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GC/085/23
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POLICY ON THE LAWFUL PROCESSING OF PERSONAL INFORMATION IN ACCORDANCE WITH THE PROTECTION OF PERSONAL INFORMATION ACT 4 of 2013

1. INTRODUCTION

The right to privacy is enshrined in the South African Constitution and one of the ways of realising this right, is through the implementation of the Protection of Personal Information Act No.4 of 2013 (POPIA).

POPIA aims to ensure that Personal Information is dealt with in a transparent manner and that the integrity and confidentiality of the Personal Information is secured throughout the processing life cycle.

2. HOW TO APPLY THIS POLICY

It is for each division to implement these principles to sufficiently protect Personal Information. Every SASA employee should refer to this policy when processing Personal Information and when addressing processing of Personal Information queries.

3. DEFINITIONS

“Confidential Information” means all information or data disclosed to or obtained by the Company by any means whatsoever and shall include, but not be limited to: financial information and records; and all other information including information relating to the structure, operations, processes, intentions, product information, know-how, trade secrets, market opportunities, customers and business affairs;

“Consent” means any voluntary, specific and informed expression of will in terms of which permission is given for the processing of personal information.

“Competent Person” means any person who is legally competent to consent to any action or decision being taken in respect of any matter concerning a child;

“Data Subject” means, being a person to whom personal information relates. Both natural and juristic persons;

“de-identify” means to delete any information that identifies the data subject; can be used or manipulated by a reasonably foreseeable method to identify the data subject; or can be linked by a reasonably foreseeable method to other information that identifies the data subject;

“Documents” means all records and/or documents, electronic record and/or data, SASA information and/ or personal information or data, in whichever form, created or held by SASA;

“Information Officer” means a head of private body as contemplated in section 1, of the Promotion of Access to Information Act, whose duties and responsibilities are set out in ***The Information for SASA;***

“PAIA” means Promotion of Access to Information Act,2000 (Act 2 of 2000) together with any regulation under it;

“Personal Information” PI relates to an identifiable, living, natural person, and where applicable, an identifiable, existing juristic person, including, but not limited to: information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person; information relating to the education or the medical, financial, criminal or employment history of the person; any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person; the biometric information of the person; the personal opinions, views or preferences of the person; correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence; the views or opinions of another individual about the person; and the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person;

“POPIA” means Protection of Information Act,2013 (Act No.4 of 2013) together with any regulation under it;

“Processing” any operation or activity concerning personal information e.g. collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use, dissemination by means of transmission, distribution or making available in any form; merging, linking, as well a restriction, degradation, erasure or destruction;

“Regulator” means the Information Regulator established in terms of section 39 of the Protection of Information Act;

“Requester” means any person or entity (including any Data Subject) requesting access to a record that is under the control of SASA;

“Responsible Party” a public or private body or any other person which determines the purpose of and means for processing personal information;

“SASA” means the South African Sugar Association established by the Sugar Act,1978 (Act 9 of 1978);

“Special Personal Information” personal information concerning the religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life or biometric information of data subject; or the criminal behaviour of a data subject to the extent that such information relates to the alleged commission by a data subject of any offence; or any proceedings in respect of any offence allegedly committed by a data subject or the disposal of such proceedings;

4. DATA SUBJECTS

SASA processes Personal Information relating to Data Subjects who may be Data Subject a natural or juristic person. When processing the Personal Information of a Natural or Juristic person, different considerations need to be made:

4.1 Natural Person

4.1.1 A natural person is a living and breathing human being.

4.1.2 When processing the Personal Information of a natural person, and you require any consent or authorisation, that person is authorised to provide you with that consent. However, there are exceptions:

4.1.2.1 Children

4.1.2.1.1 A child is considered anyone under the age of 18.

4.1.2.1.2 A competent person (e.g., a Parent, Legal Guardian) is required to provide the consent, and not the child.

4.1.2.2 Mentally ill Persons

4.1.2.2.1 A mentally ill person is not competent to make any decision.

4.1.2.2.2 Consent from a Curator is required prior to the Processing of any Personal Information.

4.2 Juristic Person

4.2.1 A Juristic Person is any legal entity (e.g., a company, trust, Deceased Estate)

4.2.2 Consent from an authorised person is required prior to the processing of Personal Information.

5. RIGHTS OF DATA SUBJECTS

It should be noted that a Data Subject has the following rights in respect of their Personal Information which may be exercised by the Data Subject in terms of the **Data Participation Process** in clause 12.

