



PAIA (PROMOTION OF ACCESS TO INFORMATION ACT)
and
POPI (PROTECTION OF PERSONAL INFORMATION) MANUAL
OF

The Sandton The Sandton Fun Factory Centre for Early Childhood Care and
Education

(herein referred to as “Sandton Fun Factory ”)

REGISTRATION NUMBER:

03 Pam Road

Morningside

Sandton

2149

Prepared in accordance with Section 51 of the Promotion of Access to Information Act, No. 2000 and to address the requirements of the Protection of Personal Information Act, 2013.

A copy of the manual is available for inspection at the Company and is available on the Company Website at www.sandtonfunfactory.co.za

INTRODUCTION

Section 14 of the Constitution of the Republic of South Africa, 1996, provides that everyone has the right to privacy. The right to privacy includes a right to protection against the unlawful collection, retention, dissemination and use of personal information.

The Promotion of Access to Information Act No. 2 of 2000, ('PAIA') came into operation in November 2001. Section 51 of this Act requires The Sandton Fun Factory to compile a manual giving information to the public regarding the procedure to be followed in requesting information from The Sandton Fun Factory for the purpose of exercising or protecting rights. This Manual sets out the framework for our company's compliance with the PAIA and POPI Acts.

Where reference is made to the "processing" of personal information, this will include any activity in which the information is worked with, from the time that the information is collected, up to the time that the information is destroyed, regardless of whether the information is worked with manually, or by automated systems.

The Protection of Personal Information Act, 2013 (the "POPI Act") provides for:

- a) the promotion the protection of Personal Information
- b) establishing minimum requirements for the processing of Personal Information;
- c) the establishment of an Information Regulator to exercise certain powers and to perform certain duties and functions in terms of the POPI Act and the PAIA Act;
- d) the rights of persons regarding unsolicited electronic communications and automated decision making;

A copy of this manual is available to the public for inspection on the Sandton Fun Factory website in a PDF version at www.sandtonfunfactory.co.za or on request from the designated contact person referred to in this manual. A copy of this manual is also available for perusal at the premises of the Sandton Fun Factory during office hours.

OUR DETAILS AND CONTACT PERSON

The person responsible for the administration of, and compliance with the Act, has been delegated by the CEO whom is also the Designated Information Officer of the Sandton Fun Factory .

Requests connected to the provisions of the Act should be directed as follows:

- Full Name : The Sandton Fun Factory Centre for Early Childhood Care and Education
- Registration Number :
- Physical Address : 03 Pam Road, Morningside, Sandton, 2149
- Telephone Number : +27
- CEO & Designated Information Officer: Dr. Mariana Naude
- Email address : mariana.naude@sandtonfunfactory.co.za
- Deputy Information Officer & Operational Manager: Mrs. Yvonne Rammuki
- Email address : yvonne.rammuki@sandtonfunfactory.co.za
- Company website : www.sandtonfunfactory.co.za

The Information Officer has delegated her powers to the Deputy Information Officer in terms of the POPI and PAIA Acts to handle all requests on the Company's behalf and ensure that the requirements of the Acts are administered in a fair, objective and unbiased manner.

HUMAN RIGHTS COMMISSION (HRC) GUIDE

The Human Rights Commission has been tasked with the administration of the PAIA Act. Section 10 of the PAIA Act requires the South African Human Rights Commission (SAHRC) to publish a guide which is intended to assist users in the interpretation of the PAIA Act and how to access the records of private and public bodies and the remedies available in law regarding a breach of any of the provisions of the PAIA Act.

Copies of this guide are available from SAHRC. Enquiries regarding the Guide and relating to the person's rights and in particular their right to access information from a private or public body can be addressed to the SAHRC, the contact details of which are as follows:

Post :	The South African Human Rights Commission:
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	PAIA (Promotion of Access to Information Act) Unit Research and Documentation Department Private Bag 2700 Houghton 2041
Telephone Number:	27 (11) 484 8300/ +27 11 877 3600
Fax:	+27 (11) 484 7146/ +27 11 403 0625
Email:	PAIA@sahrc.org.za/section51.paia@sahrc.org.za
Website:	http://www.sahrc.org.za

OUR UNDERTAKINGS TO OUR CLIENTS:

a. We undertake to follow the POPI Act at all relevant times and to process personal information lawfully and reasonably, so as not to infringe unnecessarily on the privacy of our clients.

