



SAICA GROUP PAIA & POPIA Manual

(Prepared in accordance with section 51 of the Promotion of Access to Information Act, 2 of 2000 (PAIA))

Document control

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1. Introduction & Purpose

- 1.1 SAICA plays a pivotal role in the financial and auditing sectors, setting professional standards, providing training and support, and upholding the integrity and reputation of the Chartered Accountancy profession in South Africa.
- 1.2 As part of SAICA's operations and services, it holds certain records, including personal information. The Promotion of Access to Information Act, 2 of 2000 (PAIA) and the Protection of Personal Information Act, 4 of 2013 (POPIA) creates certain duties and responsibilities for SAICA regarding its records.
- 1.3 PAIA and POPIA creates certain rights for Requesters and Data Subjects regarding the records SAICA holds. This Manual has been prepared in accordance with section 51 of the PAIA together with the applicable POPIA provisions, and its relevant Regulations.
- 1.4 This Manual provides an overview of the records held by SAICA, details on how such records may be accessed, contact details of the Information Officer (IO) and Deputy Information Officer (DIO) contact details who will assist Requesters and Data Subjects with exercising their rights, processing of personal information, description of categories of Data Subjects and related categories of related personal information, recipients to whom personal information may be supplied, planned transborder flows of personal information, and a general description of information security measures implemented by SAICA to ensure confidentiality, integrity, and availability of personal information which is processed.
- 1.5 The aim of the Manual is to assist potential Requesters in requesting access to record as contemplated under PAIA, and to assist Data Subjects in exercising their rights under POPIA which includes access to its personal information, object to processing, and request the correction of any of its personal information held by SAICA.
- 1.6 It should be noted that these rights of a Requester or a Data Subject are subject to certain conditions being met and in accordance with certain procedures and at prescribed fees, giving effect to the right of access to information and the right to privacy in accordance with the Constitution of the Republic of South Africa.
- 1.7 Requesters and Data Subjects are invited to contact the IO and/or the DIO, as set out in **paragraphs 3.1** and **3.2** below should they require any assistance in respect of the use or content of this Manual.

2. Definitions

- 2.1 The following words or expressions will bear the following meanings in this Manual:
 - 2.1.1 "**Controlled Entities/Related Entities**" means those Entities that are controlled by SAICA, i.e., Thuthuka Education Upliftment Fund (TEUF), The Hope Factory (THF) and SAICA Enterprise Development (SAICA ED), and any other legal entity that may from time to time be established and controlled by SAICA;
 - 2.1.2 "**Data Subject**" means a person to whom Personal Information relates;



- 2.1.3 **“DIO (Deputy Information Officer)”** means an individual appointed to serve as the deputy to the Information Officer, assisting in the fulfilment of duties related to access to information;
- 2.1.4 **“Employee”** means a person, excluding an independent contractor, who works for SAICA and who receives, or is entitled to receive, any remuneration, and any other person who in any manner assists in carrying on or conducting the business of SAICA;
- 2.1.5 **“Information Officer”** or **“IO”** means the Chief Executive Officer (CEO) or any person authorised by the CEO described in this Manual, and may include a Deputy Information Officer (DIO) if so delegated in terms of section 17 of POPIA;
- 2.1.6 **“Information Regulator”** means the Regulator established in terms of section 39 of POPIA;
- 2.1.7 **“Manual”** means this PAIA and POPIA Manual, together with any annexures thereto;
- 2.1.8 **“Third Party”** means any person other than the Requester concerned and SAICA;
- 2.1.9 **“PAIA”** means the Promotion of Access to Information Act, 2 of 2000 together with any regulations published thereunder, as amended from time to time;
- 2.1.10 **“Personal Information”** has the meaning ascribed thereto under section 1 of POPIA;
- 2.1.11 **“Person”** means a natural or a juristic person;
- 2.1.12 **“POPIA”** means the Protection of Personal Information Act, 4 of 2013 as amended from time to time;
- 2.1.13 **“Processing”** shall bear the meaning ascribed thereto in section 1 of POPIA;
- 2.1.14 **“Record”** of, or in relation to, means any recorded information:
- 2.1.14.1 regardless of form or medium;
- 2.1.14.2 in the possession or under the control of SAICA, respectively; and
- 2.1.14.3 whether or not it was created by SAICA, respectively;
- 2.1.15 **“Requester”** means:
- 2.1.15.1 any person, including, but not limited to, a body or an official thereof, making a request for access to a record of SAICA; or
- 2.1.15.2 a person acting on behalf of the person; and
- 2.1.16 **“Responsible Party”** means a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means for processing personal information.

3. Key Contact Details for Access to Records and Information of SAICA

3.1 Information Officer

SAICA appointed an IO in accordance with POPI. In addition to its obligations prescribed under POPI, the designated IO is also responsible for assessing any requests to SAICA for access to a record in terms of



PAIA, oversee any other obligations SAICA may have under PAIA and POPIA. The Information Officer may appoint DIOs to assist it in the fulfilment of its obligations.

Name: Nomonde Mlawuli

Email: Informationofficer@saica.co.za

3.2 Deputy Information Officer

Name: Amanda De Beer-Nel

Email: informationofficer@saica.co.za

3.3 National or Head Office

Postal Address: Private Bag X32 Northlands 2116

Physical Address: SAICA House, 17 Fricker Road, Illovo, Sandton, Johannesburg, 2196

Telephone: +27 11 621 6600 / 08610 SAICA (72422)

Email: informationofficer@saica.co.za

Website: <http://www.saica.org.za/>

4. Information Regulator of South Africa and its Guide on how to use PAIA and How to Obtain Access

4.1 The Information Regulator compiled and issued a Guide on How to Use PAIA in accordance with section 10 of PAIA to enable a Requester to exercise any right contemplated in PAIA. This Guide is available on the Information Regulator's [website](#).

