

# SIMEKA

member of  Sanlam group

## Simeka Data Subject Participation

June 2021

**Prepared by:**

Margaret Valentine

Manager: Governance and Compliance

**t.** +27 21 912 3320

**c.** +27 84 465 3720

**e.** [margaret@simekaconsult.co.za](mailto:margaret@simekaconsult.co.za)

Solutions for  
Retirement • Actuarial • Investments • Health • Wealth

[www.simekaconsult.co.za](http://www.simekaconsult.co.za)



Authorised Financial Services Provider

This report is provided to the client solely for its own use and for the intended purpose indicated in the report. The report and any opinions expressed on the products it contains, may not be modified, sold or otherwise provided, in whole or part, to any other party without the prior written permission of Simeka Consultants and Actuaries (Pty) Ltd, except as may be required by law. Simeka Consultants and Actuaries accepts no liability or responsibility if any information is incorrect or for any loss or damage including but not limited to, direct, indirect or consequential loss, that may arise from reliance on information contained herein. It does not constitute advice and should not be accepted as such and no part thereof should be relied upon without seeking appropriate professional advice.

**Table of  
Contents**

<b>1.</b>	<b>Introduction.....</b>	<b>3</b>
	Annexure A.....	4
	Annexure B.....	8
	Annexure C.....	12

## 1. Introduction

Simeka adopted the Sanlam Corporate (SC) Data Subject Participation (DSP) Process and background information (Annexure A).

### 1.1 Form 1: Objection to the processing of PI

Annexure B

### 1.2 Form 2: Request for correction or deletion of PI or destroying or deletion of record of PI

Annexure C

### 1.3 PAIA Form C: Request for access to record of a private body

Annexure D



## SANLAM CORPORATE POPIA – DATA SUBJECT PARTICIPATION

Insurance | Financial Planning | Retirement | Investments | Wealth

### DATA SUBJECT\* PARTICIPATION: BACKGROUND



*\*A data subject is the person or entity to whom the information relates, for example - a member, employer, intermediary, or a colleague.*

- ① POPIA grants certain rights to data subjects in terms of section 23-25. These rights are to request:
  - ① whether or not Sanlam holds personal information about the data subject (i.e. this is a yes/no answer), free of charge
  - ① the identity of all third parties, or categories of third parties, who have, or have had, access to the information
  - ① the record or a description of the personal information about the data subject held by the Sanlam
  - ① correction, destruction or deletion of personal information about the data subject in Sanlam's possession or under its control
- ① The data subject must be advised of the right to request the correction of information in terms of section 24

*DSP = Data Subject Participation*

## DATA SUBJECT PARTICIPATION: BACKGROUND



- ④ If a Data Subject submits a request to correct, delete or destroy a record of personal information, Sanlam must be able to confirm the following, where applicable:
    - ④ the information has been corrected;
    - ④ the information has been destroyed or deleted;
    - ④ credible evidence has been provided to the data subject's satisfaction in support of the information;
    - ④ where agreement cannot be reached and the data subject so requests, take reasonable steps to attach a note to the information, which states that a correction of the information has been requested, but that the correction has not been made.
  - ④ Where Sanlam is a responsible party, they may or must refuse, as the case may be, to disclose any information requested to which the grounds for refusal of access to records set out in the applicable sections of Chapter 4 of Part 2 and Chapter 4 of Part 3 of the Promotion of Access to Information Act (PAIA) apply.
- 

## DATA SUBJECT PARTICIPATION: TYPES OF REQUESTS SANLAM MAY RECEIVE



1. Whether personal information is held by Sanlam,
  2. Detailed request for a report on PI held by specific business units,
  3. Detailed request on who information is shared with (e.g. third parties),
  4. Request to update PI,
  5. Request to delete PI,
  6. Objection to use of PI, or
  7. Formal PAIA (Promotion of Access to Information Act) Request
-