b. We undertake to process information only for the purpose for which it is intended, to enable us to do our work, as agreed with our clients.

c. Whenever necessary, we shall obtain consent to process personal information.

d. Where we do not seek consent, the processing of our client's personal information will be following a legal obligation placed upon us, or to protect a legitimate interest that requires protection.

e. We shall stop processing personal information if the required consent is withdrawn, or if a legitimate objection is raised.

f. We shall collect personal information directly from the client whose information we require, unless:

- the information is of public record, or
- the client has consented to the collection of their personal information from another source, or
- the collection of the information from another source does not prejudice the client, or
- the information to be collected is necessary for the maintenance of law and order or national security,

or

- the information is being collected to comply with a legal obligation, including an obligation to SARS,
- the information collected is required for the conduct of proceedings in any court or tribunal, where these proceedings have commenced or are reasonably contemplated; the information is required to maintain our legitimate interests;
- where requesting consent is not reasonably practical in the circumstances.

g. We shall advise our clients of the purpose of the collection of the personal information.

h. We shall retain records of the personal information we have collected for the minimum period as required by law unless the client has furnished their consent or instructed us to retain the records for a longer period.

i. We shall destroy or delete records of the personal information (so as to de-identify the client) as soon as reasonably possible after the time period for which we were entitled to hold the records have expired.

j. We shall restrict the processing of personal information:

- where the accuracy of the information is contested, for a period sufficient to enable us to verify the accuracy of the information;
- where the purpose for which the personal information was collected has been achieved and where the personal information is being retained only for the purposes of proof;
- where the client requests that the personal information is not destroyed or deleted, but rather retained;
- where the client requests that the personal information be transmitted to another automated data processing system.

k. The further processing of personal information shall only be undertaken:

- if the requirements have been met;
- where the further processing is necessary because of a threat to public health or public safety or to the life or health of the client, or a third person;
- where the information is used for historical, statistical or research purposes and the identity of the client will not be disclosed;
- where this is required by the Information Regulator appointed in terms of POPI.

l. We undertake to ensure that the personal information which we collect and process is complete, accurate, not misleading and up to date.

m. We undertake to retain the physical file and the electronic data related to the processing of the personal information.

INFORMATION AVAILABLE IN TERMS OF THE ACT

1. Policy regarding confidentiality and access to information The Sandton Fun Factory will protect the confidentiality of information provided to it by third parties, subject to its obligations to disclose information in terms of any applicable law or regulation or a court order requiring disclosure of information. If access is requested to a record that contains information about a third party, The Sandton Fun Factory is obliged to attempt to contact such third party to inform him/her/it of the request.

2. Records automatically available - [section 51(1) (c)]

At this stage no notice(s) has/have been published in terms of section 52 of the PAIA on the categories of records that are automatically available without a person having to request access in terms of the PAIA.

Records that are automatically available at the registered office of The Sandton Fun Factory on payment of the prescribed fee for reproduction are documentation and information relating to The Sandton Fun Factory which is held by the Master of the High Court and on the non-profit webpage.

3. Subjects and categories of records held by the company: [section 51(1) (e)]

The list(s) below depict categories of records of information which The Sandton Fun Factory has available in terms of laws applicable to it. Some of this information and the access thereto may be restricted to protect the Privacy and Private information of clients and children:

- a. Statutory Company Information:
- b. Corporate Governance:
- c. Accounts Records:
- d. Statutory Employee Records
- e. Human Resources
- f. Safety and Health Record
- g. Fixed Property
- h. Moveable Property

- i. Intellectual Property
- j. Agreements and Contracts
- k. Taxation
- l. Legal
- m. Insurance
- n. Information Technology
- o. Sales and Marketing

4. Records that are not automatically available

Records of the Company which are not automatically available must be requested in terms of the procedure set out in section 8 of this PAIA Manual or the Regulations as set out in terms of POPIA and which may be subject to the restrictions and right of refusal to access as provided for in the PAIA Act and in POPIA.

No request shall be accepted telephonically nor shall any information be supplied telephonically. Only the Information officer or any Deputy Information officer appointed shall have the mandate to disclose information in terms of this manual.

5. Procedure for requesting access to the above information

Records held by the Sandton Fun Factory may be accessed, on request, only once the requirements for access have been met. A requester is any person making a request for access to a record of the Company and in this regard, the Act distinguishes between two types of requesters:

(i) Personal Requester

A personal requester is one who seeks access to a record containing the requester's own personal information.