5.1. The right that his/her/its Personal Information is processed in accordance with the conditions of lawful processing of personal information;

- 5.2 The right to consent to the processing of Personal Information;
- 5.3 The right to withdraw consent to the processing of Personal Information;
- 5.4 Right to be notified that their Personal Information is being collected;
- 5.5 Right to be notified that that their Personal Information has been accessed or acquired by an unauthorised person;
- 5.6 The right to establish whether SASA holds the Data Subject's Personal Information and to request access to his/her/its Personal Information;
- 5.7 Request the correction, destruction or deletion of the Personal Information;
- 5.8 The Data Subject has the right to object to the processing of his/her/its Personal Information;
- 5.9 The right to object to the processing of Personal Information for the purposes of direct marketing;
- 5.10 The right not to be subject to a decision based solely on the basis of the automated processing of Personal Information intended to provide a profile of such person;
- 5.11 The right to submit a complaint to the Information Regulator; and
- 5.12 The right to institute civil proceedings regarding alleged interference with the protection of Personal Information.

6. THE EIGHT CONDITIONS FOR LAWFUL PROCESSING

Each SASA Division has a responsibility to safeguard Personal Information that it collects by following the eight conditions to lawful processing. SASA is required to ensure that the following eight conditions are complied with throughout the data processing:

- Accountability;
- Processing Limitation;
- Purpose Specification;
- Further Processing limitation;
- Information Quality;
- Openness;
- Security Safeguards; and
- Data Subject Participation.

6.1 ACCOUNTABILITY

Each Division has to ensure that the eight conditions of processing of Personal Information and all measures that give effect to the eight conditions are complied with when processing Personal Information.

6.2 PROCESSING LIMITATION

- 6.2.1 Each Division must process Personal Information in a lawful and reasonable manner that does not infringe the right to privacy and that only relates to the purpose that the Personal Information is processed for.
- 6.2.2 The Personal Information of a Data Subject may only be processed in respect of one of the following justifications:
 - 6.2.2.1 Consent;
 - 6.2.2.2 Performance of a contract where a Data Subject is a party to;
 - 6.2.2.3 Imposed by law;
 - 6.2.2.4 Protects the legitimate interest of the Data Subject; or
 - 6.2.2.5 Necessary to pursue the legitimate interests of SASA

6.3 PURPOSE SPECIFICATION

- 6.3.1 Collection
 - 6.3.1.1 Personal Information must be collected directly from the Data Subject, unless the Data Subject or competent person has consented to having the Personal Information collected elsewhere.
 - 6.3.1.2 Before Personal Information is processed, the Division must determine the purpose for which the Personal Information is collected for, make the Data Subject aware of the purpose of processing the Personal Information and get consent to process the Personal Information. In doing so, the Division must:
 - 6.3.1.3 Inform the Data Subject what Personal Information is being collected and the source of the Personal Information if the Personal Information is not collected from the Data Subject;
 - 6.3.1.4 Provide the Data Subject with SASA's details i.e., Full Name, address and contact details;
 - 6.3.1.5 Inform the Data Subject what the purpose of collecting the Personal Information is;
 - 6.3.1.6 Inform the Data Subject whether or not the collection of Personal Information is voluntary or mandatory;
 - 6.3.1.7 Inform the Data Subject of the consequences for not providing the Personal Information;
 - 6.3.1.8 Inform the Data Subject of whether the collection of the Personal Information is authorised or required by a particular law;
 - 6.3.1.9 How their Personal Information will be used and whether any further processing shall take place;