4.2 Any queries regarding this Guide can be directed to:

The Information Regulator of South Africa

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

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

E-mail: inforeg@justice.gov.za / complaints.IR@justice.gov.za

Website: <https://www.justice.gov.za/inforeg/index.html>

Tel: 012 406 4818

Fax: 086 500 3351

The IO shall make a copy of the Guide on How to Use PAIA in at least two of the official languages, at its Head Office, for public inspection during normal office hours.



4.3 The IO shall make the number of copies of the Guide on How to Use PAIA available in the official languages as requested, free of charge, upon the written request of any person on the prescribed form attached hereto and marked **Annexure 'A'**.

5. Records Held by SAICA in accordance with PAIA

5.1 Description of Records Available without a Person having to Request Access

5.1.1 The following records are automatically available to the general public and need not be requested in accordance with the procedure outlined in this Manual:

5.1.1.1 Information available on SAICA's website.

5.2 Description of Records which are Available in terms of Any Other Legislation

5.2.1 In addition to the information available as described under PAIA, SAICA maintains records that are available as required in accordance with various other legislation. The various legislation in terms of which SAICA maintains records, includes but are not limited to the following categories of records and the applicable legislation.

| Category of Records | Applicable Legislation |
|--|--|
| Accreditation, self-monitoring reports, annual reports, | Accounting Professions Act, No. 26 of 2005 |
| Employee register, employment contracts, remuneration records, working hours, and leave records | Basic Conditions of Employment Act, No. 75 of 1997 Compensation of Occupational Injuries and Diseases Act, 130 of 1993 |
| Constitution, By-laws, Code of Professional Conduct, Memorandum of Incorporation, member register (including Registered Auditors, Tax Practitioners, Independent Reviewers and Business Rescue Practitioners), Recognition as a Controlling Body and Professional Body | Accounting Professions Act, No. 26 of 2005 Companies Act, No. 71 of 2008 Income Tax Act, No. 58 of 1962 Non-Profit Organisation Act, 71 of 1997 |
| Records relating to the employment equity and other documents relevant for compliance purposes | Employment Equity Act, No. 55 of 1998 |
| Financial records required for tax purposes, PAYE records, and VAT records | Income Tax Act, No. 58 of 1962 Value Added Tax Act, 89 of 1990 |



| Category of Records | Applicable Legislation |
|---|--|
| Disciplinary records | Labour Relations Act, No. 66 of 1995 |
| Records of personal information processed, consent forms, security measures | Protection of Personal Information Act, No. 4 of 2013 |
| Records related to training and skills development programs | Skills Development Act, No. 97 of 1998 |

5.3 Description of the Subjects on which SAICA holds Records and Categories of Records held on each Subject by SAICA

5.3.1 In addition to the information available as described under PAIA, SAICA maintains records, including but not limited to the subjects and the related categories of record set out below.

5.3.2 In addition to the information available as described under PAIA, SAICA maintains records, including but not limited to the subjects and the related categories of record set out below.

| Subjects in which the body holds records | Categories of records |
|--|---|
| Membership Records | <p>Personal Details: Includes names, contact information, qualifications.</p> <p>Membership Status: Information on current and past members, membership levels.</p> <p>Disciplinary Actions: Details of any proceedings, investigations, or actions.</p> |
| Financial Information | <p>Audited Financial Statements: Annual reports, financial summaries, budgets.</p> <p>Tax Records: Information related to tax submissions, VAT, income tax.</p> |



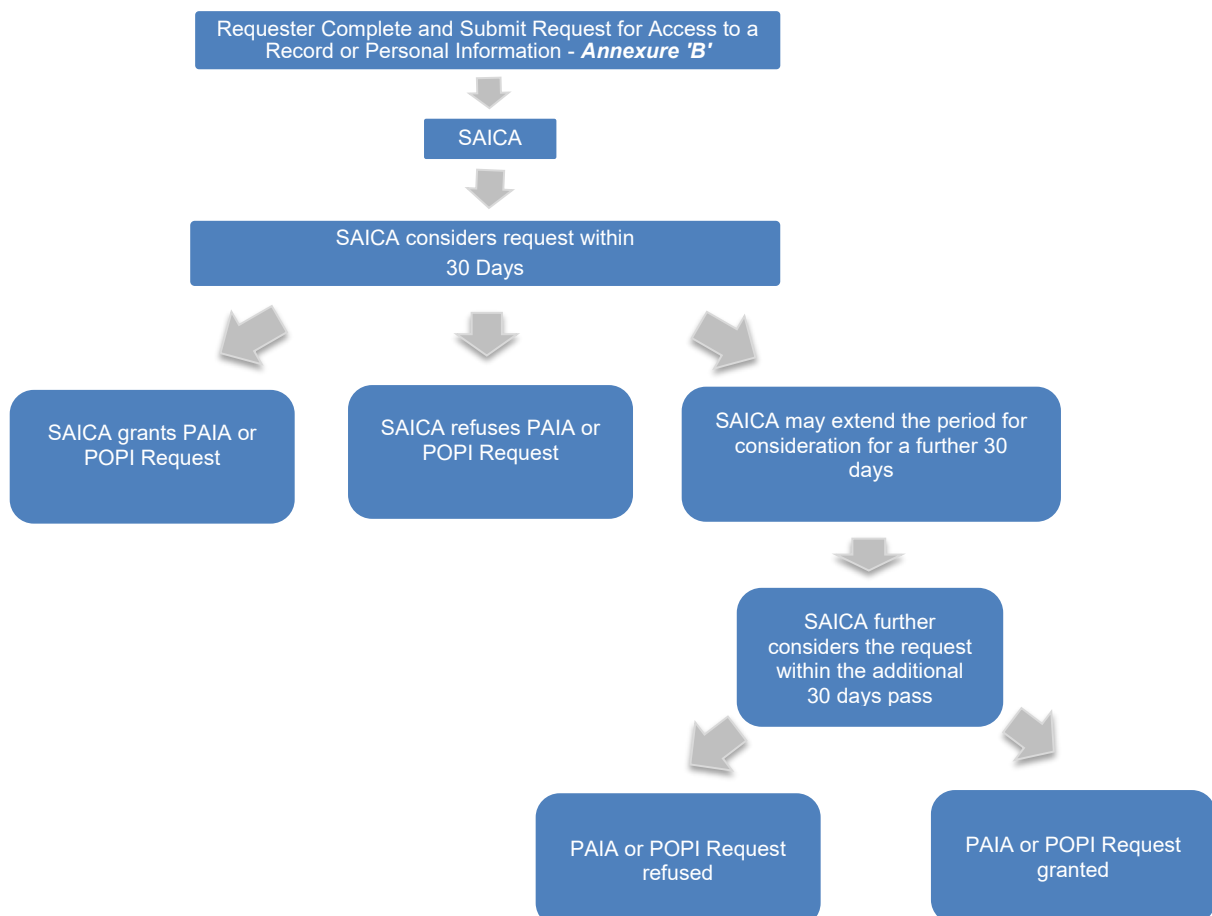
| Subjects in which the body holds records | Categories of records |
|--|---|
| | Transaction Records: Details of financial transactions including invoices, receipts. |
| Education and Training | <p>Student Records: Student registration, progress, results.</p> <p>Accreditation Records: Details of accredited training providers, programs.</p> |
| Exams | <p>Candidate Material: Exam papers, Exams scripts, Competency Framework and examinable pronouncements (principles of examinations)</p> <p>Candidate Records: Registration and results.</p> |
| Legal and Compliance | <p>Contracts and Agreements: Agreements with third parties, members, suppliers.</p> <p>Compliance Documents: Evidence of compliance with legal requirements, licenses, permits.</p> <p>Litigation Records: Records of legal proceedings, settlements, judgments.</p> |
| Human Resources | <p>Employee Records: Employment contracts, performance reviews, payroll details.</p> <p>Policies and Procedures: HR policies, codes of conduct, training manuals.</p> |
| Research and Publications | <p>Research Documents: Research papers, studies, surveys conducted by SAICA.</p> <p>Publications: Newsletters, journals, reports, and other publications produced.</p> |
| Governance | <p>Board Minutes: Minutes of meetings of the Board of Directors, committees.</p> <p>Professional Conduct Committee: Minutes, Appointment Letters, Recordings of PCC, Transcriptions where applicable.</p> <p>Disciplinary Committee: Minutes, Appointment Letters, Recordings of PCC, Transcriptions where applicable.</p> <p>Policies and Procedures: Organisational policies, ethics guidelines, governance structures.</p> |
| Marketing and Events | Event Information: Details of conferences, seminars, workshops. |