(ii) Requester

Any person making a request for access to records of the Company.

(iii) Other Requester

Other requesters are those who request access to information pertaining to third parties. A request will not automatically be granted and short reasons for the refusal shall be supplied. It should be noted that a request for access to information can be refused if the application does not comply with the requirement of the Act. Further the completion and submission of a request does not automatically allow the requester access to the requested record.

The requester must comply with all the procedural requirements contained in the PAIA and POPI Acts relating to the request for access to records. If you wish to request access to any of the above categories of information you are required to complete a request form as set out in Annexure "A" hereto. These forms are available from:

Our Information Officer (whose contact details are in Section A of this manual);

The SAHRC website (www.sahrc.org.za);

The Department of Justice and Constitutional Development website (www.doj.gov.za).

A requester must state that the information is required in order to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. The requester must also provide an explanation of why the requested record is required for the exercise or protection of that right.

There is a prescribed fee (payable in advance) for requesting and accessing information in terms of the Act. Details of these fees are contained in the request form.

You may also be called upon to pay the additional fees prescribed by regulation for searching for and compiling the information which you have requested, including copying charges and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.

It is important to note that the successful completion and submission of an access request form does not automatically allow the requester access to the requested record. An application for access to a record is subject to certain limitations if the requested record falls within a certain category as specified within part 3 Chapter 4 of the Act.

The Sandton Fun Factory will process the request within 30 days of receipt of the request and decide whether to grant or decline the request and give notice with reason (if required) to that effect. The 30-day period may be extended for a further period of not more than 30 days, if the request is for a large volume of information, or the request requires a search for information held in another office and the information cannot reasonably be obtained within the original 30-day period. The Sandton Fun Factory will notify the requester in writing should extension be sought.

If it is reasonably suspected that the requester has obtained access to records through the submission of materially false or misleading information, legal proceedings may be instituted against such requester.

The completed Access Request Form together with a copy of the identity document must be submitted via conventional mail or e-mail and must be addressed to the contact person as indicated above.

6. Grounds for Refusal of Access to Records

The Sandton Fun Factory has the right to refuse access to information on legal grounds as set out in POPIA and in PAIA which will mainly be on one or more of the following grounds:

- Mandatory protection of the personal information, special personal information or privacy of a third party who is a natural person (including children), if such disclosure would involve the unlawful or unreasonable disclosure of Personal Information about a third party, including a deceased individual or child, subject to the provisions of section 63 (2) of PAIA or any section or regulation of POPIA.
- Mandatory protection of the personal, confidential or commercial information of the third party (which may be a natural person or legal entity), if the record contains:
 - Trade secrets of that party;
 - Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interest of that party;
 - Information disclosed in confidence by the third party to The Sandton Fun Factory if the disclosure could put the third party to a disadvantage in negotiations or commercial completion.

- Mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- Mandatory protection of certain confidential information of third party, where the head of a private body must refuse a request for access to a record of the body if its disclosure would constitute an action for breach of a duty of confidence owed to a third party in terms of an agreement.
- Mandatory protection of the safety of individuals and the protection of property, where such disclosure could endanger the life or physical safety of an individual, or prejudice or impair the security of:
 -  a building, structure or any system
 -  a means of transport, or any other property.
- Mandatory protection of records which could be regarded as privileged in legal proceedings, unless the legal privilege has been waived;
- Mandatory protection of records and information as laid out in the National Key Point Act;
- Commercial information of private body, in that a request for access to a record may be refused if the record contains:
 -  trade secrets, financial, commercial, scientific or technical information of the institution, which disclosure, could likely cause harm to the financial or commercial interest of the institution;
 -  Information which, if disclosed could prejudice or put the institution at a disadvantage in negotiations or commercial competition; and
 -  A computer programme which is owned by the institution and which is protected by copyright.
 -  An educational programme which is owned by an individual and which is protected by copyright.
- **Mandatory protection of research information of the institution.** A request will be refused if this disclosure would disclose the identity of the institution, the researcher or the subject matter of the research and would place the researcher at a serious disadvantage.

