

DATA SUBJECT ACCESS REQUEST POLICY

1. Purpose

- 1.1 This document sets out Themba Trans (Pty) Ltd's policy for responding to data subject access requests under POPIA (Protection of Personal Information Act). A 'Data Subject Access Request' enables a data subject to gain access to any personal information held about them by the Company.
- 1.2 It promotes the right of data subjects to submit a 'Data Subject Access Request' in order to obtain a copy of such personal information held about them, in electronic or hard copy form.
- 1.3 It also outlines the procedure to be followed by data subjects when submitting a 'Data Subject Access Request'.

2. What is personal information

- 2.1 Personal information is any data, in both physical and electronic form, related to an identified or identifiable person. It includes anything that can be used to identify a person, directly or indirectly, by means of his or her physical, physiological, mental, economic cultural, or social identity.

3. Data subject's rights

- 3.1 A data subject has the right to know what personal information is held about them. POPIA ensures that personal information is handled properly. This information must be:
 - Processed fairly, lawfully and in a transparent manner
 - Processed for specific, legitimate and lawful purposes
 - Adequate, relevant and not excessive
 - Accurate and up to date
 - Not kept for longer than necessary
 - Processed in line with an individual's rights
 - Secure
 - Not transferred other than in accordance with agreed terms and conditions

4. What is a 'Data Subject Access Request'

- 4.1 A 'Data Subject Access Request' is a written request for personal information held about you by the Company.

- 4.2 As the data subject, you have the right to see if the Company is processing your personal information and receive a copy of the data itself. In particular, you have the right to the following information:
- The data itself in a permanent and intelligible format;
 - The purposes of the processing (what are we using your data for?);
 - The categories of personal information concerned (e.g. name, address, email address, date of birth, etc.);
 - The recipients or categories of recipient to whom the personal information have been or will be disclosed (are we sharing your information with anyone else?); and
 - How long we expect to store your data.
- 4.3 You are entitled to have any mistakes in your personal information rectified, and to have the information deleted if you would no longer like us to store or process your personal information, or to request the restriction of our processing of your personal information.
- 4.4 If you are not satisfied with how we have stored or processed your personal information, you have a right to lodge a complaint with us, by contacting privacy@thembatrans.co.za.

5. How do you make a subject access request

- 5.1 To allow us to respond promptly to any 'Data Subject Access Request', we ask you to:
- Please complete, sign and date the form – Annexure A – and be specific as possible about the information you wish to access;
 - Attach a copy of your proof of identity and address; and
 - Send the completed request form, along with the proof of identity and address either electronically to privacy@thembatrans.co.za, or by courier to: Information Officer, Themba Trans, Quantico House, Loerie Park, Paul Kruger Street, Durbanville, 7550.

6. What do we do when we receive a 'Data Subject Access Request'

- 6.1 We will first check that we have enough information to be sure of your identity. Usually, we will have no reason to doubt a person's identity. However, in rare cases, we may request additional evidence we reasonably need to confirm your identity. We do this to ensure that we only disclose information about the personal information to the data subject.
- 6.2 We will then check that we have enough information to find the records you requested. If we feel we need more information, then we will promptly ask you for this.
- 6.3 Then we will conduct a full search of all our relevant databases and filing systems and collect all information relevant to the 'Data Subject Access Request'.
- 6.4 We will then share with you the information and the additional data that you are entitled to. The default position is that you will get a hard copy of the information in a permanent and intelligible format unless the supply of such a copy is not possible or would involve a disproportionate effort, or you have agreed otherwise. Any terms which are not intelligible without an explanation will be accompanied by an explanation.
- 6.5 The copy of the requested material will be dispatched by secure, registered delivery, and we will seek timely confirmation from you, as the data subject on receipt of the material.

Themba Trans (Pty) Ltd

Executive Directors: JJ Wehmeyer (MD), AGE van der Merwe (Marketing)
Reg No 2012/111450/07 / VAT No 4160262806

7. Are there any fees payable

7.1 It may be necessary to pay fees for access to personal information. These fees are for the following:

7.1.1 Request fee:

- If the request is to access personal information about the data subject, he/she will not be required to pay the request fee. Any other request must be accompanied by the required request fee, which is currently R35.00.

7.1.2 Access fee:

- If the request is granted then an access fee must be paid for the reproduction of records and for the time in excess of one hour to search and prepare the records for disclosure.
- Where the time to prepare the records for disclosure is likely to exceed six hours, a deposit of one-third of the anticipated access fee may be required as a deposit.

7.2 The access fees payable by a requester in Regulation 7(3) are as follows:

Description	R/C
For every photocopy of an A4 size paper or part thereof	0.60
For every printed copy of an A4 size page or part thereof held on a computer or in electronic or machine-readable form	0.40
For a copy in a computer-readable form on a compact disk	40.00
To search for and prepare the record for disclosure, for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation	15.00
For purposes of section 22(2) of the Act, the following applies: <ul style="list-style-type: none">• Six hours as the hours to be exceeded before a deposit is payable; and• One-third of the access fee is payable as a deposit by the requester.	
The actual courier fee is payable when a copy of a record must be couriered to a requester	

7.3 Copies shall be printed in black and white.

8. What is the timeframe for responding to 'Data Subject Access Requests'

8.1 We have one month (30 calendar days) to provide you with a decision, either to provide or deny you access to the information or records. The Information Officer may extend the period of 30 days by another period of 30 days, however, only one extension is allowed.

8.2 The period may be extended under certain prescribed circumstances, for example where the request is for a large number of records or where the requested information is at an office elsewhere from the office of the Information Officer.

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ANNEXURE A – DATA SUBJECT ACCESS REQUEST FORM

1. Data Subject (Person that the request relates to)

Title: Mr/Mrs/Miss/Ms/Other	
Surname	
Forenames	
Any other names that you are known by that may assist in the search	
Address	
Postcode	
Telephone	
E-mail	

2. Proof of identity

Please include a copy of your identity card or passport and a proof of your address.

This is to ensure that we are only sending information to the data subject and not to a third party that has not been authorized by you. If none of these are available, please contact privacy@thembatrans.co.za for advice on other acceptable forms of identification.

3. Information requested

To help us to deal with your request quickly and efficiently, please provide as much detail as possible about the information you want.

I would like you to:

Confirm if Themba Trans (Pty) Ltd. processes my personal information

Provide a copy of my personal information

Provide supporting and explanatory material on the following as detailed below:

- The purposes of processing
- The categories of my personal information processed
- The recipients, or categories of recipients of my personal information
- The envisaged retention period of my personal information, or, if this is not possible, the criteria used to determine this period
- My rights to rectification or deletion, to restrict processing or to object to processing, and to file a complaint to a data protection authority
- Information regarding the source of the personal information (if you did not collect this from me)
- Any automated decision making having legal or similar effects on me, as well as the logic involved and the consequences of the processing for me

I would like you to respond to my request and provide the information I have requested as follows:

Post E-mail

I, _____, confirm that the information provided on this form is correct and that I am the data subject whose name appears on this form. I understand that Themba Trans (Pty) Ltd. must confirm proof of identity and that it may be necessary to contact me again for further information to locate the personal information I want. I understand that my request will not be valid until all of the information requested is received by Themba Trans (Pty) Ltd. I also understand that whilst this request is free of charge, if I request the same information again or make unfounded or excessive requests, Themba Trans (Pty) Ltd. may charge a reasonable administrative fee to process my request.

Signature

Date

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