



PROMOTION OF ACCESS TO INFORMATION

Compiled in terms of Section 51 of the Promotion of Access to Information Act, Act No. 2 of 2000

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1. Introduction

Since 1982, MEDITECH South Africa (Pty) Ltd has provided integrated software solutions to healthcare organisations throughout Africa and the Middle East. The Company operates in the ICT industry and provides installation and support of health information systems. Management of the Company

The Company's MOI (Memorandum of Incorporation) is available from the CIPC. The Company utilises the Special Drafted MOI provided by CIPC; The shareholders and directors entered into a shareholder and/or directors agreements. In terms of the governing documents of the Company –

- 1.1. Any one of the directors may enter into a binding agreement with any Third Party;

2. Group Structures and Connected Companies

The Company is part of a holding/subsidiary structure or any associated companies via cross directorship or shareholding at this point in time.

In the event of a holding/subsidiary relationship or an association via cross directorship or shareholding in the future, the procedure provided for in this Manual may be used to access information of those connected or related entities. The designated Officials as per paragraph 2.1.1 would guide the Requester in this regard.

The Promotion of Access to Information Act states that it was enacted to give effect to the constitutional rights to information that is held by a Private Institution that is required for the protection or enforcement of any right.

This manual has been prepared in terms of Section 14 of the Promotion of Access to Information Act ,2000 to ensure compliance by MEDITECH

2.1. Contact Details and General Information

All requests for access to records in terms of the Promotion of Access to Information Act (PAIA Act) from MEDITECH must be in writing and must be addressed to the Information Officer designated by the Managing Director as information officer to receive requests, using the contact details below:

2.1.1 Duly authorised persons:

Information Officer	Tumi Tshabalala ttshabalala@MEDITECH.co.za +27 011 805 1631
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Head of Company	Dr. Sushanth Pillai Managing Director +27 011 805 1631 spillai@MEDITECH.co.za
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2.1.1 Addresses:

The Head office of the Company is located at:

a) Main Business Premise : MEDITECH South Africa
 Thandanani Office Park
 Cr Invicta and Matuka Close
 Midrand

b) Postal Address : P.O Box 1940,
 Halfway House
 1685

Telephone Number : +27 11 805 1631

Fax Number : +27 11 805 1624

Email Address: info@MEDITECH.co.za

OTHER OFFICES Subsidiary Offices : AUSTRALIA
 BOTSWANA
 NAMIBIA
 SINGAPORE

Website Address : www.ehr.MEDITECH.com/global/MEDITECH-south-africa

Only the details required in relation to this Manual are provided.

3. The Promotion of Access to Information Act

The Promotion of Access to Information Act, No 2 of 2000 ("the Act") gives effect to the constitutional right of access to any information in records held by public or private bodies that is required for the exercise or protection of any Constitutional Rights. The Act sets out the procedures attached to such a request, the requirements which a requester must meet, as well as the grounds for refusal or partial refusal of such request. If a public body lodges a request, the public body must be acting in the public interest.

MEDITECH has compiled this manual in order to inform requesters of the procedure to be followed when requesting records, ensuring the protection of any rights, and inform the request or of any other requirements which they must meet, as prescribed by the Act, when requesting records.

3.1. Applicable Legislation

The list below outlines all legislation in accordance with which records of MEDITECH are available.

- 3.1.1. Currencies and Exchanges Act, No. 9 of 1993 (Exchange Control Rulings, Exchange Control Regulations)
- 3.1.2. National Payment System Act.
- 3.1.3. Financial Markets Act (OTC Derivative Regulation)
- 3.1.4. Companies Act, No. 71 of 2008 7. Protection of Personal Information Act 4 of 2013
- 3.1.5. Labour Relations Act, No 66 of 1995 and amendments
- 3.1.6. Basic Conditions of Employment Act, No. 57 of 1997
- 3.1.7. Electronic Communications and Transactions Act
- 3.1.8. Occupational Health and Safety Act, No. 85 of 1993
- 3.1.9. Income Tax Act, No. 58 of 1962
- 3.1.10. Employment Equity Act, No. 55 of 1998
- 3.1.11. Compensation of Occupational Injuries and Diseases Act, No. 130 of 1993
- 3.1.12. Financial sector code read with Broad Based Black Economic Empowerment Act, No. 53 of 2003

3.2. Categories of Records

Records are categorized and sub-divided into the following categories:

- 3.2.1. Those that are voluntarily disclosed and automatically available to the public by a private body;
- 3.2.2. personnel records;
- 3.2.3. client related records;
- 3.2.4. MEDITECH'S internal records;
- 3.2.5. and other party records.

