

6. Policy: Processing of Requests from Data Subjects

6.1. PURPOSE

All the sections of the Protection of Personal Information Act 4 of 2013 (POPIA) became effective on 1 July 2020. In POPIA, all Data Subjects have the right to request the Company to confirm whether the Company holds information about them.

This Policy is to regulate any requests by Data Subjects for any personal information, that the Company may process in relation to such Data Subject Request.

It must be understood that no information will be provided by the Company unless:

- The Data Subject has requested this in writing.
- The Data Subject has been properly identified.
- All other provisions set out in this Policy have been complied with.

6.2. OBJECTIVE

The objective of this Policy is to effectively assist Data Subjects that approach the Company so that the Company can provide them with a record or a description of their Personal Information that the Company may store on its systems.

6.3. DATA SUBJECT CONSENT

This notification should be done (*Refer to Annexure A and B*):

- When a new relationship, contract or agreement is entered into with the Data Subject.
- Annually to ensure that the Data Subject is aware of the Personal Information kept by the Company (*Refer to Annexure C*).
- Whenever there is a change in the Company's business, functions, or activities that impacts on the use of the Data Subject's Personal Information.

The Data Subject Notification confirms the purpose of the use of Personal Information and the specific Personal Information that is used by the Company and the reason for its use.

6.4. DATA SUBJECT WITHDRAWAL OF CONSENT

This notification relates to the withdrawal of processing of all Personal Information of the Data Subject, subject to the following:

- Data Subject completing the Company's Data Subject Consent Withdrawal Form (*Refer to Annexure D*).
- Reasons for withdrawal or objections to the processing of Personal Information in terms of POPIA Section 11(1)(d) to (f) are as follows:
 - Processing does not protect the legitimate interest of the Data Subject.
 - Processing is not necessary for pursuing the legitimate interests of the Company to whom the Information is supplied.

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6. FORMAL REQUEST FROM THE DATA SUBJECT

A formal request from a Data Subject for information that the Company holds about them, must be made in writing accompanied with adequate proof of identification (*Refer to Annexure F and G*):

- A certified copy of the Data Subject's identity document or passport.
- Proof of residence.

Any employees, contractors, visitors, or other Data Operators, who receive a written request for data held by the Company, must forward it to the Information Officer of the Company immediately. A Data Subject has a right to request this information.

7. PROCESSING THE REQUEST FROM THE DATA SUBJECT

Natural Person Data Subject requesting information.

The natural person Data Subject must request in writing (*Refer to Annexure F and G*):

- Whether the Company processes any of their Personal Information, and to view a record of such Personal Information.
- This written request must be sent to the Information Officer.
- The Information Officer will request a certified copy of the individual's ID or passport, and proof of residence.
- Once this has been received and verified, the Information Officer will then be authorised to release the Personal Information in question, unless the Company cannot release such information for good reason. Such a reason would be if granting the Data Subject access would interfere with the privacy of others or would result in a breach of confidentiality by the Company. The Company will always provide the Data Subject with written reasons if this is the case.

The Information Officer must:

- Record the Data Subject Request on the Company's request system (*Refer to Annexure H and I*).
- Safely store the certified copy of the ID and passport, and proof of address, either in a file in a locked cupboard or online in an encrypted folder which cannot be accessed by an unauthorised party.

Juristic Person requesting Information.

The Juristic person in question must request in writing (*Refer to Annexure F and G*):

- Whether the Company processes any of its Personal Information, and to view a record of the Personal Information.
- This written request must be sent to the Information Officer.
- The Information Officer must then request an appropriate document to identify the Juristic person. For a company this will be certified copies of the following:
 - CIPC documents.
 - FICA documents for the company (including proof of business premises).
 - Directors' details and copies of all director's ID's or passports.
- Once such documents have been received, the Information Officer will then be authorised to release the personal information to the individual. Unless the Company cannot release such information for good reason, such as if granting the Data Subject access would interfere with the privacy of others or would result in a breach of confidentiality by the Company. The Company will always provide the Data Subject with written reasons if this is the case.

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The Information Officer must:

- Record the Data Subject Request on the Company's request system (*Refer to Annexure H and I*).
- Safely store the certified copies of all the documents either in a file in a locked cupboard or online in an encrypted folder which cannot be accessed by an unauthorised party.

Update the Information of the Data Subject

The Data Subject may request the Company to correct or delete the Personal Information if it is (*Refer to Annexure F and G*):

- Inaccurate, irrelevant, excessive, out of date, incomplete or misleading.
- Has been obtained unlawfully.

The Data Subject may request the Company to destroy such record of Personal Information. If such a request is made, the Company must send this request to the Information Officer, who will then decide what action to take in respect of the Personal Information. If the information is destroyed or deleted, the Data Subject must be provided with credible evidence that this has been done.

If instructed to do so by the Information Officer, the User in question must advise the Data Subject of any adverse consequences of deleting or destroying any Personal Information, including whether this will have an impact on the Company's ability to provide goods and services to the Data Subject.

Timeline

As soon as a request for information has been received in writing and the Data Subject has been properly identified and verified, the Company will have 30 working days to provide the Data Subject with the information in question.

Cost of providing information.

Data Subjects have the right to contact the Company to (*Refer to Annexure J*):

- Confirm that the Company holds the Data Subject's Personal Information at no charge.
- Provide the Data Subject with access to any records containing the Data Subject's Personal Information or a description of the Personal Information that the Company holds, subject to payment of a prescribed fee under POPIA.
- Confirm the identity of third parties who have had, or currently have, access to the Data Subject's Personal Information, also subject to payment of a prescribed fee under POPIA.

Delivery method of the information

Information may be shared with the Data Subject under this Policy in the following ways:

- The information may be provided to the Data Subject in person, provided that the Data Subject must sign for the information received.
- The information may be emailed to the Data Subject to the address that that Data Subject has specified in writing. Any information provided by email must be password protected, provided that the password:
 - Must not be sent in the same email as the information.
- Must be sent via a different application, preferably WhatsApp.

8. RIGHTS RESERVED BY THE COMPANY

The Company reserves the right to monitor, audit, screen, and preserve Company information as the Company deems necessary, to maintain compliance with these Policies and all relevant provisions of the Promotion of Access to Information Act 4 of 2013 (POPIA). Any distribution, unauthorised use, or benefit from Company information by an employee or user, in contravention of these Policies may result in disciplinary action being taken by the Company. The use of any system in such a way that breaches any of the provisions of these Policies, will be reported to the Information Officer at the Company, which may lead to further disciplinary action being taken.

9. ENFORCEMENT AND POTENTIAL DISCIPLINARY ACTIONS

Any violation of these Policies may result in disciplinary action being taken against the employee or user in question. Such disciplinary action will be taken in accordance with the Company's disciplinary code and may include the termination of employment for employees of the Company, or cancellation of contractual relations in the case of other users, such as contractors or consultants.

10. POLICY AWARENESS AND UPDATE

Training and awareness:

The requirement for these Policies will be explained in detail in the Company's induction program, in the case of employees of the Company. Further training regarding these Policies will be offered from time to time by the Company. The Company will specifically make users who are not employees of the Company aware of these Policies.

Dissemination:

These Policies will be made available on the Company's website, intranet, or notice boards.

Review:

These Policies will be reviewed from time to time to ensure ongoing compliance with POPIA. Such revisions will take place at least annually.

11. INTERNAL DOCUMENT APPROVAL

Information Officer Name	Signature	Date
Mrs Paula Gageiro		23 June 2021

Company Name:
Company Reg Nr:
Date:

13. DOCUMENT VERSION CONTROL

Version	Date	Summary of Changes