- **Mandatory disclosure in public interest.** Despite any of the protections mentioned above, the Information Officer shall grant a request for access to a record if:
 - a) the disclosure of the record would reveal evidence of-
 - i. a substantial contravention of, or failure to comply with, the law;
 - ii. imminent and serious public safety or environmental risk; and
 - b) the public interest in the disclosure of the record clearly outweighs the harm contemplated in the provision in question.
- If disclosure of the record would prejudice or impair the security of property or means of transport;
- If disclosure of the record would prejudice or impair the protection of a person in accordance with a witness protection scheme;
- Disclosure of the record would put the Company at a disadvantage in contractual or other negotiations or prejudice it in commercial competition;
- The record is a computer programme; and the record contains information about research being carried out or about to be carried out on behalf of a third party or the Company.

7. Remedies Available if Request for Information is refused

If the request for access is refused, the Deputy Information Officer of the Company must:

- (a) State adequate reasons for the refusal, including the provisions of this Act relied on;
- (b) Exclude, from any such reasons, any reference to the content of the record; and
- (c) State that the requester may lodge an application with a court against the refusal of the request, and the procedure (including the period) for lodging the application.

• Internal Remedies

The Sandton Fun Factory does not have an internal appeal procedure. As such, the decision made by the Information Officer and the Deputy Information Officer pertaining to a request is final, and requestors will have to exercise such external remedies at their disposal if a request is refused, and the requestor is not satisfied with the response provided by the information officer.

- **External Remedies**

A requestor that is dissatisfied with the information officer's refusal to disclose information, may within 30 days of notification of the decision, apply to a court for appropriate relief. For purposes of the Act, courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status. The court will review the request and decide whether in fact the Deputy Information Officer of the Company should give the requester the information requested or not. A court hearing an application in terms of the PAIA Act may grant any order that is just and equitable including orders:

- (a) Confirming, amending or setting aside the decision which is the subject of the application;
- (b) Requiring the Deputy Information Officer of the Company or relevant authority of a public body or the head of a private body to take such action or to refrain from taking such action, as the court considers necessary within the period mentioned in the court order;
- (c) Granting an interdict, interim or specific relief, a declaratory order or compensation;
- (d) Granting an order as to costs.

8. Records that cannot be found or do not exist

If The Sandton Fun Factory has searched for a record and it is believed that the record does not exist or cannot be found, the requester will be notified by way of an affidavit or affirmation. This will include the steps that were taken to try to locate the record. If after notice is given, the record in question is found, the requester must be given access thereto unless the ground for the refusal of access exists.

If the request is declined for any reason the notice must include adequate reasons for the decision, together with the relevant provisions of the PAIA Act relied upon and provide the procedure to be followed should the requester wish appeal the decision. Section 59 provides that the Deputy Information Officer of the Company may serve a record and grant access only to that portion which the law does not prohibit access to.

9. Fees

9.1 The Act provides for two types of fees, namely:

- A request fee, which will be a standard fee; and
- An access fee, which must be calculated by considering reproduction costs, search and preparation time and costs, as well as postal costs.

9.2 When the request is received by the Deputy Information Officer of the Company, such person shall by notice require the requester to pay the prescribed request fee, if any, before further processing of the request.

9.3 If a requester requires access to records of his/her Personal Information, there shall be no request fee payable. However, the requester must pay the prescribed access and reproduction fees for such Personal Information.

9.4 If the search for the record has been made and the preparation of the record for disclosure including arrangements to make it available in the request form, requires more than the hours prescribed in the regulations for this purpose, the Deputy Information Officer of the Company shall notify the requester to pay as a deposit the prescribed portion of the access fee which would be payable if the request is granted.

9.5 The Deputy Information Officer of the Company shall withhold the record until the requester has paid the fees as indicated in Annexure "B" hereto.

9.6 A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the records for disclosure including making arrangements to make it available in the request form.

9.7 If a deposit has been paid in respect of a request for access, which is refused, then the Deputy Information Officer of the Company must repay the deposit to the requester with interest at the prescribed rate.

10. Third parties

10.1 If the request is for the record pertaining to the third party, the Deputy Information Officer must take all reasonable steps to inform the third party of the request. This must be done within 21 (twenty-one) days of receipt of the request. The manner in which this is done must be by the fastest means reasonably possible, but if orally, the

Deputy Information Officer of the Company must thereafter give the third party a written confirmation of the notification.

10.2 The third party may within 21 (twenty-one) days thereafter either make representation to the Sandton Fun Factory as to why the request should be refused; alternatively grant written consent to the disclosure of the record.

10.3 The third party must be advised of the decision taken by the Deputy Information Officer of the Sandton Fun Factory whether to grant or to decline the request. A third party who is dissatisfied with the Deputy Information Officer of the Company's decision to grant a request for information, may within 30 (thirty) days of notification of the decision apply to a Court for relief.