| Subjects in which the body holds records | Categories of records |
|--|---|
| | Marketing Materials: Brochures, promotional material, advertising records. |
| Information Technology | Security Protocols: Details of security measures, access controls. System Records: Information on software, hardware, system configurations. |
| Stakeholder Communications | Correspondence: Communications with members, regulators, the public. Press Releases: Media statements, press releases, public announcements. |

6. Process for Requesting Access to Records or Personal Information in accordance with PAIA and POPIA

6.1 Process Diagram:

This diagram represents the basic steps involved when a requester data subject seeks access to record of information in terms of PAIA or access to personal information in terms of POPI in accordance with **Annexure 'B'**:





6.2 Requests for Access to Records – PAIA

6.2.1 Requests for access to records of SAICA by a Requester are subject to the provisions of PAIA. Requests must be made on the prescribed form attached hereto and marked **Annexure 'B'**. A Requester must:

6.2.1.1 Address the request to the IO and DIO via the contact details set out in **paragraphs 3.1 and 3.2** above;

6.2.1.2 Provide sufficient particulars to enable the IO and DIO to identify the Requester and the record or records requested;

6.2.1.2.1 Clearly indicate the desired form of access (e.g., electronic copy, hardcopy, physical inspection).;

6.2.1.2.2 Specify the telephone number, cell phone number, email address, physical and postal address of the Requester in the Republic;

6.2.1.2.3 Identify the right the Requester is seeking to exercise or protect and provide an explanation of why the requested record is required for the exercisenn or protection of that riaght;

6.2.1.2.4 if, in addition to a written reply, the Requester wishes to be informed of the decision on the request in any other manner, to state that manner and the necessary particulars to be so informed; and

6.2.1.2.5 if the request is made on behalf of a person, to submit proof of the capacity in which the Requester is making the request, to the reasonable satisfaction of the IO and DIO.

6.2.1.3 On receipt of the request for access to personal information, the IO or DIO will notify the Requester of the prescribed request fee, if any, before processing the request.

6.3 Requests for Access to Personal Information - POPIA

6.3.1 Requests for confirmation by a Data Subject, as to whether or not SAICA holds personal information related to the Data Subject, shall be governed by POPIA and shall be free of charge.

6.3.2 Requests for access to confirmed personal information about the Data Subject, including information about the identity of all third parties, or categories of third parties, who have, or have had access to the personal information, shall be governed by POPIA.

6.3.3 The Data Subject has the right to request from SAICA the record or a description of the personal information about the Data Subject held by SAICA, including information about the identity of all third parties, or categories of third parties, who have, or have had, access to the information.

6.3.4 Requests must be made on the prescribed form attached hereto and marked **Annexure 'B'**. A Data Subject must:

6.3.4.1 Address the request to the IO and DIO via the contact details set out in **paragraphs 3.1 and 3.2** above; and



6.3.4.2 Provide sufficient particulars to enable the IO and DIO to identify the Data Subject and the record or the personal information requested.

6.3.5 On receipt of the request for access to personal information, the IO or DIO will in writing notify the Data Subject of the prescribed request fee, if any, before processing the request or may require the Data Subject to pay a deposit to enable SAICA to respond to the request.

7. Decision on Request for Access to a Record or Personal Information in accordance with PAIA and POPIA

7.1 The IO must, as soon as reasonably possible, but in any event within 30 days from date of receipt or after the particulars required have been received decide whether or not to grant the request.

