel 92 van die Wet na die Afdwingingskomitee verwys is;
  - (c) op **Vorm 15** verwittig dat 'n afdwingingskennisgewing ingevolge artikel 95 van die Wet beteken is;
  - (d) op **Vorm 16** verwittig dat 'n afdwingingskennisgewing ingevolge artikel 96 van die Wet ingetrek of verander is;
  - (e) op **Vorm 17** verwittig dat 'n appèl teen 'n afdwingingskennisgewing ingedien is ingevolge artikel 97 van die Wet;
  - (f) op **Vorm 18** verwittig dat 'n appèl teen 'n afdwingingskennisgewing veroorloof is en dat 'n afdwingingskennisgewing ingevolge artikel 98 vervang is; of
  - (g) op **Vorm 19** verwittig dat 'n appèl ingevolge artikel 98 van die Wet van die hand gewys is.

#### **Kort titel**

**13. Hierdie Regulasies heet die** Regulasies op die Beskerming van Persoonlike Inligting en tree in werking op 'n datum deur die Reguleerder by proklamasie in die *Staatskoerant* vasgestel.

**VORM 1**  
**BESWAAR TEEN VERWERKING VAN PERSOONLIKE INLIGTING INGEVOLGE ARTIKEL**  
**11(3) VAN DIE WET OP BESKERMING VAN PERSOONLIKE INLIGTING, 2013 (WET NO. 4**  
**VAN 2013)**

**REGULASIES OP DIE BESKERMING VAN PERSOONLIKE INLIGTING, 2018**  
 [Regulasie 2]

*Let wel:*

1. *Beëdigde verklarings of ander dokumentêre getuienis soos van toepassing ter staving van die beswaar kan aangeheg word.*
2. *Indien die spasie in hierdie vorm voorsien te min is, dien inligting in as 'n aanhangsel by hierdie vorm en teken elke bladsy.*
3. *Vul in waar van toepassing.*

<b>A</b>	<b>BESONDERHEDE VAN DATASUBJEK</b>
Name en van/geregistreeerde naam van datasubjek:	
Unieke identifiseerder/ Identiteitsnommer	
Woon-, pos- of sakeadres:	
	Kode (    )
Kontaknommer(s):	
Faksnommer/ E-posadres	
<b>B</b>	<b>BESONDERHEDE VAN VERANTWOORDELIKE PARTY</b>
Name en van/geregistreeerde naam van datasubjek:	
Woon-, pos- of sakeadres:	
	Kode (    )
Kontaknommer(s):	
Faksnommer/ E-posadres:	
<b>C</b>	<b>REDES VIR BESWAAR INGEVOLGE ARTIKEL 11(1)(d) tot (f) (Verstrek asseblief breedvoerige redes vir die beswaar)</b>


Geteken te ..... op hierdie ..... dag van  
.....20.....

.....  
*Handtekening van datasubjek/aangewese persoon*

## VORM 2

**VERSOEK OM REGSTELLING OF SKRAPPING VAN PERSOONLIKE INLIGTING OF  
VERNIETIGING OF SKRAPPING VAN REKORD VAN PERSOONLIKE INLIGTING  
INGEVOLGE ARTIKEL 24(1) VAN DIE WET OP BESKERMING VAN PERSOONLIKE  
INLIGTING, 2013 (WET NO. 4 VAN 2013)**

**REGULASIES OP DIE BESKERMING VAN PERSOONLIKE INLIGTING, 2018**

[Regulasie 3]

Let wel:

1. *Beëdigde verklarings of ander dokumentêre getuienis soos van toepassing ter staving van die beswaar kan aangeheg word.*
2. *Indien die spasie in hierdie vorm voorsien te min is, dien inligting as 'n aanhangsel by hierdie vorm in en teken elke bladsy.*
3. *Vul in waar van toepassing.*

Merk die toepaslike blokkie met 'n "x".

**Versoek om:**

Regstelling of skapping van die persoonlike inligting oor die datasubjek wat in die besit of onder die beheer van die verantwoordelike party is.

Vernietiging of skapping van 'n rekord van persoonlike inligting oor die datasubjek wat in die besit of onder die beheer van die verantwoordelike party is wat nie meer gemagtig is om die rekord van inligting te hou nie.

A	BESONDERHEDE VAN DATASUBJEK
Name en van/geregistreerde naam van datasubjek:	
Unieke identifiseerder/ Identiteitsnommer	
Woon-, pos- of sakeadres:	
	Kode (    )
Kontaknommer(s):	
Faksnommer/ E-posadres	
B	BESONDERHEDE VAN VERANTWOORDELIKE PARTY
Name en van/geregistreerde naam van verantwoordelike party	
Woon-, pos- of sakeadres:	
	Kode (    )

Kontaknommer(s):	
Faksnommer/ E-posadres:	
<b>C</b>	<b>INLIGTING WAT REGGESTEL/ GESKRAP/ VERNIETIG MOET WORD</b>
<b>D</b>	<b>REDES VIR *REGSTELLING OF SKRAPPING VAN DIE PERSOONLIKE INLIGTING OOR DIE DATASUBJEK INGEVOLGE ARTIKEL 24(1)(a) WAT IN IN DIE BESIT VAN OF ONDER DIE BEHEER VAN DIE VERANTWOORDELIKE PARTY IS; en of REDES VIR *VERNIETIGING OF SKRAPPING VAN 'N REKORD VAN PERSOONLIKE INLIGTING OOR DIE DATASUBJEK INGEVOLGE ARTIKEL 24(1)(b) WAT DIE VERANTWOORDELIKE PARTY NIE MEER GEMAGTIG IS OM TE BEHOU NIE. (Verstrek asseblief uitvoerige redes vir die versoek)</b>

Geteken te ..... op hierdie ..... dag van .....20.....