Information Category	Examples (not exhaustive)
Voluntary Disclosed and Automatically Available Records This category of records are automatically available without a person being required to request access in terms of the Act. Such	a) Public product information b) PAIA Manual c) Public Corporate Records d) Media Releases

records are available on MEDITECH website, for example:	
Personnel Records(Not Automatically Available)	<ul style="list-style-type: none"> a) Personal records provided by personnel. b) Records acquired from a third party relating to personnel, c) Employment contracts relating to personnel, d) Internal performance records of personnel, d) Training schedules and materials
Client Related Records (Not Automatically Available)	<ul style="list-style-type: none"> a) Personal Records provided by a client to MEDITECH for transactional purposes, b) Records provided by a third party, c) Records generated by MEDITECH within MEDITECH, Head Office systems and its Branches, relating to the client, including transactional records.
MEDITECH Internal Records (Not Automatically Available)	<ul style="list-style-type: none"> a) Financial Records b) Operational Records c) Databases and internal systems Records d) Information Technology Records e) Product Records f) Statutory Records g) Internal policies and procedures Records h) Treasury related Records i) Service providers Records
Other Party Records (Not Automatically Available)	<ul style="list-style-type: none"> a) Records held by MEDITECH pertaining to other parties, including but not limited to, financial records, correspondence, contractual records, records provided by another party or records of third parties in relation to contractors or suppliers. b) Personnel or client records held by a third party, on behalf of MEDITECH

3.3. Request Procedure

All requests for records made by a requester must comply with the guidelines set out below, which have been set out in line with requirements of the PAIA Act, relating to the request for records:

- 3.4. The requester must complete the prescribed form enclosed herein (Form C- Annexure A) and submit the same with the prescribed fee for requesting records, if applicable, to the MEDITECH Legal and Standards and Compliance Department popia@MEDITECH.co.za
- 3.5. The request must be addressed to the MEDITECH Standards and Compliance Department as the Designated Information Officer
- 3.6. The prescribed form must be completed in detail in order to allow the Information Officer to identify : a. The record (s) requested; b. The identity of the requester; c. The form of access as required; d. The contact details of the requester; and e. The right which the requester is seeking to exercise or protect, with an explanation of the reason the record is required to exercise or protect the right.
- 3.7. Access to records will only be considered once the full payment of the prescribed fee has been received from the requester, thereafter, MEDITECH will respond to the request for records within 30 days.

4. Grounds for Refusal of Access to Records

- 4.1. MEDITECH Has a legal right to refuse access to records which a requester has requested on the following grounds:
 - 4.1.1. Mandatory protection of privacy of a third party, who is natural person, if the disclosure of a record would involve the unreasonable disclosure of personal information about the third party, including a deceased individual;
 - 4.1.2. Mandatory protection of commercial information of a third party, if the request includes trade secrets, information supplied in confidence by the third party and financial, commercial, scientific or technical information of the third party, which the disclosure thereof would cause harm to the commercial or financial interest of that third party;
 - 4.1.3. Mandatory protection of certain confidential information of a third party, which if it is disclosed would constitute an action for breach of duty of confidence owed to the third party in terms of an agreement;
 - 4.1.4. Mandatory protection of safety of individuals, and protection of property where the disclosure could be reasonably expected to endanger the life or physical safety of an individual;
 - 4.1.5. Commercial information of MEDITECH
 - 4.1.6. Mandatory protection of records privileged from production in legal proceedings; and
 - 4.1.7. Mandatory protection of research information of a third party, and protection of research information of MEDITECH

4.2. Availability of this Manual

4.2.1. This Manual shall be available:

4.2.1.1. On the Company's website, ([https://ehr.MEDITECH.com/global/MEDITECH-south africa](https://ehr.MEDITECH.com/global/MEDITECH-south%20africa)) or a copy can be requested from the Information Officer at popia@MEDITECH.co.za.