7.1.1 The IO may decide to extend the period of 30 days for another period of not more than 30 days if:

7.1.1.1 the request is for a large number of records or requires a search through a large number of records, and compliance with the initial period would be unreasonably interfere in SAICA activities;

7.1.1.2 the request requires a search for records in, or collection thereof from, an office of SAICA situated not in the same town or city of the SAICA Head Office that cannot be reasonably be completed in the initial period;

7.1.1.3 consultation among divisions or departments of SAICA is necessary or desirable to decide upon the request that cannot be reasonably completed within the original period;

7.1.1.4 the requester consents to such an extension in writing; or

7.1.1.5 more than one of the aforementioned circumstances exists.

7.1.2 The IO must, as soon as reasonably possible, but in any event within 30 days, after the request is received, notify the Requester or Data Subject of an extension, the period of the extension and the reasons for the extension including the provisions of PAIA relied upon, and that the Requester or Data Subject may lodge a complaint to the Information Regulator or an application with a court against the extension, and the procedure (including the period) for lodging the application.

7.1.3 An IO must grant a request for access to a record or personal information of SAICA if the disclosure of the record or personal information would reveal evidence of a substantial contravention of, or failure to comply with, the law, or imminent and serious public safety or environmental risk, and the public interest in the disclosure of the record clearly outweighs the harm a refusal in accordance with Chapter 4 of Part 3 of the PAIA.

7.1.4 The IO when considering the request for access to a record or personal information, which might be a record or personal information in terms of which a request for access may or must be refused in accordance with the applicable sections of Chapter 4 of Part 3 of the PAIA, take all reasonable steps to inform a third party to whom or which the record or personal information relates to of the request in the prescribed form. The IO must notify the third party in writing as soon as reasonably possible, but in any



event within 21 days after the request for access is received and by the fastest means possible. The IO's notification must state that the request for access is being considered and the record or personal information may be a record or personal information in accordance with the relevant sections of Chapter 4 of Part 3 of the PAIA, indicate the requester's name, mandatory disclosure if applicable, and indicate that the third party may within 21 days after the notification make a written or oral representation to the IO why the request for access should be refused, or give written consent for the disclosure of the record or information to the Requester.

- 7.1.5 The IO must notify the Requester or Data Subject of the decision in the manner indicated by the Requester or Data Subject. The notification shall indicate the access fee, if any, to be paid upon access, the form in which it will be given and advise the Requester or Data Subject that a complaint may be lodged with the Information Regulator or an application with a court against the access fee to be paid or the form of access granted, and the procedure, including the period allowed, for lodging a complaint to the Information Regulator or the application.
- 7.1.6 Should SAICA grant the request, it must provide the record or information the Requester or Data Subject reasonably requires within a reasonable time, at a prescribed fee, if any, in a reasonable manner and format if no specific form of access was required, and in a form that is generally understandable. The Data Subject must be advised in the response to the request of the right to request the correction of personal information.
- 7.1.7 If a request for access to record or personal information is made to SAICA and part of that information may or must be refused in terms of **paragraph 6.1** every other part must be disclosed.
- 7.1.8 Should the request for access to a record or personal information be refused, the notice must state:
 - 7.1.8.1 adequate reasons for the refusal, including the provisions of this PAIA relied on;
 - 7.1.8.2 exclude, from any such reasons, any reference to the content of the record; and
 - 7.1.8.3 state that the Requester or Data Subject may lodge a complaint to the Information Regulator or an application with a court against the refusal of the request, and the procedure (including the period) for lodging a complaint to the Information Regulator or the application.
- 7.1.9 The additional roles and responsibilities of the IO are set out in the Guidance Note on Information Officer and Deputy Information Officer which Guidance Note is available on the Information Regulator's [website](#).

8. Grounds for Refusal of a Request for Access to a Record or Personal Information in accordance with PAIA and POPIA

- 8.1 SAICA may or must refuse to disclose any record or personal information to which the grounds of refusal of access to the record or personal information is set out in the applicable sections of Chapter 4 of Part 3 of the PAIA apply.



8.2 Failure by the IO to notify the Requester or Data Subject of the decision regarding the request to access to a record or personal information within the prescribed period, the IO would be regarded as having refused the request.

9. Records that Cannot be Found or Do Not Exist relating to a Request for Access to a Record or Information in accordance with PAIA and POPI

9.1 Should all reasonable steps have been taken to find a record requested and there are reasonable grounds for believing that the record is in SAICA's possession but cannot be found or does not exist, the IO must, by way of the prescribed affidavit or affirmation, notify the Requester that it is not possible to give access to that record. Such an affidavit or affirmation issued shall be regarded a decision to refuse a request for access to a record.

9.2 Should the record in question be found, the IO must be given access to the record, unless access is refused in accordance with **paragraph 6.1** above.

10. Processing of Personal Information in accordance with POPIA

10.1 SAICA in its capacity as a Responsible Party requires personal information relating to Data Subjects to carry out its business operations and activities.

10.2 SAICA has a duty and responsibility to ensure that the conditions of lawful processing in accordance with POPI, and all the measures that give effect to such conditions, are complied with at the time of the determination of the purpose and means of the processing of personal information and during the processing itself.

10.3 SAICA must:

10.3.1 process personal information lawfully and in a reasonable manner that does not infringe on the right to privacy of the Data Subject;

10.3.2 have a lawful purpose for processing the personal information;

10.3.3 collect personal information directly from a Data Subject, unless prescribed otherwise;

10.3.4 collect personal information for a specific, explicitly defined, and lawful purpose related to the functions or activities of SAICA;

10.3.5 take reasonably practicable steps to ensure that the Data Subject is aware of the personal information being collected;

10.3.6 only process personal information for the purpose it was collected, and only further process the personal information if the further processing purpose is compatible to the initial purpose;

- 10.3.7 not be retain personal information any longer than is necessary for achieving the purpose for which the personal information was collected or subsequently processed, unless prescribed otherwise;
- 10.3.8 take reasonably practicable steps to ensure that the personal information is complete, accurate, not misleading and updated where necessary, this includes having regard for the purpose for which personal information is collected or further processed;
- 10.3.9 maintain the documentation of all processing operations under its responsibility as referred to in section 51 of PAIA;
- 10.3.10 secure the integrity and confidentiality of personal information in its possession or under its control by taking appropriate, reasonable technical and organisational measures to prevent loss of, damage to or unauthorised destruction of personal information, and unlawful access to or processing of personal information.
- 10.3.11 processed personal information in accordance with the rights of Data Subjects, where applicable.