.....  
Handtekening van datasubjek/aangewese persoon



## VORM 3

**AANSOEK OM DIE UITREIKING VAN GEDRAGSKODE INGEVOLGE ARTIKEL 61(1)(b)  
VAN DIE WET OP BESKERMING VAN PERSOONLIKE INLIGTING, 2013 (WET NO. 4 VAN  
2013)**

**REGULASIES OP DIE BESKERMING VAN PERSOONLIKE INLIGTING, 2018  
[Regulasie 5]**

<b>A</b>	<b>BESONDERHEDE VAN PRIVATE OF OPENBARE LIGGAAM</b>
Naam van liggaam:	
Private/ Openbare liggaam	
Noem die klas van liggaam of enige bedryfsgrootte, beroep of ambag, wat u verteenwoordig: ( <i>Heg bewys van verteenwoordiging aan</i> )	
Totale getal van lede van bedryf, of enige klas van liggaam, beroep of ambag:	
Verhouding van verteenwoordiging (as 'n persentasie uitgedruk) in die bedryf, klas van liggame, beroep of ambag ( <i>Heg bewys van verteenwoordiging aan</i> ):	
Sakeadres:	
	Kode (    )
Kontaknommer(s):	
Faksnommer/ E-posadres:	
<b>B</b>	<b>BESONDERHEDE VAN PERSOON WAT HIERDIE VORM INVUL</b>
Name en van van persoon wat hierdie vorm invul:	
Hoedanigheid in	



**VORM 4**

**AANSOEK OM DIE TOESTEMMING VAN 'N DATASUBJEK VIR DIE VERWERKING VAN  
PERSOONLIKE INLIGTING VIR DIE DOEL VAN DIREKTE BEMARKING INGEVOLGE  
ARTIKEL 69(2) VAN DIE WET OP BESKERMING VAN PERSOONLIKE INLIGTING, 2013  
(WET NO. 4 VAN 2013)**

**REGULASIES OP DIE BESKERMING VAN PERSOONLIKE INLIGTING, 2018  
[Regulasie 6]**

AAN: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
*(Naam van datasubjek)*

VAN: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Kontaknommer(s): \_\_\_\_\_  
Faksnommer: \_\_\_\_\_  
E-posadres: \_\_\_\_\_  
*(Naam, adres en kontakbesonderhede van verantwoordelike party)*

Volle name en titel van persoon wat namens verantwoordelike party teken:

\_\_\_\_\_

.....  
*Handtekening van datasubjek*

Datum: \_\_\_\_\_

**DEEL B**

Ek, \_\_\_\_\_ *(volle name van datasubjek)* gee hierby:

My instemming

Om direkte bemarking van goedere of dienste per elektroniese kommunikasie te ontvang.

**SPESIFISEER GOEDERE of DIENSTE:**

**SPESIFIEKE KOMMUNIKASIMETODE: FAKS:**

E-POS-:

SMS:

ANDER – SPESIFISEER:

Geteken te ..... op hierdie ..... dag van  
.....20.....

.....  
*Handtekening van datasubjek*

## VORM 5

**KLAGTE OOR INMENGING MET DIE BESKERMING VAN PERSOONLIKE  
INLIGTING/KLAGTE OOR BESLISSING VAN 'N KONSILIATOR INGEVOLGE ARTIKEL 74  
VAN DIE WET OP BESKERMING VAN PERSOONLIKE INLIGTING, 2013 (WET NO. 4 VAN  
2013)**

**REGULASIES OP DIE BESKERMING VAN PERSOONLIKE INLIGTING, 2018 [Regulasie 7]**

*Let wel:*

1. *Beëdigde verklarings of ander dokumentêre getuienis soos van toepassing ter staving van die beswaar kan aangeheg word.*
2. *Indien die spasie in hierdie vorm voorsien te min is, dien inligting as 'n aanhangsel by hierdie vorm in en teken elke bladsy.*
3. *Vul in waar van toepassing.*

Merk die toepaslike blokkie met 'n "x".

**Klagte aangaande:**

Beweerde inmenging met die beskerming van persoonlike inligting

Aanwysing van 'n beregter.