- 6.3.1.10 The default position is that SASA is prohibited Personal Information to another country or international organisation unless that country or international organisation is subject to similar laws, the Data Subject has agreed to transfer the Personal Information, the transfer is part of performance of a contract in which the subject is a party to or transfer is for the benefit of the Data Subject but it is not reasonably practicable to obtain their consent and that such consent would be likely to be given. Should such a transfer occur the Data Subject must be informed that the Personal Information will be transferred to another country or international organisation and the level of protection that will be afforded to the Personal Information should it be transferred;
- 6.3.1.11 The Data Subject must be informed of the recipient or category of recipient of the Personal Information;
- 6.3.1.12 The type of information – Confidential, Personal, Special Personal;
- 6.3.1.13 The Data Subject must be informed of the rights they have in respect to their Personal Information; and
- 6.3.1.14 Ask once to process the Data Subject's Personal Information and if refused, the division cannot ask again.
- 6.3.2 Retention and Restriction of Records
 - 6.3.2.1 SASA is required to retain documents only for a period no longer than is necessary for the purpose of Processing that information.
 - 6.3.2.2 SASA is committed to secure Processing and retention of documents in accordance with contractual and legal obligations. This is done in an ethical and consistent manner.
 - 6.3.2.3 SASA confirms that its approach and procedures comply with POPIA and its regulations.
 - 6.3.2.4 The following criteria is used to determine the period that SASA will retain Personal Information is set out in section 14 of POPIA:
 - 6.3.2.4.1 If required or authorised by law;
 - 6.3.2.4.2 Record is required for a lawful purpose relating to the functions or activities of SASA;
 - 6.3.2.4.3 Record is required by a contract between the parties;
 - 6.3.2.4.4 Where the data subject or a competent person where the data subject is a child has consented to the information being retained.
- 6.3.3 The Retention Schedule (Annexure 1) is to determine the period that documents will be retained in terms of the law. It must be noted that where different pieces of legislation refer to the same document, the SASA division must consider the most stringent period.

It should be noted this is not an exhaustive list, and should anyone require further guidance on retention periods the Information Officer should be contacted.

6.3.4 Destruction and Deletion of Record

When processed Personal Information is no longer required for the purpose it was collected for or the retention period has lapsed, that document must be deleted or destroyed as soon as reasonably and practically possible. The destruction or deletion must be done in a manner that prevents reconstruction in an intelligible form.

6.3.4.1 It must be noted that a Data Subject also has the right in terms of POPIA to request for Personal Information to be deleted or destroyed for the following reasons:

6.3.4.2 The Personal Information is no longer necessary in relation to the purposes for which it was processed;

6.3.4.3 The Data Subject withdraws consent to the Processing of Personal Information and where there is no other legal ground for the Processing;

6.3.4.4 The Data Subject objects to the Processing pursuant to POPIA and there are no overriding legitimate grounds for the Processing, or the Data Subject objects to the processing;

6.3.4.5 The Personal Information has been unlawfully processed;

6.3.4.6 The Personal Information must be erased for compliance with a legal obligation in South Africa which the Responsible Party is subject.

6.3.4.7 Documents shall only be destroyed and deleted subject to the approval the divisional head and the Information Officer.

6.3.4.8 Once documents have been destroyed, the person destroying and deleting the document should confirmation that the documents have been destroyed.

6.3.4.9 A register in the format of Annexure 2 must record the destroyed and deleted Personal Information must be kept by SASA.

6.3.4.10 If SASA uses an outside contractor to dispose of Personal Information, it is crucial that you have a confidentiality agreement and/or an operators agreement is in place and that the contractor provide SASA with certification that the files have been destroyed.

6.3.5 Restriction

6.3.5.1 SASA must restrict Processing of Personal Information if:

6.3.5.2 Its accuracy is contested by the Data Subject, for a period enabling us to verify the accuracy of the Personal Information;

6.3.5.3 SASA no longer needs the Personal Information for achieving the purpose for which the information was processed for, but it has to be maintained for purposes of proof;

6.3.5.4 The Processing is unlawful and the Data Subject opposes its destruction or deletion and requests the restriction of its use instead; or

- 6.3.5.5 The Data Subject requests to transmit the personal data into another automated processing system.
- 6.3.5.6 Restricted Personal Information may only be processed for the purposes of proof, or with the Data Subject's consent, or with consent of a competent person in respect of a child, or for the protection of the rights of another natural or legal person or if such Processing is in the public interest.
- 6.3.5.7 Restriction of Personal Information means that SASA may not process the information unless it is processed in terms of 7.5.1.2
- 6.3.5.8 A Data Subject must be informed before lifting the restriction on this information.

6.4 FURTHER PROCESSING LIMITATIONS

- 6.4.2 Further Processing may only take place if it is compatible with the original purpose for which the Personal Information was collected for. To determine whether further processing is compatible with original Purpose, the following is required to be taken into account:
 - 6.4.2.1 The nature of the Personal Information;
 - 6.4.2.2 The consequence of further processing for the Data Subject;
 - 6.4.2.3 The manner in which Personal Information was collected; and
 - 6.4.2.4 Whether there are any contractual rights and obligations between parties.