4.2.1.2. More information can be found from the information regulator website <https://justice.gov.za/inforeg/index.html>

4.3. Fees in Respect of Private Bodies

4.3.1. The fee for a copy of the manual as contemplated in regulation 9(2)(c) of the Regulations is R1,10 for every photocopy of an A4-size page or part thereof.

4.3.2. The fees for reproduction referred to in regulation 11(1) are as follows: a) For every photocopy of an A4-size page or part thereof R1,10; b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form R0,75; c) For a copy in a computer-readable form on – i.stiffy disc R7,50 ii.compact disc R70,00; d) For a transcription of visual images, for an A4-size page or part thereof R40,00; e) For a copy of visual images R60,00; f) For a transcription of an audio record, for an A4-size page or part thereof R20,00; g) For a copy of an audio record R30,00;

4.3.3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50, 00.

4.3.4. The access fees payable by a requester referred to in regulation 11(3) are as follows: a) For every photocopy of an A4-size page or part thereof R1,10; b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form R0, 75; c) For a copy in a computer-readable form on – i. stiffy disc R7,50 ii. compact disc R70,00; d) For a transcription of visual images, for an A4-size page or part thereof R40,00; e) For a copy of visual images R60,00; f) For a transcription of an audio record, for an A4-size page or part thereof R20,00; g) For a copy of an audio record R30,00; h) To search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation.

4.3.5. For purposes of section 54(2) of the Act, the following applies: (a) Six hours, as the hours to be exceeded before a deposit is payable; and (b) one third of the access fee is payable as a deposit by the requester

4.3.6. The actual postage is payable when a copy of a record must be posted to a requester.

5. Protection of Personal Information that is processed

5.1. The Protection of Personal Information Act (POPIA) provides for the minimum conditions for lawful processing of personal information by a responsible party. These conditions may not be derogated unless specific exclusions apply as outlined in POPIA.

- 5.2. MEDITECH collects personal information from both individual and juristic persons in order to carry out its business and operational functions. The manner in which this information is processed and the purpose for which it is processed is determined by MEDITECH and governed by the protection of personal information policy and manual.
- 5.3. MEDITECH is accordingly a responsible party for the purposes of POPIA and will ensure that the personal information of a data subject is protected:
 - 5.3.1. Is processed lawfully, fairly and transparently.
 - 5.3.2. is processed only for the purposes for which it was collected;
 - 5.3.3. will not be processed for a secondary purpose unless that processing is compatible with the original purpose;
 - 5.3.4. Is adequate, relevant and not excessive for the purposes for which it was collected;
 - 5.3.5. Is accurate and kept up to date;
 - 5.3.6. Will not be retained for longer than necessary;
 - 5.3.7. is processed in accordance with integrity and confidentiality principles;
 - 5.3.8. Is stored or processed securely and is protected against unauthorized access; i) Is processed in accordance with the rights of Data Subjects, where applicable.
- 5.4. Data subjects have the right to:
 - 5.4.1. be notified that their personal information is being collected by MEDITECH;
 - 5.4.2. be notified in the event of a data breach;
 - 5.4.3. know whether MEDITECH holds personal information about them, and to access that information. Any request for information must be handled in accordance with the provisions of this manual;
 - 5.4.4. request the correction or deletion of inaccurate, irrelevant, excessive, out of date, incomplete, misleading or unlawfully obtained personal information; Form 1
 - 5.4.5. object to MEDITECH use of their personal information and request the deletion of such personal information (deletion would be subject to MEDITECH record keeping requirements); Form 1
 - 5.4.6. object to the processing of personal information for purposes of direct marketing by means of unsolicited electronic communications; Form 2
 - 5.4.7. complain to the Information Regulator regarding an alleged infringement of any of the rights protected under POPIA and to institute civil proceedings regarding the alleged noncompliance with the protection of his, her or its personal information.

5.5. Rights of the Data Subject

5.5.1. Objection to the Processing of Personal Information by a Data Subject

- 5.5.1.1. Section 11 (3) of POPIA and regulation 2 of the POPIA Regulations provides that a data subject may, at any time object to the processing of his/her/its personal Information subject to exceptions contained in POPIA.. The data subject may use Form C to request this.