DEEL I	BEWEERDE INMENGING MET DIE BESKERMING VAN PERSOONLIKE INLIGTING INGEVOLGE ARTIKEL 74(1) VAN DIE WET OP BESKERMING VAN PERSOONLIKE INLIGTING, 2013 (Wet No. 4 van 2013)
A	BESONDERHEDE VAN KLAER
Name en van/geregistreerde naam van datasubjek:	
Unieke identifiseerder/ Identiteitsnommer	
Woon-, pos- of sakeadres:	
	Kode (    )
Kontaknommer(s):	
Faksnommer/ E-posadres:	

<b>B</b>	<b>BESONDERHEDE VAN VERANTWOORDELIKE PARTY WAT MET PERSOONLIKE INLIGTING INMENG</b>
Name en van/geregistreeerde naam van verantwoordelike party:	
Woon-, pos- of sakeadres:	
	Kode (    )
Kontaknommer(s):	
Faksnommer/ E-posadres:	
<b>C</b>	<b>REDES VIR KLAGTE</b> <i>(Voorsien asseblief breedvoerige redes vir die klagte)</i>
<b>DEEL II</b>	<b>KLAGTE OOR AANWYSING VAN KONSILIATOR INGEVOLGE ARTIKEL 74(2) VAN DIE WET OP BESKERMING VAN PERSOONLIKE INLIGTING, 2013 (WET No. 4 VAN 2013)</b>
<b>A</b>	<b>BESONDERHEDE VAN KLAER</b>
Name en van/geregistreeerde naam van datasubjek:	
Unieke identifiseerder/ Identiteitsnommer	
Woon-, pos- of sakeadres:	
	Kode (    )
Kontaknommer(s):	
Faksnommer/ E-posadres:	
<b>B</b>	<b>BESONDERHEDE VAN KONSILIATOR EN VERANTWOORDELIKE PARTY</b>
Name en van van konsiliator:	

Name en van van verantwoordelike party/ geregistreerde naam:	
Woon-, pos- of sakeadres:	
	Kode (    )
Kontaknommer(s):	
Faksnommer/ E-posadres:	
<b>C</b>	<b>REDES VIR KLAGTE</b> <i>(Voorsien asseblief breedvoerige redes vir die grief)</i>

Geteken te ..... op hierdie ..... dag van .....20.....

.....  
*Handtekening van datasubjek/aangewese persoon*

## VORM 6

**KENNISGEWING AAN PARTYE: KONSILIASIEVERGADERING AANGAANDE INMENGING  
MET DIE BESKERMING VAN PERSOONLIKE INLIGTING INGEVOLGE ARTIKEL 76 VAN  
DIE WET OP BESKERMING VAN PERSOONLIKE INLIGTING, 2013 (WET NO. 4 2013)**

**REGULASIES OP DIE BESKERMING VAN PERSOONLIKE INLIGTING, 2018  
[Regulasie 8(1)]**

Verwysingsnommer \_\_\_\_\_

A	BESONDERHEDE VAN DATASUBJEK
Name en van/geregistreeerde naam van datasubjek:	
Unieke identifiseerder/ Identiteitsnommer	
Woon-, pos- of sakeadres:	
	Kode (    )
Kontaknommer(s):	
Faksnommer/ E-posadres:	
B	BESONDERHEDE VAN VERANTWOORDELIKE PARTY
Name en van/geregistreeerde naam van verantwoordelike party:	
Woon-, pos- of sakeadres:	
	Kode (    )
Kontaknommer(s):	
Faksnommer/ E-posadres:	

**NEEM ASSEBLIEF KENNIS** dat die Reguleerder besluit het om as 'n konsiliator in die saak op te tree.

**U WORD HIERBY UITGENOOI**

om 'n konsiliasievergadering by (plek) ..... op die ..... dag van ..... om ..... (tyd) by te woon en op enige daaropvolgende datum wat nodig mag wees, aangaande volgende aangeleentheid:



---

---

Bevestig asseblief voor of op \_\_\_\_\_ of u teenwoordig sal wees.

Geteken te ..... op hierdie ..... dag van  
.....20.....

.....  
*Reguleerder (Verteenwoordig deur)*

## VORM 7

**KENNISGEWING AAN PARTYE: VERSOENINGSVERGADERING AANGAANDE  
INMENGING MET DIE BESKERMING VAN PERSOONLIKE INLIGTING INGEVOLGE  
ARTIKEL 76 VAN DIE WET OP BESKERMING VAN PERSOONLIKE INLIGTING, 2013 (WET  
NO. 4 VAN 2013)**

**REGULASIES OP DIE BESKERMING VAN PERSOONLIKE INLIGTING, 2018  
[Regulasie 8(4)]**

## KONSILIASIESERTIFIKAAT

Verwysingsnommer: \_\_\_\_\_

## IN DIE AANGELEENTHEID TUSSEN

Name en van van klaer(s) (*indien nie die datasubjek nie*):

\_\_\_\_\_

Name en van van datasubjek:

\_\_\_\_\_

EN

Name en van van verantwoordelike party(e):

\_\_\_\_\_

\_\_\_\_\_

## SERTIFIKAAT VAN AFGEHANDELDE KONSILIASIE

Die klagtenommer: \_\_\_\_\_

Die aard van die klagte:


## DAAR WORD HIERBY GESERTIFISEER DAT

(Volle name van konsiliator)

 die geskil besleg is

 die geskil nie besleg is nie

Geteken te ..... op hierdie ..... dag van  
.....20.....