6.5 INFORMATION QUALITY

- 6.5.1 In collecting the Personal Information, the division must ensure that it is complete, accurate, not misleading and updated where necessary but taking into account the purpose of the collection and processing of the Personal Information.

6.6 OPENNESS

- 6.6.1 Personal Information must be collected in an open and transparent manner that will allow Data Subjects to have access to it therefore, each division must document all processing operations of the Personal Information.

6.7 SECURITY SAFEGUARD

- 6.7.1 Each division must ensure the integrity and confidentiality of the Personal Information it stores and must ensure that it is secured to prevent loss, damage, unauthorised destruction or the unlawful access to or processing of the Personal Information.
- 6.7.2 In order to accomplish this, a risk-based approach must be adopted; the higher the risk the more controls must be in place to mitigate compared to a lower risk.

- 6.7.3 Where a division has contracted with a Supplier to Process Personal Information on their behalf, an agreement ensuring the protection of Personal Information must be entered to between the Supplier and SASA.
- 6.7.4 Where there has been breach of Security, both IS and the Information Officer must be notified immediately.
- 6.7.4.1 Storage
- 6.7.4.1.2 SASA implements technical and organisational measures to ensure a level of security appropriate to the risk to the Personal Information processed by SASA. These measures are aimed at ensuring the integrity, confidentiality, and availability of documents.
- 6.7.4.1.3 Access to documents must be controlled by each Division, ensuring that documents are stored in locked cupboards or a locked storage room in a neat and properly organised manner. Electronic records/data must be stored in accordance with the **Information systems Policy** and Microsoft sharepoint shall be used for storage of electric records/data.
- 6.7.4.1.4 Extra precautionary measures should be taken to secure private, confidential and vital documents, the loss of which would render the organisation partially or totally unable to carry out its normal functions. Each division must maintain a register of whom has access to the secure storage.
- 6.7.4.1.5 The attached Annexure 2 register of the all the Personal Information as well as how the Personal Information is stored must be kept by the head of each division and the Information Officer

6.8 DATA SUBJECT PARTICIPATION

- 6.8.1 POPIA establishes the rights and duties to safeguard Personal Information. Chapter 3, Condition 8, Section 23 to 25 of POPIA deals with Data Subject Participation which provides rights to data subjects regarding the lawful processing of their Personal Information.
- This document enables SASA to act in accordance with its legislative obligations by enabling Data Subjects to verify that Personal Information held by SASA is correct; to afford Data Subjects the opportunity to have Personal Information about them deleted and allow Data Subject access to Personal Information about them held by SASA
- 6.8.1.1 A Data Subject has the right to access its Personal Information in which SASA holds in terms of POPIA or PAIA.
- 6.8.1.2 Such requests can be made, by the Data Subject, in accordance with the **Manual in terms of Promotion of Access to Information Act** or the below **Data Subject Participation Process**.

6.8.1.3 Furthermore, the Data Subject has the right to request the correction, deletion or destruction of its Personal Information. Such requests can be made, by the Data Subject, in accordance by following the **Data Subject Participation Process** which is:

- Request
 - (a) Request to access Personal Information must be done in terms of the **Manual in terms of the Promotion of Access to Information** which is found on the SASA website.
 - (b) Requests for the correction, deletion or destruction of Personal Information should be done by completing the Data Subject Participation Form 2 attached below.
 - (c) Upon receipt of the completed form, SASA will acknowledge receipt of form and verify the identity of the Requester to ensure that the requesting person is the Data Subject or is authorised to request Personal Information on behalf of the Data Subject.
 - (d) The following supporting documents should accompany the requesting form:
 - Natural Persons: Copy of identity document. If the request is on behalf of a Data Subject, SASA requires a copy of the identity document of both the Data Subject and the Requester as well as a copy of letter of authority.
 - Child: Copy of identity of the Competent Person and copy of child's birth certificate.
 - Mentally ill persons: Copy of identity document of the curator, copy of the identity document of the mentally ill person as well as a letter of authority
 - Juristic Persons: Copy of identity document of the Requester persons and a power of attorney authorising the Requester to represent the juristic persons
 - (e) If the Requester is not the Data Subject, access to records maybe accessed by Requestor in terms of PAIA and SASA's **Manual in terms of Promotion to Access to Information**.
 - (f) Upon request, the Information Officer will notify the Requester that the request will be responded to within thirty (30) days. The thirty (30) days period begins from the date that the request with satisfactory documents (if required) are received. The Requester will be informed by the Information Officer in writing if there will be any deviation from the thirty (30) day timeframe. The period may be extended for a period of not more than thirty (30) days.