10.4 Purpose of Processing Personal Information:

- 10.4.1 SAICA collects, processes, and stores personal information for the primary purpose of fulfilling its mandate as the professional body for Chartered Accountants in South Africa.
- 10.4.2 This includes, but is not limited to, managing membership applications and renewals, conducting professional evaluations, facilitating continuous professional development, engaging in disciplinary processes, and communicating essential information to its members.
- 10.4.3 Personal Information is also processed for research purposes, ensuring industry standards are maintained, and for marketing and event organisation.

10.5 Categories of Data Subjects and their Personal Information SAICA Processes

Including but not limited to:

| Categories of Data Subjects | Personal Information that may be processed |
|-----------------------------|--|
| Members | Gender, marital status, race, age, language, education information (qualifications), financial information, employment history, ID numbers, physical and postal address, contact details (contact number(s), fax number, email address), criminal record, well-being and family members, medical, nationality, ethnic or social origin, physical or mental health, disability, biometric information of the person, employment history, professional affiliation and references. |

| Categories of Data Subjects | Personal Information that may be processed |
|---|---|
| Learners, Students, Exam Candidates and Trainees | Gender, marital status, race, age, language, education information (institutions & qualifications), financial information, employment history, ID numbers, physical and postal address, contact details (contact number(s), fax number, email address), criminal record, well-being, medical, nationality, ethnic or social origin, physical or mental health, disability, biometric information of the person, professional affiliation and references. |
| Employees/Committee Members/Independent Contractors | Gender, pregnancy; marital status; race, age, language, education information (qualifications); financial information; employment history; ID numbers; physical and postal address; contact details (contact number(s), fax number, email address); criminal record; well-being and family members, medical, nationality, ethnic or social origin, physical or mental health, disability, biometric information of the person, employment history, professional affiliation and references. |
| Vendors & Service Providers | Names of contact persons; name of entity; name of directors and shareholders, physical and postal address, and contact details (contact number(s), fax number, email address); financial information; registration number; founding documents; tax related information; authorised signatories, broad-based black economic empowerment (B-BBEE) status, affiliates entities, business strategies. |
| Event Attendees & Subscribers | Registration details, payment records, and feedback forms. |
| Complainants & Queries: Natural Persons and Juristic Persons | <p>Natural Persons: Names and surname; contact details (contact number(s), fax number, email address); Residential, postal or business address; Unique Identifier/Identity Number, and confidential correspondence.</p> <p>Juristic Persons: Names of contact persons; Name of Legal Entity; Physical and Postal address; contact details (contact number(s), fax number, email address) and Registration Number.</p> |
| Other Stakeholders, including but not limited to: Regulators, Accreditors, | Names of contact persons; Name of Legal Entity; Physical and Postal address; contact details (contact number(s), fax number, email address) and Registration Number. |

| Categories of Data Subjects | Personal Information that may be processed |
|---|--|
| Professional Bodies, authorities | |

10.6 Recipients to whom the Personal Information may be supplied to by SAICA:

10.6.1 SAICA may supply Personal Information to its Employees to perform their duties and responsibilities as mandated by SAICA.

10.6.2 SAICA may supply the Personal Information to the Service Providers who render services, including but not limited to, partnerships, and other engagements as mentioned below:

10.6.2.1 Capturing and organising of Personal Information;

10.6.2.2 Storing of Personal Information;

10.6.2.3 Sending of correspondences, including emails and other correspondence;

10.6.2.4 Conducting due diligence checks;

10.6.2.5 Conducting qualifications verifications;

10.6.2.6 Conducting criminal checks;

10.6.2.7 Administration of payroll, PAYE, UIF, Pension Fund and Medical Aid;

10.6.2.8 ICT Infrastructure;

10.6.2.9 Facilitation of SAICA surveys;

10.6.2.10 Facilitation of Training;

10.6.2.11 Forensic investigations and any other investigations by Regulators, Accreditors, Professional Bodies, and other Authorities;

10.6.2.12 Training offices, training officers training administrators;

10.6.2.13 Universities and Departments;

10.6.2.14 Exam setters, exam invigilators, and exam markers;

10.6.2.15 Venues and other vendors;

10.6.2.16 Credit bureaus;

10.6.3 SAICA may also supply the Personal Information to:



- 10.6.3.1 any person whom a complaint has been lodged against; and
- 10.6.3.2 any Regulators, Accreditors, Professional Bodies, and other Authorities, in respect of any matter or part thereof, that falls under their jurisdiction; law enforcement agencies, such as the National Prosecuting Authority or South African Police Service, for criminal investigation; and to Courts etc.
- 10.7 **General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity, and availability of the information:**
 - 10.7.1 SAICA continuously establishes and maintains appropriate, reasonable technical and organisational measures by taking appropriate, reasonable technical and organisational measures to prevent:
 - 10.7.1.1 Loss of, damage to or unauthorised destruction of Personal Information; and
 - 10.7.1.2 Unlawful access to or processing of Personal Information.
 - 10.7.2 SAICA has taken reasonable measures to:
 - 10.7.2.1 identify all reasonably foreseeable internal and external risks to Personal Information in its possession or under its control;
 - 10.7.2.2 establish and maintain appropriate safeguards against the risks identified;
 - 10.7.2.3 regularly verify that the safeguards are effectively implemented; and
 - 10.7.2.4 ensure that the safeguards are continually updated in response to new risks or deficiencies in previously implemented safeguards.
 - 10.7.3 SAICA prioritises the security of Personal Information and have taken the following measures, including but not limited to:
 - 10.7.3.1 Access Control, including physical and electronically;
 - 10.7.3.2 Anti-virus, anti-malware solutions and firewalls;
 - 10.7.3.3 Awareness and training;
 - 10.7.3.4 Data Backups on a regular basis;
 - 10.7.3.5 Data Encryption protocols;
 - 10.7.3.6 Technical Measures: Firewalls, encryption protocols, secure databases, and regular system backups;
 - 10.7.3.7 Monitoring: Continuous monitoring of systems to detect and address any security breaches.
 - 10.7.3.8 Operator and Data sharing agreements and clauses, including vetting of third-party providers;