.....  
*Konsiliator (Verteenwoordig deur)*

**VORM 8**

**KENNISGEWING AAN PARTYE VAN VOORNEME VAN REGULEERDER OM 'N KLAGTE  
 INGEVOLGE ARTIKEL 79 VAN DIE WET OP BESKERMING VAN PERSOONLIKE  
 INLIGTING, 2013 (WET NO. 4 VAN 2013), TE ONDERSOEK**

**REGULASIES OP DIE BESKERMING VAN PERSOONLIKE INLIGTING, 2018**  
 [Regulasie 9]

Verwysingsnommer \_\_\_\_\_

DEEL I	BESONDERHEDE VAN DATASUBJEK
<b>A</b>	
Name en van/geregistreerde naam van datasubjek/klaer/gegriefde party:	
Unieke identifiseerder/ Identiteitsnommer	
Woon-, pos- of sakeadres:	
	Kode (    )
Kontaknommer(s):	
Faksnommer/ E-posadres:	
<b>B</b>	<b>BESONDERHEDE VAN VERANTWOORDELIKE PARTY</b>
Name en van/geregistreerde naam van verantwoordelike party:	
Woon-, pos- of sakeadres:	
	Kode (    )
Kontaknommer(s):	
Faksnommer/ E-posadres:	
<b>C</b>	<b>KENNISGEWING AAN DATASUBJEK MET WIE DIE ONDERSOEK            VERBAND HOU (indien nie die klaer nie) EN ENIGIEMAND WAT NA            BEWERING TE NA GEKOM IS (indien nie die klaer nie) INGEVOLGE            ARTIKEL 79(a) VAN DIE WET OP BESKERMING VAN PERSOONLIKE            INLIGTING, 2013 (Wet No. 4 van 2013)</b>
<b>U WORD HIERBY INGELIG DAT:</b>	
Die Reguleerder voornemens is om die volgende aangeleentheid te ondersoek:	

--

Gedateer te .....op hierdie ..... dag van .....20.....  ..... <i>Reguleerder (Verteenwoordig deur)</i>	
<b>DEEL II</b>	<b>KENNISGEWING AAN VERANTWOORDELIKE PARTY</b>
<b>D</b>	
<b>U WORD HIERBY INGELIG DAT:</b>	
Die Reguleerder 'n klagte ontvang het en voornemens is om die volgende aangeleentheid te ondersoek:	
<i>(Besonderhede van die klagte of onderwerp van die ondersoek)</i>	
Let asseblief daarop dat u die reg het om 'n skriftelike antwoord voor of op ..... (datum), oor die klagte of onderwerp van die ondersoek aan die Reguleerder voor te lê.	
Geteken te ..... op hierdie ..... dag van .....20.....	
..... <i>Reguleerder (Verteenwoordig deur)</i>	

## VORM 9

**KENNISGEWING AAN PARTYE: SKIKKINGSVERGADERING AANGAANDE INMENGING  
MET DIE BESKERMING VAN PERSOONLIKE INLIGTING INGEVOLGE ARTIKEL 76 VAN  
DIE WET OP BESKERMING VAN PERSOONLIKE INLIGTING, 2013 (WET NO. 4 VAN 2013)**

**REGULASIES OP DIE BESKERMING VAN PERSOONLIKE INLIGTING, 2018**  
[Regulasie 10]

Verwysingsnommer \_\_\_\_\_

A	BESONDERHEDE VAN DATASUBJEK
Name en van/geregistreeerde naam van datasubjek:	
Unieke identifiseerder/ Identiteitsnommer	
Woon-, pos- of sakeadres:	
	Kode (    )
Kontaknommer(s):	
Faksnommer/ E-posadres:	
B	BESONDERHEDE VAN VERANTWOORDELIKE PARTY
Name en van/geregistreeerde naam van verantoordelike party:	
Woon-, pos- of sakeadres:	
	Kode (    )
Kontaknommer(s):	
Faksnommer/ E-posadres:	

**NEEM ASSEBLIEF KENNIS** dat die Reguleerder besluit het om 'n skikking in die aangeleentheid te fasiliteer.

**U WORD HIERBY UITGENOOI**

om 'n skikkingsvergadering by (plek) ..... op die ..... dag van ..... om ..... (tyd) by te woon en op enige daaropvolgende datum wat nodig mag wees, aangaande die volgende aangeleentheid:

\_\_\_\_\_

\_\_\_\_\_

Bevestig asseblief voor of op \_\_\_\_\_ met die Reguleerder of u  
teenwoordig sal wees.

Geteken te ..... op hierdie ..... dag van  
.....20.....

.....  
*Reguleerder (Verteenwoordig deur)*

## VORM 10

**KENNISGEWING AAN PARTYE: SKIKKINGSVERGADERING AANGAANDE INMENGING  
MET DIE BESKERMING VAN PERSOONLIKE INLIGTING INGEVOLGE ARTIKEL 76 VAN  
DIE WET OP BESKERMING VAN PERSOONLIKE INLIGTING, 2013 (WET NO. 4 VAN 2013)**

**REGULASIES OP DIE BESKERMING VAN PERSOONLIKE INLIGTING, 2018**  
[Regulasie 10]

## SKIKKINGSERTIFIKAAT

Verwysingsnommer: \_\_\_\_\_

## IN DIE AANGELEENTHEID TUSSEN

Name en van van klaer(s) (*indien nie die datasubjek nie*):

\_\_\_\_\_

Name en van van datasubjek:

\_\_\_\_\_

EN

Name en van van verantwoordelike party(e):

\_\_\_\_\_

## SKIKKINGSERTIFIKAAT

Die klagtenommer: \_\_\_\_\_

Die aard van die klagte:


## DAAR WORD HIERBY GESERTIFISEER DAT

\_\_\_\_\_  
(Volle name van konsiliator)

'n skikking in hierdie aangeleentheid bereik het

Die versekerings verkry:


nie 'n skikking in hierdie aangeleentheid bereik het nie

Geteken te ..... op hierdie ..... dag van  
.....20.....