5.5.2. Request for correction or deletion of Personal Information

- 5.5.2.1. Section 24 of POPIA and regulation 3 of the POPIA Regulations provides that a data subject may request for their personal information to be corrected/delete
- 5.5.2.2. The data subject may use Form C to request the correction or deletion of their personal information

5.6. Cross-border Transfer of Personal Information

- 5.6.1. MEDITECH shall not transfer the personal information of a data subject to a third party who is in a foreign country unless:
 - 5.6.1.1. the third party who is the recipient of the information is subject to a law, binding corporate rules or binding agreement which provide an adequate level of protection that;
 - 5.6.1.1.1. effectively upholds principles for reasonable processing of the information that are substantially similar to the conditions for the lawful processing of personal information relating to a data subject who is a natural person and, where applicable, a juristic person; and ii. includes provisions, that are substantially similar to this section, relating to the further transfer of personal information from the recipient to third parties who are in a foreign country; For information transfers to overseas branches, the department responsible for the transfer of the information shall contact the Information Officer or the Standards and Compliance Department for approval of the transfer prior to the information being transferred cross border.
 - 5.6.1.2. the data subject consents to the transfer;
 - 5.6.1.3. the transfer is necessary for the performance of a contract between the data subject and MEDITECH, or for the implementation of pre-contractual measures taken in response to the data subject's request;
 - 5.6.1.4. the transfer is necessary for the conclusion or performance of a contract concluded in the interest of the data subject between MEDITECH and a third party; or
 - 5.6.1.5. the transfer is for the benefit of the data subject, and -
 - 5.6.1.5.1. It is not reasonably practicable to obtain the consent of the data subject to that transfer; and
 - 5.6.1.5.2. if it were reasonably practicable to obtain such consent, the data subject would be likely to give it.
- 5.6.2. Currently, MEDITECH transfers client and employee information to MEDITECH Head Office where the information is stored in various data centers in the MEDITECH

6. Process for requesting access to a record

- 6.1. A requester must be granted access to a record of a private body if he/she complies with the procedural requirements in the Act and the access to the requested record is not refused on any of the grounds of refusal mentioned in the Act.
- 6.2. Any request for access to a record that is not automatically available must be submitted by completing and submitting the Access Request Form (Form C) to the Information Officer of MEDITECH
- 6.3. Any such request (excluding a personal requester) must be accompanied by proof of payment of the initial non-refundable request fee in the amount of R(we need to stipulate the amount) as amended from time to time in term of the Regulations
- 6.4. If a request for access is granted the requester will be required to pay the reproduction or access fees,calculated in accordance with the regulations issued in terms of the Promotion to Access to Information Act, and requester will be informed of the form in which access will be granted and will also be provided with the notice that the requester may lodge an appeal with the CEO and if not satisfied, lodge an application with a court against the payment of the access fee and the procedure for lodging the application.
- 6.5. If the request for access has not been granted, the requester will be informed of the reasons for such refusal and will also be informed that he/she may lodge an application with a court against the refusal of the request as well as the procedure.
- 6.6. Requestors will be notified within 30 days of receipt of the completed Access request Form whether their application was or not, except if the period has been extended in terms of the Act granted
- 6.7. All payments must be made into the bank account of MEDITECH , the details of which can be requested from the Information Officer.

7. Records that are not automatically available

Description of Records that are not Automatically Available and for which may be Applied in terms of the Promotion of access to Information Act

- 7.1. Minutes of meetings
- 7.2. Employee Employment Records
- 7.3. Contracts ,service level Agreements and other Contracts
- 7.4. Bid Documents and other supply chain documents
- 7.5. Internal Submissions, circulars and documents
- 7.6. All registers (ie; assets,loss and visitor access control)
- 7.7. Public Hospital license applications

8. Records that are lost and cannot be found or do not exist

- 8.1. In the event that all reasonable steps have been taken to find a Record requested; and there are reasonable grounds for believing that the Record is in the Private Body's possession but cannot be found; or does not exist
- 8.1.1. The Official must, by way of affidavit or affirmation, notify the Requester that it is not possible to give access to that Record.
- 8.1.2. The affidavit or affirmation must give a full account of all steps taken to find the Record in question or to determine whether the Record exists, as the case may be, including all communications with every Person who conducted the search on behalf of the Official.