- Response to Request
 - (a) The Information Officer will assess the request in relation to POPIA, PAIA and any other prevailing legislation.
 - (b) The Information Officer will determine whether there is any information which may be subject to an exclusion and/or if consent is required to be provided from a third party.
 - (c) The Information Officer will ensure that the Personal Information is reviewed as per request of the Data Subject and that the thirty (30) day timeframe is not breached. If there is an extension of the period, the data subject will be notified.
 - (d) The Requester may be required to pay a fee to SASA before the information is searched and the record is made available to the Requester.
 - (e) Once the response has been attended to, the Information Officer will notify the Requestor and when this has been done the request will be considered closed and archived by the Information Officer.

- (f) SASA will not disclose Personal Information relating to other individuals either than the Data Subject. Access to such information will not be granted unless the individuals involved consent to the disclosure of their information.
 - (g) SASA will not action a deletion/destruction request should the request not comply with the various legislative retention periods.
- Data Subject Access Request Refusals
 - (a) SASA may refuse to comply with the Data Subject Participation request if the request is unfounded or the request is excessive. Each request will be considered on a case-by-case basis.
 - (b) SASA will without undue delay inform the Data Subject or Requester about the refusal or reason for not taking action; and the Data Subjects right to lodge a complaint with the Information Regulator.
 - (c) As a general rule, Special Personal Information may not be processed, unless:
 - Consent is sought from the Data Subject;
 - It is necessary for the establishment, exercise or defence of a right or obligation in law;
 - It is necessary to comply with an obligation of International Public Law; or
 - It is for historical, statistical or research purposes, to the extent that the purpose serves public interest or it would be impossible or a disproportionate effort to seek Consent, provided that a guarantee has been provided to ensure that Data Subject's privacy is not adversely affected.
 - (d) In the case that a division wishes to process Special Personal Information, the division must seek guidance from the Information Officer before processing such Special Personal Information.

- Complaints Handling Process

In terms of POPIA, a Data Subject has the right to submit a complaint if their Personal Information rights are infringed.

Chapter 10 of POPIA provides the steps to submit a Form 5 complaint to the Information Regulator in writing for breach of the conditions for the lawful Processing of Personal Information, non-compliance with certain sections of the Act and breach of provisions of the Personal Information code of conduct issued by the Information regulator.

A Data Subject may successfully submit a POPIA complaint with SASA and for SASA to resolve the complaint in a courteous, timely, effective and fair manner.

- (a) Type of Complaint

For a complaint to be treated as a POPIA complaint, the Data Subject must allege that SASA or its representatives:

- Were not authorised to process an individual's Personal Information;

- Have processed, shared, or otherwise dealt with Personal Information outside the terms of the agreed with that party; or
- Have otherwise contravened or failed to comply with any provision of POPIA.

(b) Internal Complaint Resolution Procedure

SASA takes all complaints seriously and will address them in accordance with the following procedure:

- The Complaint must be submitted to the Information Officer in writing on the attached POPIA Complaint Form. If the complaint is not in writing, the Information Officer must request that the complainant to lodge the complaint in writing with supporting documents.
- The Information Officer will then lodge the in the Complaints Register.
- The Information Officer will assign a staff member(s) or division to investigate and resolve the complaint.
- The Information Officer will provide the complainant with a written acknowledgement of receipt within three (3) days by providing the complainant the name and contact details of staff member(s) or division who will be responsible for the resolution of the complaint.
- The Information Officer will determine the nature of the complaint and whether it may have a wider impact on Data Subjects.
- The Information Officer will consider the complaint and endeavour to resolve the complaint in an amicably and in a fair manner.
- The Information Officer and appointed staff member(s)/division will investigate the complaint to ascertain whether it can be resolved immediately. If the complaint can be resolved immediately, it must be dealt with by the staff member(s) or division who will take the necessary action and advise the data subject accordingly.
- If the complaint cannot be resolved immediately, the complainant must be informed in a written summary of the steps to be taken to resolve the matter and the expected date of resolution.
- The Information Officer will revert with a proposed remedy or dismissal, including reasons, within ten (10) days of receipt of the complaint.
- Where the complainant is not satisfied with the Information Officer's suggested remedies or is of the opinion that their complaint was not handled properly, he/she has the right to complain to the Information Regulator.