INFORMATION AVAILABLE IN TERMS OF OTHER LEGISLATION [SECTION 51(1)(D)]

Where applicable to our operations, records are kept in accordance with the following legislation:

• Basic Conditions of Employment Act, No. 75 of 1997 • Broad Based Black Economic Empowerment Act, No. 53 of 2003 • Trust Property Control Act • Compensation for Occupational Injuries and Disease Act, No. 130 of 1993 • Nonprofit Organisations Act 71 of 1997 • Constitution of South Africa Act, No. 108 of 1996 • Consumer Protection Act, No. 68 of 2008 • Copyright Act, No. 98 of 1987	• Security Industry Regulation Act 56 of 2001 • Labour Relations Act, No. 66 of 1995 • Child Care Amendment Act, 1996 [No. 96 of 1996] • Occupational Health and Safety Act, No. 85 of 1993 • Promotion to Access to Information Act, No. 2 of 2000 • Promotion of Equality and Prevention of Unfair Discrimination Act, No 26 of 2000 • Private Patents Act, No. 57 of 1987 • Prevention and combating of corrupt activities act 2014
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• Electronic Communications and Transactions Act, No. 2 of 2002 • Employment Equity Act, No. 55 of 1998 • Employment Tax Incentive Act 26 of 2013 • Health Act, No 63 of 1998 • Income Tax Act, No 58 of 1962	• Protection of personal information Act (POPI) • Protected disclosures act 26 of 2000 • Regulation of Interception of Communications and Provisions of Communication Related Information Act, No. 70 of 2002 • Skills Development Act, No. 9 of 1997 • Unemployment Insurance Act, No. 63 of 2001
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While the Sandton Fun Factory has used its best endeavours to supply you with a list of applicable legislation it is possible that the above list may be incomplete. Particulars in terms of section 51 of the act:

1.1 On 9 March 2001 the PAIA Act came into effect. The Act seeks to advance a culture of transparency and accountability in both public and private bodies. The legislation was enacted as a direct response to Section 32(2) of the Constitution of South Africa – the right of access to information – which requires that the Government implements laws in an effort to make information pertaining to public and private bodies more accessible to all.

1.2 The Act gives effect to the constitutional right of access to any information held by the State and any information that is held by another person and that is required for the exercise or protection of any rights. Where a request is made in terms of the PAIA Act, the body to whom the request is made is obliged to release the information, except where the PAIA Act expressly provides that the information may or must not be released.

1.3 One of the main requirements specified in the PAIA Act is the compilation of a manual that provides information on both the types and categories of records held by the public or private body. In terms of the PAIA Act, the Company is regarded as a “private body” and therefore the requirements regarding access must be in compliance

with the provisions of the PAIA Act relevant to private bodies and more in particular Section 51 of the PAIA Act.

1.4 In compliance with Section 51 of the PAIA Act this PAIA Manual sets out the following details:

- (a) The Company's contact details including, physical and postal addresses, telephone and fax numbers, electronic mail address of the person tasked in terms of this act
- (b) Information on how to obtain and access this act and a guide on how to use it;
- (c) Categories of information held by the Company that is available without a person having to formally request such details in terms of the PAIA Act;
- (d) Categories of information held by the Company that is available in accordance with other legislation and which, subject to the PAIA Act, may be made available by the Company on receipt of and consideration of a formal request, made in terms of the PAIA Act;
- (e) Sufficient information to facilitate a request for access to records and a description of the subjects on which records are available from the Company;

1.5 Adherence to these requirements entails not only compilation of the external manual but also compliance with the general provisions stated in the PAIA Act.

PROCESSING OF PERSONAL INFORMATION

1. Purpose of Processing

The Sandton Fun Factory uses the Personal Information under its care in the following ways:

- Developmentally appropriate education
- Administration of agreements
- Providing products and services to clients
- Marketing and sales
- In connection with legal proceedings
- Staff administration
- Learner administration
- Keeping of accounts and records

- Complying with legal and regulatory requirements

2. Categories of Data Subjects and their Personal Information

The Sandton Fun Factory may possess records relating to parents, learners, suppliers, service providers, staff and clients as follows:

ENTITY TYPE	PERSONAL INFORMATION PROCESSED
Clients, Parents and learners - Natural Persons	Names; contact details; physical and postal addresses; date of birth; ID number; nationality; gender; confidential correspondence.
Contracted Service Providers	Names of contact persons; name of legal entity; physical and postal address and contact details; financial information; registration number; founding documents; tax related information; authorised signatories; beneficiaries; ultimate beneficial owners; shareholding information; BBBEE information.
Employees / Trustees	Gender; driver's license code; marital status; race; age; language; education information; financial information; employment history; ID number; physical and postal address; contact details; opinions; criminal record; well-being.