.....  
Reguleerder (Verteenwoordig deur)



**VORM 11  
 VERSOEK OM OUDIT  
 ARTIKEL 89(1) VAN DIE WET OP BESKERMING VAN PERSOONLIKE INLIGTING, 2013 (WET No. 4  
 VAN 2013)**

**REGULASIES OP DIE BESKERMING VAN PERSOONLIKE INLIGTING, 2018  
 [Regulasie 11]**

Verwysingsnommer: \_\_\_\_\_

<b>DEEL I</b>	<b>VERSOEK OM OUDIT              INGEVOLGE ARTIKEL 89(1) EN (2) VAN DIE WET OP BESKERMING VAN              PERSOONLIKE INLIGTING, 2013 (WET No. 4 VAN 2013)</b>
---------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------

'n Versoek word hierby gemaak ingevolge artikel 89 van die Wet op Beskerming van Persoonlike Inligting, 2013 (Wet No. 4 van 2013), dat die Inligtingsreguleerder 'n audit moet doen oor of die verwerking van persoonlike inligting aan die bepalings van die Wet voldoen:

**1. KONTAKBESONDERHEDE**

**VERSOEKER:**

Name en van: .....

Adres: .....

.....

.....

Kontaknommer(s): .....

E-posadres: .....

**VERANTWOORDELIKE PARTY:**

Name en van: .....

Adres: .....

.....

.....

Kontaknommer(s): .....

E-posadres: .....

**2. INLIGTINGSVERWERKING WAT GEOUDITEER MOET WORD**

.....

.....

.....

**3. PERSONE GERAAK DEUR DIE TERSAAKLIKE INLIGTINGSVERWERKINGS PRAKTYK(E)**

.....

.....

.....

**4. DIE REDE VIR DIE VERSOEK OM 'N OUDIT**

.....

.....

.....  
 .....  
**5. SPESIFIEKE ASPEKTE VAN DIE VERWERKING VAN INLIGTING WAAROP DIE OUDIT MOET INGAAN**

.....  
 .....  
 .....  
 .....  
**6. TYDPERK**

Ek het die eerste keer op die ..... dag van ..... 20.... daarvan bewus geword dat die verwerking van inligting geoudit moet word

Verduidelik die rede vir die vertraging (indien enige) om die oudit aan te vra:

.....  
 .....  
 .....  
 .....  
**7. DATASUBJEK DEELNAME:**

**Het die versoeker:**

Die reg op toegang tot die persoonlike inligting wat die verantwoordelike party ingevolge artikel 23 van die Wet op Beskerming van Persoonlike Inligting, 2013, hou:

Ja     Nee     Nie van toepassing nie

Die reg op toegang tot korrekte persoonlike inligting wat die verantwoordelike party ingevolge artikel 24 van die Wet op Beskerming van Persoonlike Inligting, 2013, hou:

Ja     Nee     Nie van toepassing nie

Geteken op hierdie \_\_\_dag van \_\_\_\_\_ 20...

\_\_\_\_\_  
**Versoeker:**

**DEEL II**

**KENNISGEWING VAN 'N BESLUIT OOR 'N OUDIT**  
*(Artikel 89(1) van die Wet op Beskerming van Persoonlike Inligting, 2013 (Wet No. 4 van 2013))*

**1. KENNISGEWING VAN 'N BESLUIT OOR 'N OUDIT**

Die Reguleerder het besluit om 'n oudit te doen ingevolge artikel 89(1) van die Wet op Beskerming van Persoonlike Inligting, 2013.

**2. INLIGTINGSVERWERKING WAT GEOUDIT MOET WORD**

.....  
.....  
.....

**3. PERSONE GERAAK DEUR DIE TERSAAKLIKE INLIGTINGSVERWERKINGSPRAKTYK(E)**

.....  
.....  
.....

**4. WAAROM 'N OUDIT GEDOEN GAAN WORD/NIE GEDOEN GAAN WORD NIE**

.....  
.....  
.....

**5. SPESIFIEKE ASPEKTE VAN DIE VERWERKING VAN INLIGTING WAAROP DIE OUDIT MOET INGAAN**

.....  
.....  
.....

Geteken op hierdie \_\_\_dag van \_\_\_\_\_ 20...

.....  
Reguleerder (Verteenwoordig deur)

VORM 12  
KENNISGEWING  
ARTIKEL 89 VAN DIE WET OP BESKERMING VAN PERSOONLIKE INLIGTING, 2013 (WET No. 4  
VAN 2013)

REGULASIES OP DIE BESKERMING VAN PERSOONLIKE INLIGTING, 2018  
[Regulasie (11)(4)]

Verwysingsnommer: \_\_\_\_\_

'n Versoek is gedoen ingevolge artikel 89 van die Wet op Beskerming van Persoonlike Inligting, 2013 (Wet No. 4 van 2013), dat die Inligtingsreguleerder moet oudit of die verwerking van persoonlike inligting aan die bepalings van die Wet voldoen:

Name en van van versoeker: .....

Name en van van verantwoordelike party: .....

Datum van oudit: .....

Die Inligtingsreguleerder bevestig hiermee dat die Inligtingsreguleerder die volgende opinies gevorm het:

.....  
.....  
.....