The Information Regulator of South Africa

SALU Building, 316 Thabo Sehume Street,
Pretoria

Telephone: 012 406 4818

Fax: 086 500 3351

Email: POPIAComplaints@inforegulator.org.za

Website: www.justice.gov.za/inforeg

SASA

All Data Subjects shall be informed at collection of their Personal Information that they may complain to informationofficer@sasa.org.za should they have any complaints relating to the Processing of their Personal Information.

7. AUTHORISATION

This Policy Document was approved by the Executive Committee of SASA on [insert date] and signed by the Executive Director on behalf of the committee.

Name	Date	Signature

8. REVIEW

This Policy Document is to be reviewed yearly.

Version	Date of Approval

ANNEXURE 1: RETENTION SCHEDULE

Legislation	Record	Period
Basic Conditions of Employment Act 75 of 1997	Written particulars of employee must be kept after termination of employment	3 years from the date of the last entry in the record
	Employee's name and occupation	3 years from the date of the last entry in the record
	Time worked by each employee	
	Remuneration paid to each employee	
	Date of birth of any employee under 18 years of age	
	Any other prescribed information	
Companies Act 71 of 2008	Financial, accounting records and company records	7 years
	Notice of Incorporation (Registration certificate)	Indefinite
	Memorandum of Incorporation and alterations or amendments	Indefinite
	Rules	Indefinite
	Register of company secretary and auditors	Indefinite
Compensation for Occupational Injuries and Diseases Act 130 of 1993	A register or other record of the earnings and other prescribed particulars of all the employees	4 years
Competition Act 89 of 1998	Minutes of association meetings relating to matters of coding and conditions of trade; Practice records on considerations regarding setting of fees, price files, fee lists, etc ; contracts with suppliers, including documentation relating to the negotiation thereof; market share data; special deals and arrangements with suppliers and documents relating to the negotiation of pricing (acquisition costs, fees, etc.); all agreements or arrangements that are exclusive; notes / records of competition law objections, etc. as proof of exclusivity. Competition law training records	10 years
Electronic Communication and Transactions Act 25 of 2002	Personal information and the purpose for which the data was collected must be kept by the person who electronically requests, collects, collates, processes or stores the information	As long as information is used, and at least 1 year thereafter

	A record of any third party to whom the information was disclosed must be kept for as long as the information is used	As long as information is used and at least 1 year thereafter
	All personal data which has become obsolete	Destroy
Employment Equity Act 55 of 1998	An employer must establish and maintain records in respect of its workforce, its employment equity plan and other records relevant to its compliance with this Act	5 years
Financial Intelligence Centre Act 38 of 2001	FICA documents	5 years
Income Tax Act 58 of 1962	In respect of each employee the employer shall keep a record showing: -Amount of remuneration paid or due by him to the employee -The amount of employee's tax deducted or withheld from the remuneration paid or due -The income tax reference number of that employee -Any further prescribed information -Employer Reconciliation return (EMP501)	5 years from the date of submission
Labour Relations Act 66 of 1995	Registered trade unions and registered employers' organisation list of members	Indefinite
	Other records	3 years
National Credit Act 34 of 2005	Details and results of disputes lodged by consumers	18 months
	Enquiries	2 years
	Payment Profile	5 years
	Adverse information	1 year
	Debt Restructuring	Until a clearance certificate is issued
	Civil court judgements	The earlier of 5 years or until the judgment is rescinded by a court or abandoned by the credit provider in terms of section 86 of the Magistrates' Act, 32 of 1944
	Administration Orders	The earlier of 10 years or until order is rescinded by a court order
	Sequestration	The earlier of 10 years or until rehabilitation order is granted
	Liquidations	Unlimited period
Rehabilitation Orders	5 years	