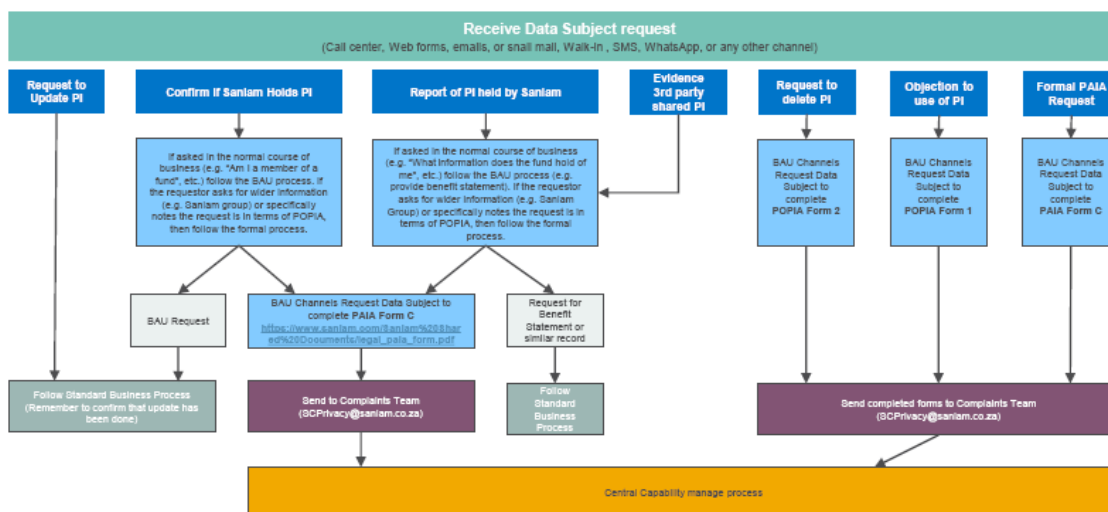
# DATA SUBJECT PARTICIPATION: SANLAM CORPORATE PROCESS



## Normal BAU process continues unless there is a FORMAL request in terms of POPIA

- Only when there is a specific **formal POPIA/PAIA DSP request** for additional PI, deletion of PI or objection for the use of PI will the formal DSP process be followed.
- A formal request has broader impact than a normal request for information (i.e. it is not a general request for information).
- A request is considered to be part of the business as usual process until the requestor notes the formal nature of the request in terms of POPIA or PAIA or the request spans a wide business area (e.g. What PI is held by the Sanlam Group).
- We do not expect many (if any) of these types of requests, but they should be treated seriously when received.
- Depending on the request, the applicable form needs to be completed by the requestor and then forwarded to [SCPrivacy@sanlam.co.za](mailto:SCPrivacy@sanlam.co.za)

## FORMAL POPIA REQUEST DECISION TREE



## DATA SUBJECT PARTICIPATION: SANLAM CORPORATE PROCESS



### 🕒 Formal DSP Request Forms:

- 🕒 **Form 1** = Objection to the processing of Personal Information
- 🕒 **Form 2** = Request for correction or deletion of PI or destroying or deletion of record of PI
- 🕒 **PAIA Form C** = Request for access to record of a private body

**POPIA does not change the requirement to confirm  
the identity of the requestor**

**(follow normal business process to confirm identity)**

---

**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.*

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




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.

A	DETAILS OF THE DATA SUBJECT
Name(s) and surname / registered name of data subject:	
Unique identifier/ Identity Number:	
Residential, postal or business address:	
	Code (    )
Contact number(s):	
Fax number/E-mail address:	
B	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:	
C	INFORMATION TO BE CORRECTED/DELETED/ DESTROYED/ DESTROYED
D	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 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. <i>(Please provide detailed reasons for the request)</i>

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

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

**REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY**

(Section 53(1) of the Promotion of Access to Information Act, 2000  
(Act No. 2 of 2000))

**[Regulation 10]**

**A. Particulars of private body**

The Head:

---

---

---

**B. Particulars of person requesting access to the record**

<p>(a) <i>The particulars of the person who requests access to the record must be recorded below.</i></p> <p>(b) <i>Furnish an address and/or fax number in the Republic to which information must be sent.</i></p> <p>(c) <i>Proof of the capacity in which the request is made, if applicable, must be attached.</i></p>
--

Full names and surname: \_\_\_\_\_

---

Identity number: \_\_\_\_\_

Postal address: \_\_\_\_\_

---

---

\_\_\_\_\_ Fax number: \_\_\_\_\_

Telephone number: \_\_\_\_\_ E-mail address: \_\_\_\_\_

Capacity in which request is made, when made on behalf of another person:

\_\_\_\_\_

**Particulars of person on whose behalf request is made**

*This section must be completed only if a request for information is made on behalf of another person.*

Full names and surname: \_\_\_\_\_

\_\_\_\_\_

Identity number: \_\_\_\_\_

**C. Particulars of record**

(a) *Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.*

(b) *If the provided space is inadequate please continue on a separate folio and attach it to this form. **The requester must sign all the additional folios.***

1. Description of record or relevant part of the record: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2. Reference number, if applicable: \_\_\_\_\_

3. Any further particulars of record: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**D. Fees**

- (a) *A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.*
- (b) *You will be notified of the amount required to be paid as the request fee.*
- (c) *The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.*
- (d) *If you qualify for exemption of the payment of any fee, please state the reason therefor.*

Reason for exemption from payment of fees: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**E. Form of access to record**

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.	
Disability: _____ _____	Form in which record is required: _____ _____

Mark the appropriate box with an "X".

**NOTES:**

- (a) Your indication as to the required form of access depends on the form in which the record is available.
- (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
- (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

<b>1. If the record is in written or printed form -</b>			
	Copy of record*		Inspection of record
<b>2. If record consists of visual images -</b> (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)			
	View the images		Copy of the images*      Transcription of images*
<b>3. If record consists of recorded words or information which can be reproduced in sound -</b>			
	Listen to soundtrack (audio cassette)		Transcription of soundtrack*(written or printed document)
<b>4. If record is held on computer or in an electronic or machine-readable form -</b>			
	Printed copy of record*		Printed copy of information derived from the record*      Copy in computer readable form* (stiffy or compact disc)