10.7.3.9 Policies & Procedures, including but not limited to data governance and protection policies, and related procedures and guidelines and protocols for data handling, storage, and processing; and

10.7.3.10 Secured Data Bases.

10.8 Transfer of Personal Information Outside of South Africa

10.8.1 SAICA may from time to time need to transfer Personal Information across border for the following purposes, which includes but are not limited to the purpose of rendering services to its members, associates, trainees and other stakeholders, and administration purposes.

10.8.2 Should it become necessary to transfer Personal Information to another country for any lawful purposes, SAICA will ensure that the party to whom the Personal Information is transferred is bound by laws, regulations, binding corporate rules or binding agreements which provides adequate level of protection, and the third party agrees to treat that Personal Information with the same level of protection as SAICA is obliged to under POPIA. In carrying out any cross-border transfers, SAICA shall adhere to the provisions of POPIA.

10.8.3 Should it be necessary to obtain a Data Subject's consent to transfer their Personal Information outside of South Africa, SAICA shall take reasonably practicable steps to obtain a Data Subject's consent.

10.8.4 Should SAICA not be able to obtain such a consent, the Personal Information will only be transferred outside of South Africa if:

10.8.4.1 It will be for the Data Subject's benefit; and

10.8.4.2 The Data Subject would have given consent should it have been reasonably practicable to obtain such consent.

11. Other Data Subject's Rights in accordance with POPIA

11.1 Notification of Collection of Personal Information

A Data Subject has a right to be notified when Personal information is collected through reasonably practicable steps and in the prescribed manner and format. Refer to SAICA's [website](#) for our standard [Personal Information Protection Notice](#) to Data Subjects.

11.2 Request for Correction or Deletion of Personal Information or Destroying or Deletion of Record of Personal Information

11.2.1 On receipt of confirmation from SAICA that it holds personal information related to the Data Subject as per **paragraph 6.2.1** above, a Data Subject may request where necessary:

11.2.1.1 the correction or deletion of personal information, which is inaccurate, irrelevant, excessive, out of date, incomplete, misleading, or obtained unlawfully; or



11.2.1.2 the destruction or deletion of a record of personal information which SAICA is no longer authorised to retain.

11.2.2 Refer to **Annexure 'C'** to this Manual for the prescribed form. The completed form together with the relevant supporting documentation and information must be submitted to the IO.

11.3 Object to Processing

A Data Subject may object, at any time, to the processing of personal information by submitting the completed prescribed form, subject to exceptions contained in POPI. Refer to **Annexure 'D'** to this Manual for the prescribed form. The completed form together with the relevant supporting documentation and information must be submitted to the IO.

11.4 Withdrawal of Consent

A Data Subject may withdraw the consent at any time by submitting the completed prescribed form, subject to any exceptions, and provided that the lawfulness of the processing of personal information before such withdrawal will not be affected. Refer to **Annexure 'E'** to this Manual for the prescribed form. The completed form together with the relevant supporting documentation and information must be submitted to the IO.

11.5 Notification of Unauthorised Access to or Acquiring of Personal Information

11.5.1 Should SAICA have reasonable grounds to believe that the personal information of a Data Subject has been accessed or acquired by any unauthorised person, SAICA must notify the Information Regulator and a Data Subject, unless the identify of such a Data Subject cannot be established, in the prescribed manner as soon as reasonably possible after the discovery of the compromise. This will be subject to legitimate needs of law enforcement or any measures reasonably necessary to determine the scope of the compromise and to restore the integrity of SAICA's information system.

12. Availability of the PAIA and POPIA Manual

12.1 SAICA's Manual and its relevant annexure are made available in English. A copy of the Manual and annexures are available:

12.1.1 on the SAICA website at <https://www.saica.org.za/>;

12.1.2 at the head office of SAICA for public inspection during normal business hours;

12.1.3 to any person upon request and upon the payment of a reasonable prescribed fee; and

12.1.4 to the Information Regulator upon request.

13. Disposal of Records and Information in accordance with PAIA and POPI

13.1 SAICA reserves the right to lawfully dispose of certain records in accordance with applicable laws and regulations.

13.2 Requesters will be advised whether a particular record has been disposed of where this is relevant to the records requested.

14. Approval and Effective Date

This Manual shall be approved by the SAICA Executive Committee (ExCo) and shall come into immediate effect from the date of approval, in conjunction with existing processes and procedures.

15. Review of Manual

15.1 IO review and update, where necessary, the Manual on an annual basis.

15.2 The IO will assess this Manual annually to determine whether a review is required, in order to ensure that the terms are current, fair, and representative of relevant corporate and industry conditions. Such assessment needs to be submitted and approved by ExCo.

15.3 The Manual may be amended from time to time and as soon as any amendments have been affected, the latest version of the Manual will be published and distributed in accordance with PAIA.