3. Categories of Recipients for Processing the Personal Information

The Sandton Fun Factory may share the Personal Information with its agents, affiliates, and associated companies who may use this information to send the client information on products and services. It may also supply the Personal Information to any party to whom it may have assigned or transferred any of its rights or obligations under any agreement, and/or to service providers who render the following services:

- Capturing and organising of data
- Storing of data;
- Sending of emails and other correspondence to parents and clients;
- Conducting due diligence checks;

4. Retention of Personal Information Records

The Sandton Fun Factory may retain Personal Information records indefinitely, unless the Client objects thereto. If the Client objects to indefinite retention of its Personal Information the Sandton Fun Factory shall retain the Personal Information records to the extent permitted or required by law.

5. General Description of Information Security Measures

The Sandton Fun Factory employs up to date technology to ensure the confidentiality, integrity and availability of the Personal Information under its care. Measures include:

- Firewalls
- Virus protection software and update protocols
- Logical and physical access control;
- Secure setup of hardware and software making up the IT infrastructure;
- Outsourced Service Providers who process Personal Information on behalf of the Sandton Fun Factory are contracted to implement security controls.

6. Objection to processing of personal information in terms of POPIA

You may object to processing of your personal information at any time by completing Annexure C –

Form 1 attached hereto and by sending it to:

Deputy Information Officer & Operational Manager: Yvonne Rammuki

Email address: Yvonne.rammuki@Sandtonfunfactory.co.za

7. Request for correction or deletion of personal information or destroying / destruction thereof

In terms of POPIA you may request for correction or deletion or personal information or destroying / destruction or deletion of a record of personal information at any time by completing Annexure D – **Form 2**, attached hereto and you may request reasonable

assistance free of charge to make any request, or objection on any form supplied to you, by contacting the Deputy Information Officer & Operational Manager: Yvonne Rammuki

Email address: Yvonne.rammuki@Sandtonfunfactory.co.za

8. Withdrawal of consent in terms of POPIA

You may withdraw consent to process your personal information at any time by completing Annexure E – **Form 3**, attached hereto and you may request reasonable assistance free of charge to make any request, or objection on any form supplied to you by contacting the Deputy Information Officer & Operational Manager: Yvonne Rammuki: Email address: Yvonne.rammuki@Sandtonfunfactory.co.za

9. Complaints in terms of POPIA

You may lodge a complaint with the Regulator at the address and contact particulars set out below in clause 11.

A complaint with the Regulator may be about an interference with the protection of your personal information the following regard:

- A breach of any of the conditions for lawful processing of POPIA; or
- Non-compliance with sections 22, 54, 69, 70, 71, 72 of POPIA; or
- A breach of a condition of a code of conduct in terms of section 60 of POPIA.

You may also lodge a complaint with the RESPONSIBLE PARTY by contacting the Deputy Information Officer & Operational Manager: Yvonne Rammuki

Email address: Yvonne.rammuki@Sandtonfunfactory.co.za

You may also lodge a complaint with the Regulator in terms of section 63(3) if you are unhappy about the determination of an adjudicator as appointed by the Regulator, after the Regulator has investigated your complaint, by using **form 5**.

The determination will have effect, until such time that the Regulator changes or overrules the determination post your complaint.

The complaint to the Regulator must be made in writing and should you experience any problems, you may contact the office of the Regulator who will provide you with reasonable assistance to make the complaint in writing.

The Regulator has the following powers when a complaint is lodged:

- Consult with the Responsible Party and with the complainant;
- Investigate the complaint by gathering information through subpoenas and warrants or search
- premises;
- Summons people to appear and testify or compel them to provide written evidence;
- Conduct private interviews with people;
- Conduct any enquiry she sees fit; and
- Resolve the complaint by means of dispute resolution such as mediation and conciliation;
- Apply for fines and penalties to be ordered by a competent court as set out in section 107 and 109 of POPIA;
- Refer the matter to an enforcement committee and issue enforcement notices or information notices;
- Institute civil action for damages.