Occupational Health and Safety Act 85 of 1993	A health and safety committee shall keep record of each recommendation made to an employer in terms of issues affecting the health of employees and of any report made to an inspector in terms of the recommendation	3 years
	Records of incidents reported at work (Annexure 1 of the General Administration Regulations, 2003)	3 years
	Records relating to hazardous chemicals and air	30 years
	Time worked by each employee	
	Remuneration paid to each employee	
	Date of birth of any employee under 18 years of age	
	Any other prescribed information	
Patents Act 57 of 1978	Certificate of Patent	20 years
Protection of Personal Information Act 4 of 2013	Records of personal information	<p>Period no longer than necessary for achieving the purpose for which information was collected or subsequently processed unless-</p> <ul style="list-style-type: none"> • If required or authorised by law • record is required for a lawful purpose relating to the functions or activities of SASA • record is required by a contract between the parties • where the data subject or a competent person where the data subject is a child has consented to the information being retained
	Records of personal information	May be retained for periods in excess of those contemplated above for historical, statistical or research purposes if the responsible party has established appropriate safeguard against the records being used for any other purposes

	Record of personal information of a data subject to make a decision about the data subject	For a period as may be required or prescribed by law or a code of conduct; or a period which will afford the data subject a reasonable opportunity, taking all considerations relating to the use of the personal information into account, the request access to the record.
Skills Development Act 97 of 1998 and Skills Development Levies Act 9 of 1999	Learnership agreements, including register thereof	5 years
	Skills levies, including tax incentives such as the ETI	5 years after submission
Tax Administration Act 28 of 2011	Taxpayers that have submitted a return	5 years from date of submission
	Taxpayers who were meant to submit a return, but have not for that period	Indefinite, until the return is submitted-then the 5 year rule applies
	Taxpayers who were not required to submit a return, but had capital gains/losses or engaged in any other activity that is subject to tax or would be subject to tax but for the application of a threshold or exemption	5 years from the end of the relevant tax period
	A person who has been notified or is aware that the records are subject to an audit or investigation	In addition to 5 year rule, Records must be retained until the audit is concluded or the assessment or decision becomes final
	A person who has lodged an objection or appeal against an assessment or decision under the Tax Administration Act	In addition to 5 year rule, Records must be retained until the audit is concluded or the assessment or decision becomes final
Trade Marks Act 194 of 1993	Certificate of Trade Mark	10 years
Unemployment Insurance Act 63 of 2002	Employers must maintain personal records of their current employees in terms of – names; - identification numbers; - monthly remuneration; and - address where the employee is employed	5 years
Value Added Tax 89 of 1991	Records of goods / services supplied, invoices, credit notes, charts & codes of account, bank statements, etc., all customs documents,	5 years
Patents Act 57 of 1978	Certificate of Patent	20 years

ANNEXURE 3**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 may be attached to support your request.
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 applicable.

Mark the appropriate box with an "x".

Request for:

Correction or deletion of personal information which is in possession or under the control of SASA.

Destroying or deletion of personal information which is in possession or under the control of SASA, who is no longer authorised to retain the record of information. A PERSONAL DETAILS

A	DETAILS OF THE DATA SUBJECT
Names(s) and surname/ registered name of data subject:	
Identity Number:	
Residential, postal or business address:	
Contact number(s):	
Fax number/Email address:	

B	INFORMATION TO BE CORRECTED/ DELETED/ DESTROYED

C	REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION INTERMS OF SECTION 24(1)(a) WHICH IS IN POSSESSION OR UNDER THE CONTROL OF SASA; and or REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION INTERMSOF SECTION 24(1)(b) WHICH SASA IS NO LONGER AUHORISED TORETAIN.

Signed at this day of20.....

.....

Signature of data subject/ designated person

ANNEXURE 4**POPIA COMPLAINT FORM**

SASA is committed to safeguard your privacy and the confidentiality of your Personal Information. SASA is bound by the Protection of Personal Information Act of 2013 and takes all complaints seriously and will address all POPIA related complaints in accordingly.

Please submit your complaint to the Information Officer:

Full Name: Mukesh Trikam

Contact Number: 031 508 7000

Email Address: informationofficer@sasa.org.za

Where we are unable to resolve your complaint to your satisfaction you have the right to complain to the Information Regulator:

The Information Regulator: Ms Mmamoroke Mphelo

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

Email: POPIAComplaints@inforegulator.org.za

Telephone: 012 406 4818

PARTICULARS OF COMPLAINANT	
Full Names/Full Company Name	
Identity Number/Registration Number	
Contact Number	
Email Address	
Physical Address	

DETAILS OF COMPLAINT

DESIRED OUTCOME

Signature.....

Date.....