MANUAL SIGN-OFF AND OWNERSHIP DETAILS

| | |
|---|--|
| Manual Title | PAIA & POPI MANUAL |
| Version | 1.0 |
| Approval Date | 5 February 2024 |
| Next review date | 4 February 2027 |
| Related Legislation Applicable | Promotion of Access to Information Act, Protection of Personal Information Act, Constitution of the Republic of South Africa |
| Related Policies, Procedures, Guidelines, Standards, Frameworks | Data & Information Governance Policy |
| Replaces | PAIA Manual (2019), General Protection of Personal Data & Retention Policy |
| Manual Owner | Executive: Risk & Compliance |
| Manual Sponsor (if different from Manual Owner) | Chief Operating Officer |
| Application | SAICA and its Controlled Entities, their respective employees, and relevant Stakeholders |
| Functional Owners | Risk and Compliance Division |
| Status | Approved |

Sign-off:

The following party is a signatory to the content of this manual:

Signed by the Chairman of the ExCo

Chairman of the ExCo

Date:

Revision History



| Version | Date | Revision Description & Summary of Changes (for audit trail purposes) Note: The Change Risk Management process must be followed where significant changes are made to this manual. | Manual Owner & Manual Sponsor |
|---------|------------|---|------------------------------------|
| [2.0] | [DD:MM:YY] | [Major Revision: Legislative amendment (Approval required)] | - |
| [1.1] | [DD:MM:YY] | [Minor Amendments] | - |
| 1.0 | 05:02:24 | First draft: new manual | Executive: Risk & Compliance & COO |

End of Manual



16. ANNEXURE 'A' – Request for a Copy of the Guide

FORM 1
REQUEST FOR A COPY OF THE GUIDE

[Regulations 2 and 3: GNR.757 of 27 August 2021: Regulations relating to the Promotion of Access to Information, 2021]

TO: *The Information Regulator
P.O Box 31533
Braamfontein
2017
E-mail address: infoereg@justice.gov.za
Tel Number: +27 (0)10 023 5200

OR

*The information Officer

| | | | | |
|--|---------------------|--|-----------|--|
| Full Names: | | | | |
| In my capacity as (mark with "X"): | Information Officer | | Other | |
| Name of *Public/Private body (if applicable) | | | | |
| Postal Address: | | | | |
| Street Address: | | | | |
| E-mail Address: | | | | |
| Facsimile: | | | | |
| Contact Numbers: | Tel (B): | | Cellular: | |

Hereby request the following copy(ies) of the guide:

| Language (mark with "X") | No of Copies | Language (mark with "X") | No of Copies |
|-------------------------------------|--------------|-----------------------------------|--------------|
| <input type="checkbox"/> Sepedi | | <input type="checkbox"/> Sesotho | |
| <input type="checkbox"/> Setswana | | <input type="checkbox"/> Siswati | |
| <input type="checkbox"/> Tshivenda | | <input type="checkbox"/> Xitsonga | |
| <input type="checkbox"/> Afrikaans | | <input type="checkbox"/> IsiXhosa | |
| <input type="checkbox"/> IsiNdebele | | | |
| <input type="checkbox"/> Isizulu | | | |

Manner of collection (mark with "X"):

| Personal Collection | Postal Address | Facsimile | Electronic Communication (please specify) |
|--------------------------|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Signed at _____ this _____ day of _____ 20____

Signature of requester

*Delete whichever is not applicable



17. ANNEXURE 'B' – Form 2: Request for Access to Record

FORM 2
REQUEST FOR ACCESS TO RECORD

[Regulation 7: GNR.757 of 27 August 2021: Regulations relating to the Promotion of Access to Information, 2021]

Note:

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

To: The information Officer

(Address)

E-mail address: _____

Fax number: _____

Mark with an "X"

Request is made in my own name

Request is made on behalf of another person.

| PERSONAL INFORMATION | | | |
|---|-----------|--|-----------|
| Full Names: | | | |
| Identity Number: | | | |
| Capacity in which request is made (when made on behalf of another person) | | | |
| Postal Address: | | | |
| Street Address: | | | |
| E-mail Address: | | | |
| Contact numbers: | Tel (B): | | Facsimile |
| | Cellular: | | |
| Full Names of person on whose behalf request is made (if applicable): | | | |
| Identity Number: | | | |
| Postal Address: | | | |
| Street Address: | | | |
| Contact Numbers: | Tel (B): | | |
| | Cellular: | | |
| PARTICULARS OF RECORD REQUESTED | | | |



Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located (if the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed)

Description of record or relevant part of the record:

Reference Number, if available:

Any further particulars of record:

TYPE OF RECORD

(Mark the applicable box with an "X")

- Record is in written or printed form
- Record comprises virtual images (This includes photographs, slides, video, recordings, computer-generated images, sketches, etc)
- Record consists of recorded words or information which can be reproduced in sound
- Record is held on a computer or in an electronic, or machine-readable form

FORM OF ACCESS

(Mark the applicable box with an "X")

- Printed copy of record (including copies of any virtual images, transcriptions and information)



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

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

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



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

FEES

- a) A request fee must be paid before the request will be considered.
- b) You will be notified of the amount of the access fee to be paid.
- 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 exception of the payment of any fee. Please state the reason for exception.

| | |
|---------|--|
| Reason: | |
| | |
| | |
| | |
| | |
| | |

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

| Postal address | Facsimile | Electronic communication (please specify) |
|----------------|-----------|---|
| | | |

Signed at _____ this _____ day of _____ 20_____

Signature of requester/person on whose behalf request is made

FOR OFFICIAL USE

| | |
|---|--|
| Reference number: | |
| Request received by: (state rank, name and surname of information officer) | |
| Date received: | |
| Access fees: | |

Deposit (if any):

Signature of information officer



18. ANNEXURE 'C' – Form 2: Request for Correction or Deletion of Personal Information or Destroying or Deletion of Record of Personal Information

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: GNR.1383 of 14 December 2018: Regulations relating to the Protection of Personal Information]

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 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

| 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/DESTRUCTED/DESTROYED |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| D | REASONS FOR CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(10 (A) WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE 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 (please provide detailed reasons for the request) |
| | |
| | |
| | |
| | |
| Signed at | this day of 20 |
| | |
| | Signature of data subject/designated person |



19. ANNEXURE 'D' – Form 1: Objection to the Processing of Personal Information

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: GNR.1383 of 14 December 2018: Regulations relating to the Protection of Personal Information]

Note:

1. Affidavit 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 as is applicable.
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) (Please provide detailed reasons for the objection) |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |

Signed at _____ on this _____ day of _____ 20_____

Signature of data subject/designated person



20. ANNEXURE 'E' – Form: Data Subject Consent Withdrawal

DATA SUBJECT CONSENT WITHDRAWAL

For privacy reasons and in certain circumstances, you may have the right to withdraw your Consent issued to SAICA to collect, store and process your personal information for the purpose of fulfilling contractual duties, to comply with legal obligations, and/or for its legitimate interests, accordance to the provisions of the Protection of Personal Information Act, 4 of 2013, where applicable.