9. Classification and categories and of sensitive and protected records

- 9.1.1. The following categories of Records are by virtue of their sensitivity protected by the Act and POPI. Special rules apply and various other laws also apply to these Records. For expediency and clarity, these Records are categorised under two main groups, namely those related to natural people and those related to Private Bodies:
- 9.1.1.1. Natural People
 - 9.1.1.1.1. Personal Information in general
 - 9.1.1.1.2. Special Personal Information.
 - 9.1.1.1.3. Information of Children
 - 9.1.1.2. Private Bodies
 - 9.1.1.2.1. Research
 - 9.1.1.2.2. Sensitive commercial Records relating to trade secrets, etc.
 - 9.1.1.2.3. Sensitive commercial Records relating to trade secrets, etc. of other Private Bodies (Third Parties or Data Subjects)
 - 9.1.1.2.4. Records relating to the safety of individuals and protection of property
 - 9.1.1.2.5. Information protected subject to an obligation of confidentiality by virtue of office, employment, profession and privileged information or by agreement

Annexure A

FORM C

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

- a. The particulars of the person who requests access to the record must be given below.
- b. The address and/or fax number in the Republic to which the information is to be sent must be given.
- c. Proof of the capacity in which the request is made, if applicable, must be attached

Full Name and Surname _____

Identity Number _____

Postal Address _____

Telephone number _____ Fax Number _____

E-Mail Address _____

Capacity which request is made on behalf of another person: _____

C. 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 Name and Surname _____

Identity Number _____

D. 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.

i. Description of record or relevant part of the record:

ii. Reference number, if available

iii. Any further particulars of record:

E. 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 for exemption.

Reason for exemption from payment of fees:

F. Form of access to record

If you are prevented by a disability from reading, viewing or listening to the record in the form of access provided for in 1 to 4 below, state your disability and indicate in which form the record is required.

Disability:	Form in which record is required:
<p>Mark the appropriate box with an X.</p> <p>NOTES:</p> <ol style="list-style-type: none"> 1. Compliance with your request for access in the specified form may depend on the form in which the record is available. 2. 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. 3. The fee payable for access to the record, if any, will be determined partly by the form in which access is requested. 	

1. If the record is in written or printed form:				
	Copy of Records		Inspection of Record	
2. If record consists of visual images - (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):				
	View the Images		Copy the Images	Transcription of the Images
3. If record consists of recorded words or information which can be reproduced in sound:				
	listen to the soundtrack (audio cassette)		transcription of soundtrack* (written or printed document)	
4. If record is held on computer or in an electronic or machine-readable form:				

	printed copy of record*		printed copy of information derived from the record*		copy in computer readable form* (stiffy or compact disc)
--	-------------------------	--	--	--	---

*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.	YES	NO
--	-----	----

G. Particulars of right to be exercised or protected

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.

a. Indicate which right is to be exercised or protected:

b. Explain why the record requested is required for the exercise or protection of the aforementioned right:

H. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved / denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

Signed At _____ this day _____ of _____ 20

SIGNATURE OF REQUESTER

PERSON ON WHOSE BEHALF REQUEST ID MADE

Annexure B

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:	
Contact Number	
Number: Fax number / Email address	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname/ Registered name of responsible party: Code ()	
Residential, postal or business address:	
Contact number(s):	

Fax number/ Email address	
C	REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f) (Please provide detailed reasons for the objection)

Signed at this..... day of20.....

Signature of data subject/designated person

Annexure C

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 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 DE

A	DETAILS OF DATA SUBJECT
Name(s) and surname/ registered name of data subject:	
Unique Identifier/ Identity Number	
Residential, postal or business address:	
Contact Number	
Number: Fax number / Email address	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname/ Registered name of	

responsible party: Code ()	
Residential, postal or business address:	
Contact number(s):	
Fax number/ Email 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. (Please provide detailed reasons for the request)

Signed at this..... day of20.....

Signature of data subject/designated person _____