Die Inligtingsreguleerder wil hierby bevestig dat die Inligtingsreguleerder geen verdere stappe in hierdie opsig wil doen nie.

Die Inligtingsreguleerder wil hierby bevestig dat die Inligtingsreguleerder die volgende stappe in hierdie opsig wil doen:

.....  
.....  
.....  
.....

Geteken op hierdie \_\_\_ dag van \_\_\_\_\_ 20...

.....  
*Reguleerder (Verteenwoordig deur)*

## VORM 13

**KENNISGEWING AAN PARTYE DAT 'N AFDWINGINGSKENNISGEWING NIE INGEVOLGE  
ARTIKEL 94 VAN DIE WET OP BESKERMING VAN PERSOONLIKE INLIGTING, 2013 (WET  
NO. 4 VAN 2013), UITGEREIK GAAN WORD NIE**

**REGULASIES OP DIE BESKERMING VAN PERSOONLIKE INLIGTING, 2018**

[Regulasie 12(2)(a)]

Verwysingsnommer: \_\_\_\_\_

<b>A</b>	<b>BESONDERHEDE VAN DATASUBJEK</b>
Name en van/geregistreeerde naam van datasubjek:	
Unieke identifiseerder/ Identiteitsnommer	
Woon-, pos- of sakeadres:	
	Kode (    )
Kontaknommer(s):	
Faksnommer/ E-posadres:	
<b>B</b>	<b>BESONDERHEDE VAN VERANTWOORDELIKE PARTY</b>
Name en van/geregistreeerde naam van verantwoordelike party:	
Woon-, pos- of sakeadres:	
	Kode (    )
Kontaknommer(s):	
Faksnommer/ E-posadres:	
<p>'n Ondersoek ingevolge die Wet op Beskerming van Persoonlike Inligting, 2013, is afgehandel. Partye word hierby in kennis gestel dat 'n afdwingingskennisgewing nie uitgereik gaan word nie aangesien geen inmenging met die beskerming van persoonlike inligting van 'n datasubjek ingevolge artikel 94(a) plaasgevind het nie</p> <p>Geteken te ..... hierdie ..... dag van .....20.....</p> <p>.....</p> <p><i>Reguleerder (Verteenwoordig deur)</i></p>	

## VORM 14

**VERWYSING NA AFDWINGINGSKOMITEE INGEVOLGE  
ARTIKEL 92 VAN DIE WET OP BESKERMING VAN PERSOONLIKE INLIGTING, 2013 (WET No. 4  
VAN 2013)  
REGULASIES OP DIE BESKERMING VAN PERSOONLIKE INLIGTING, 2018**

[Regulasie 12(2)(b)]

Verwysingsnommer: \_\_\_\_\_

<b>A</b>	<b>BESONDERHEDE VAN DATASUBJEK</b>
Name en van/geregistreeerde naam van datasubjek/klaer/gegriefde party:	
Unieke identifiseerder/ Identiteitsnommer	
Woon-, pos- of sakeadres:	
	Kode (    )
Kontaknommer(s):	
Faksnommer/ E-posadres:	
<b>B</b>	<b>BESONDERHEDE VAN VERANTWOORDELIKE PARTY</b>
Name en van/geregistreeerde naam van verantwoordelike party:	
Woon-, pos- of sakeadres:	
	Kode (    )
Kontaknommer(s):	
Faksnommer/ E-posadres:	
<b>Klagte ontvang van:</b>	
_____	
(Volle Name en van)	
Datum ontvang:	
_____	
Verantwoordelike party:	

\_\_\_\_\_  
(Volle name)

'n Onderzoek ingevolge die Wet op Beskerming van Persoonlike Inligting, 2013 (Wet No. 4 van 2013), is afgehandel.  
Partye word hierby in kennis gestel dat:

Klagte

.....  
.....

Ander aangeleentheid:

.....  
.....

Oorweging

.....  
.....

Aanbeveling

.....  
.....

was soos dit na die Afdwingingskomitee verwys is ingevolge artikel 92 op die ..... dag van .....  
20.....

.....  
Reguleerder (Verteenwoordig deur)

**VORM 15**  
**AFDWINGINGSKENNISGEWING INGEVOLGE ARTIKEL 95 VAN DIE WET OP BESKERMING VAN**  
**PERSOONLIKE INLIGTING, 2013 (WET No. 4 VAN 2013)**

**REGULASIES OP DIE BESKERMING VAN PERSOONLIKE INLIGTING, 2018**

[Regulasie 12(2)(c)]

Verwysingsnommer: \_\_\_\_\_

A	BESONDERHEDE VAN DATASUBJEK
Name en van/geregistreeerde naam van datasubjek/klaer/gegriefde party:	
Unieke identifiseerder/ Identiteitsnommer	
Woon-, pos- of sakeadres:	
	Kode (    )
Kontaknommer(s):	
Faksnommer/ E-posadres:	
B	BESONDERHEDE VAN VERANTWOORDELIKE PARTY
Name en van/geregistreeerde naam van verantwoordelike party:	
Woon-, pos- of sakeadres:	
	Kode (    )
Kontaknommer(s):	
Faksnommer/ E-posadres:	

**Klagte ontvang deur:**

\_\_\_\_\_

(Volle Name en van)

Datum ontvang:

\_\_\_\_\_

Verantwoordelike party:

\_\_\_\_\_

(Volle name)

**A. Die Afdwingingskomitee het tot die gevolgtrekking gekom dat soos volg met die beskerming van die**



**persoonlike inligting van die datasubjek ingemeng is:**

- 'n Verbreking van die voorwaardes vir die wettige verwerking van persoonlike inligting.
- Nienakoming van die plig om kennis te gee oor veiligheidsbreuke (artikel 22 van die Wet op Beskerming van Persoonlike Inligting, 2013 (Wet No. 4 van 2013))
- Nienakoming van die vertroulikheidsplig (artikel 54 van die Wet op Beskerming van Persoonlike Inligting,
- Nienakoming van verpligtinge vir direkte bemarking by wyse van ongeoorloofde elektroniese kommunikasie (artikel 69 van die Wet op Beskerming van Persoonlike Inligting, 2013)
- Nienakoming van verpligtinge aangaande die insluiting van persoonlike inligting in gidse (artikel 70 van die Wet op Beskerming van Persoonlike Inligting, 2013)
- Nienakoming van verpligtinge aangaande geoutomatiseerde besluitneming (artikel 71 van die Wet op Beskerming van Persoonlike Inligting, 2013)
- Nienakoming van verpligtinge aangaande persoonlike inligting buite Republiek (artikel 72 van die Wet op Beskerming van Persoonlike Inligting, 2013)
- Verbreking van die bepalinge van 'n gedragskode uitgereik ingevolge artikel 60: Gedragskode .....  
R (Verwysing .....)

**B. Die redes vir hierdie gevolgtrekking is:**

.....  
.....  
.....

**C. Die verantwoordelike party word hierby beveel om:**

.....  
.....  
.....

Die volgende gespesifiseerde stappe te doen:

.....  
.....  
.....

Nie die volgende gespesifiseerde stappe te doen nie:

.....  
.....  
.....

Die verwerking van die volgende gespesifiseerde inligting te staak:  
.....  
.....  
.....

Op te hou om persoonlike inligting vir die volgende doel te verwerk:  
.....  
.....  
.....

Die verwerking te staak van die volgende gespesifiseerde inligting:  
.....  
.....  
.....

**D. Dringendheid**  
Die Reguleerder gelas dat hierdie kennisgewing om die volgende redes dringend nagekom word:  
.....  
.....  
.....

**E. Tydperke**

Die verantwoordelike party moet aan hierdie Afdwingingskennisgewing en die voorskrifte onder C voldoen (dertig) werksdae ná ontvangs van hierdie kennisgewing.

Die verantwoordelike party moet aan hierdie Afdwingingskennisgewing en die voorskrifte onder C voldoen 4 werksdae ná ontvangs van hierdie kennisgewing.

**F. Reg op appèl**  
Die verantwoordelike party mag binne 30 (dertig) werksdae ná ontvangs van hierdie kennisgewing teen hierdie Afdwingingskennisgewing appelleer.

.....  
Reguleerder (Verteenwoordig deur)

**VORM 16**  
**KANSELLASIE OF WYSIGING VAN AFDWINGINGSKENNISGEWING**  
**ARTIKEL 96 VAN DIE WET OP BESKERMING VAN PERSOONLIKE INLIGTING, 2013 (WET No. 4**  
**VAN 2013)**

**REGULASIES OP DIE BESKERMING VAN PERSOONLIKE INLIGTING, 2018**

[Regulasie 12(2)(d)]

Verwysingsnommer: \_\_\_\_\_

A	BESONDERHEDE VAN DATASUBJEK
Name en van/geregistreeerde naam van datasubjek:	
Unieke identifiseerder/ Identiteitsnommer	
Woon-, pos- of sakeadres:	
	Kode (    )
Kontaknommer(s):	
Faksnommer/ E-posadres:	
B	BESONDERHEDE VAN VERANTWOORDELIKE PARTY
Name en van/geregistreeerde naam van verantwoordelike party	
Woon-, pos- of sakeadres:	
	Kode (    )
Kontaknommer(s):	
Faksnommer/ E-posadres:	
<p><b>Klagte ontvang deur</b> _____ <b>(stel naam en van) op</b>            _____ <b>datum</b> _____.</p> <p><input type="checkbox"/> Die aansoek deur die verantwoordelike party om die Afdwingingskennisgewing .../..... (verwysing) uitgereik op die ..... dag van ..... 20..... te kanselleer, is toegestaan.</p> <p><input type="checkbox"/> Die aansoek deur die verantwoordelike party om die Afdwingingskennisgewing .../... (verwysing) uitgereik op die .... dag van ..... 20..... te wysig, is toegestaan.</p> <p>Hierdie kennisgewing vervang die Afdwingingskennisgewing ...../..... (verwysing) uitgereik op die ..... dag van ..... 20..... met die volgende aangehegde kennisgewing ..... Verwysingsnommer uitgereik .....</p> <p><b>Reg op appèl</b></p>	

Die klaer kan teen die wysiging van die Afdwingingskennisgewing appelleer binne 180 (eenhonderd en tagtig) dae ná ontvangs van hierdie kennisgewing.