Should you wish to withdraw your consent, you are required to complete this Form to enable us to consider and process your request

On receipt of your request, SAICA will balance your privacy rights and freedoms with the rights, freedoms and obligations of SAICA and the public interest to have access to certain Personal Information related to you.

We will endeavour to respond to your request promptly, but in at least 30 (thirty) days, as follows:

- our confirmation of receipt of your request; or
- our receipt of any further information we may require from you to enable us to comply with your request.

Please note that, depending on the complexity and number of request we may extend the period by a further 2 (two) months, of which we will inform you of such extension within 1 (one) month of your request.

Note that the information you provide in this form will merely be used for the purpose of identifying you and the personal information you are requesting and enabling us to respond to your request. The completion of this form is not mandatory for you to make your request, such will however assist us in processing your request efficiently.

Section A: Details of Person Submitting the Withdrawal of Consent

| | |
|---------------------------|--|
| Full Name and Surname: | |
| Identity Number: | |
| Contact Telephone Number: | |
| Email Address: | |

| | |
|--------------------------------|--|
| Physical Address: | |
| Member Number (if Applicable): | |

Section B: Are you the Data Subject:

Please tick the appropriate box and peruse the instructions:

- Yes, I am the Data Subject.** I enclose herewith proof of my identity and physical address, please tick the boxes in terms of the proof:

- Identification document
- Passport
- Driver's License
- Birth Certificate
- Utility Bill or Bank Statement, not older than 3 (three) months
- TV License or Local Authority Tax Bill reflecting my physical address, not older than 1 (one) year

- No, I am not the Data Subject.** I am acting on behalf of the Data Subject and enclose hereto proof of my identity, as well as the Data Subject, and a copy of the Data Subject's written authority. (Please complete **Section C** hereof)

- My Documentation
- Identification document
- Passport
- Driver's License
- Birth Certificate
- Utility Bill or Bank Statement, not older than 3 (three) months
- TV License or Local Authority Tax Bill reflecting my physical address, not older than 1 (one) year
- Written Mandate Signed by Data Subject
- Data Subject's Documentation:
- Identification document
- Passport



- Driver's License
- Birth Certificate
- Utility Bill or Bank Statement, not older than 3 (three) months
- TV License or Local Authority Tax Bill reflecting my physical address, not older than 1 (one) year

To enable us to prevent the processing of withdrawal of consent from people impersonating others, or improperly seeking to suppress legal information we need to verify the identity of the person on whose behalf the request is made.

We also need to ensure that we identify the correct data subject this request relates to. Please provide us with a certified photocopy of scanned image of one of both of the following:

- **Proof of Identity**
Identity Document, Passport, Driving License or Birth Certificate.
- **Proof of Physical Address**
Utility Bill or Bank Statement, not older than 3 (three) months; TV Licence or Local Authority Tax Bill reflecting your physical address, not older than 1 (one) year.

In the event in which we are not satisfied that you have proven your identity, we reserve the right to refuse to grant your request.

Section C: Details of Data Subject (if different from Section A)

| | |
|--------------------------------|--|
| Full Name and Surname: | |
| Identity Number: | |
| Contact Telephone Number | |
| Email Address: | |
| Physical Address: | |
| Member Number (if Applicable): | |

Section D: Describe the Consent you issued to SAICA and what Information you Consented to be collected, used and processed.

We need to ensure that we identify the correct data subject and exactly what consent you wish to withdraw.

Please provide any relevant details you are of opinion would assist us in identifying the consent which you wish to withdraw:

Section E: Reasons for your Withdrawal of your Consent

Should you wish to withdraw your Consent, provide your reasons of your withdrawal:

**Section F: Declaration**

Please note: any attempt to mislead SAICA may result in prosecution.

I, undersigned

(Name and Surname)

do hereby,

1. confirm that I have read and understood the terms of this Data Subject Consent Withdrawal Form;
2. consent to the processing of the personal information that I am submitting in this form and any personal information I may submit in further correspondence for purposes of processing this request, and where necessary my details may be shared with the supervisory authority;
3. consent to SAICA taking reasonable steps and sharing my personal information in relation to this request with Controllers' and/or Processors' who obtained my personal information through SAICA making such personal information public, to inform them of the consent Withdrawal;
4. certify that the information provided in this application is true, correct and within my personal knowledge; and that I'm authorised to submit this request;

5. understand that it is necessary to confirm my identify, and where applicable also the Data Subject's Identity on whose behalf I am acting; and
6. it might be necessary to obtain more detailed information in order to locate the correct personal information.
7. confirm that I understand that SAICA will not be able to process my request if this Form is not properly completed or incomplete.

Signature

Date:

Supplementary Documentation Mandatory to this Data Subject Consent Withdrawal Form :

- **Proof of your Identity (refer to Section B hereof);**
- **Proof of the Data Subject's Identity (if different to the above);**
- **If applicable, authority from the Data Subject wherein you are mandated to act on his/her behalf.**

Please address and return your completed form, together with the mandatory documentation to:

The SAICA Data Protection Officer

Physical Address:

The South African Institute of Chartered Accountants

17 Fricker Road

Illovo

Sandton

Johannesburg

2196

Email: InformationOfficer@saica.co.za

Telephone Number: +27 11 621 6600 / 08610 SAICA (72422)