.....  
Reguleerder (Verteenwoordig deur)

**VORM 17**  
**KENNISGEWING VAN APPÈL**  
**ARTIKEL 89 VAN DIE WET OP BESKERMING VAN PERSOONLIKE INLIGTING, 2013 (WET No. 4**  
**VAN 2013)**

**REGULASIES OP DIE BESKERMING VAN PERSOONLIKE INLIGTING, 2018**  
 [Regulasie 12(2)(e)]

Verwysingsnommer:  
 \_\_\_\_\_

A	BESONDERHEDE VAN DATASUBJEK
Name en van/geregistreeerde naam van datasubjek:	
Unieke identifiseerder/ Identiteitsnommer	
Woon-, pos- of sakeadres:	
	Kode (    )
Kontaknommer(s):	
Faksnommer/ E-posadres:	
B	BESONDERHEDE VAN VERANTWOORDELIKE PARTY
Name en van/geregistreeerde naam van verantwoordelike party:	
Woon-, pos- of sakeadres:	
	Kode (    )
Kontaknommer(s):	
Faksnommer/ E-posadres:	
Klagte ontvang deur _____ datum _____ (stel naam en van) op _____ datum _____.	
Verantwoordelike party:	



Geliewe kennis te neem dat 'n APPÈL INGEDIEN IS by die Hooggeregshof teen die verandering/  
intrekking van 'n Afdwingingskennisgewing .... /..... (verwysing) uitgereik op die ... dag van .....  
20.....

we kennis te neem dat 'n APPÈL INGEDIEN IS by die Hooggeregshof vir die tersydestelling van 'n  
Afdwingingskennisgewing .... /..... (verwysing) uitgereik op die ... dag van ..... 20.....

.....  
Reguleerder (Verteenwoordig deur)

**VORM 18**  
**VERVANGING OF TERSYDESTELLING VAN AFDWINGINGSKENNISGEWING**  
**ARTIKEL 98 VAN DIE WET OP BESKERMING VAN PERSOONLIKE INLIGTING, 2013 (WET No. 4**  
**VAN 2013)**  
**REGULASIES OP DIE BESKERMING VAN PERSOONLIKE INLIGTING, 2018**  
 [Regulasie 12(2)(f)]

Verwysingsnommer: \_\_\_\_\_

A	BESONDERHEDE VAN DATASUBJEK
Name en van/geregistreeerde naam van datasubjek:	
Unieke identifiseerder/ Identiteitsnommer	
Woon-, pos- of sakeadres:	
	Kode (    )
Kontaknommer(s):	
Faksnommer/ E-posadres:	
B	BESONDERHEDE VAN VERANTWOORDELIKE PARTY
Name en van/geregistreeerde naam van verantwoordelike party:	
Woon-, pos- of sakeadres:	
	Kode (    )
Kontaknommer(s):	
Faksnommer/ E-posadres:	

**Klagte ontvang deur** \_\_\_\_\_ **(stel naam en van) op**  
 \_\_\_\_\_ **datum** \_\_\_\_\_.

**Verantwoordelike party:**

Die Hooggeregshof van ..... het die appèl ingevolge kennisgewing ..... ingedien, oorweeg. Die hof het bevind dat Afdwingingskennisgewing .... /..... (verwysing) uitgereik op die ... dag van ..... 20..... op die volgende wyse en om die volgende redes gewysig moet word:

.....  
 .....  
 .....  
 .....

.....  
Reguleerder (Verteenwoordig deur)

Klagte ontvang deur \_\_\_\_\_ (stel naam en van) op  
\_\_\_\_\_ dag van \_\_\_\_\_ 20....

**Verantwoordelike party:**

Die Hooggeregshof van ..... het die appèl ingevolge kennisgewing ..... ingedien, oorweeg. Die hof het bevind dat Afdwingingskennisgewing .../..... (verwysing) uitgereik op die ... dag van ..... 20..... op die volgende wyse en om die volgende redes gewysig moet word:

.....  
.....  
.....

.....  
Reguleerder (Verteenwoordig deur)



**VORM 19**  
**KENNISGEWING VAN TERSYDESTELLING VAN APPÈL**  
**ARTIKEL 98 VAN DIE WET OP BESKERMING VAN PERSOONLIKE INLIGTING, 2013 (WET No. 4**  
**VAN 2013)**

**REGULASIES OP DIE BESKERMING VAN PERSOONLIKE INLIGTING, 2018**

[Regulasie 12(2)(g)]

A	BESONDERHEDE VAN DATASUBJEK
Name en van/geregistreeerde naam van datasubjek:	
Unieke identifiseerder/ Identiteitsnommer	
Woon-, pos- of sakeadres:	
	Kode (    )
Kontaknommer(s):	
Faksnommer/ E-posadres:	
B	BESONDERHEDE VAN VERANTWOORDELIKE PARTY
Name en van/geregistreeerde naam van verantwoordelike party:	
Woon-, pos- of sakeadres:	
	Kode (    )
Kontaknommer(s):	
Faksnommer/ E-posadres:	
<p><b>Klagte ontvang van</b> _____ <b>(stel naam en van) op</b>            _____ <b>datum</b> _____.</p> <p><b>Verantwoordelike party:</b></p> <p>Geliewe kennis te neem dat 'n APPÈL in die Hooggeregshof teen die verandering/intrekking van 'n Afdwingingskennisgewing ... / ... uitgereik op die ..... dag van ..... 20 ....., TERSYDE GESTEL is. Uitspraak is aangeheg.</p> <p>.....            Reguleerder (Verteenwoordig deur)</p>	