

# COMBINED PAIA & POPIA MANUAL (the / this “Manual”)

for  
***CBRE EXCELLERATE FACILITIES MANAGEMENT (PTY) LTD and  
CBRE GWS FACILITIES MANAGEMENT (PTY) LTD  
(hereinafter collectively referred to as “CBRE EFM”)***

*Prepared in accordance with Section 51 of the Promotion of Access to Information Act, 2000 and the requirements of the Protection of Personal Information Act, 2013.*

## **Non-Disclosure of Information**

Information contained in this document is proprietary in nature and/or protected by copyright.  
Please obtain written permission from the CBRE EFM Management prior to distributing or reproducing this document.

# TABLE OF CONTENTS

1.	INTRODUCTION .....	2
2.	COMPANY OVERVIEW AND CONTACT DETAILS .....	2
3.	SCOPE OF THE MANUAL .....	3
4.	RECORDS AVAILABLE IN ACCORDANCE WITH LEGISLATION .....	3
5.	ACCESS TO RECORDS .....	5
5.1.	AUTOMATIC AVAILABILITY OF CERTAIN RECORDS .....	5
5.2.	RECORD SUBJECTS AND CATEGORIES .....	5
5.3.	ACCESS REQUEST PROCEDURE .....	8
5.4.	COMPLETION OF THE ACCESS REQUEST FORM .....	9
5.5.	SUBMISSION OF ACCESS REQUEST FORM .....	9
5.6.	FEES .....	9
5.7.	NOTIFICATION .....	10
5.8.	THIRD PARTY INFORMATION .....	11
5.9.	GROUND FOR REFUSAL .....	11
5.10.	RECORDS THAT CANNOT BE FOUND OR DO NOT EXIST .....	12
5.11.	REMEDIES AVAILABLE WHEN A REQUEST IS REFUSED .....	12
6.	PROTECTION OF PERSONAL INFORMATION ACT .....	13
6.1.	PURPOSE OF PROCESSING .....	13
6.2.	CATEGORIES OF DATA SUBJECTS .....	16
6.3.	TYPES / CLASSES OF INFORMATION PROCESSED .....	17
6.4.	TYPES / CLASSES OF SPECIAL PERSONAL INFORMATION PROCESSED .....	20
6.5.	WHO THE INFORMATION MAY BE SHARED WITH .....	20
6.6.	TRANS-BORDER / CROSS BORDER FLOWS OF PERSONAL INFORMATION .....	21
6.7.	OBJECTION TO PROCESSING OF PERSONAL INFORMATION BY A DATA SUBJECT ....	22
6.8.	REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION .....	22
6.9.	GENERAL DESCRIPTION OF INFORMATION SECURITY MEASURES .....	22
7.	AMENDMENTS TO THE MANUAL .....	224
8.	AVAILABILITY OF THE MANUAL .....	224
<u>Annexures:</u>		
<b>ANNEXURE A – ACCESS REQUEST FORM .....</b>		<b>25</b>
<b>ANNEXURE B – OBJECTION TO PROCESSING OF PERSONAL INFORMATION .....</b>		<b>30</b>
<b>ANNEXURE C – REQUEST FOR CORRECTION /DELETION OF PERSONAL INFORMATION ...</b>		<b>31</b>

---

## Controlled Document

Copyright

## 1. INTRODUCTION

The Promotion of Access to Information Act, 2000 (“**PAIA**”) was enacted in order to give effect to section 32 of the Constitution, which provides that everyone has the right to access information held by the State, as well as information held by another person (or private body) when such privately held information is required to exercise a right or to protect a right.

One of the main requirements specified in PAIA 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 PAIA, a private body includes any former or existing juristic person.

This document serves as the Manual of CBRE EFM in terms of PAIA, to provide a reference as to the records held by CBRE EFM, and the process that needs to be followed to request access to such records.

## 2. COMPANY OVERVIEW AND CONTACT DETAILS

CBRE EXCELLERATE FACILITIES MANAGEMENT (Proprietary) Limited, Registration Number 2000/026725/07 and CBRE GWS (Propriety) Limited, Registration Number, 2003/024280/07 are private company's. CBRE EFM provides an integrated suite of high-quality real estate services across Africa and the Middle East including facilities management

The following persons within CBRE EFM have been duly appointed as Information Officers, to act as the persons to whom requests for access to information must be made in terms of PAIA:

CBRE EFM	
Name of body:	CBRE Excellerate Facilities Management (Pty) Ltd CBRE GWS Facilities Management (Pty) Ltd
Head of body:	Marna van der Walt
Physical address:	3A Summit Road, Hyde Park, Johannesburg, 2196
Postal address:	Private Bag X45, Benmore, 2010
Switchboard:	011-911 8000
Fax:	N/A
Website:	www.cbreexcellerate.com
Information Officer:	Rowland Gurnell
Telephone:	011-911 8454
E-mail:	Rowland.gurnell@cbreexcellerate.com

### Controlled Document

Copyright

### 3. SCOPE OF THE MANUAL

---

The Manual serves to provide a reference regarding the records held by CBRE EFM. The Manual is available in English, at no cost, and any person may request a copy of the Manual.

A guide to PAIA (as contemplated under Section 10 of PAIA) is available from the South African Human Rights Commission. The guide contains such information as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA. Any enquiries regarding this guide and its contents should be directed to:

**THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION**

PAIA Unit (The Research and Documentation Department)

Private Bag X2700, Houghton 2041

Telephone: +27 11 484 8300

Facsimile: +27 11 484 7146

E-mail: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

Website: [www.sahrc.org.za](http://www.sahrc.org.za)

### 4. RECORDS AVAILABLE IN ACCORDANCE WITH LEGISLATION

---

As envisaged in terms of Section 51(1)(d) of PAIA, records are kept in accordance with such legislation as is applicable to CBRE EFM's operations which includes, but is not limited to, the following:

- Arbitration Act 42 of 1965
- Basic Conditions of Employment Act 75 of 1997
- Broad Based Black Economic Empowerment Act 53 of 2003
- Companies Act 71 of 2008 (as amended)

---

#### Controlled Document

Copyright

- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Consumer Protection Act 68 of 2008
- Debt Collectors Act 114 of 1998
- Disaster Management Act 53 of 2005
- Electronic Communications and Transactions Act 25 of 2002
- Employment Equity Act 55 of 1998
- Estate Agency Affairs Act 112 of 1976 (insofar as it is still applicable)
- Financial Intelligence Centre Act 38 of 2001
- Income Tax Act 95 of 1967
- Insolvency Act 24 of 1936
- Labour Relations Act 66 of 1995
- National Credit Act 34 of 2005
- National Building Regulations and Building Standards Act 103 of 1977
- National Environment Management Act 31 of 1998
- Occupational Health and Safety Act 85 of 1993
- Pension Funds Act 24 of 1956
- Prevention of Organised Crime Act 121 of 1998
- Prevention and Combatting of Corrupt Activities Act 12 of 2004
- Promotion of Access of Information Act 2 of 2000
- Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
- Property Practitioners Act 22 of 2019
- Property Valuers Profession Act 2 of 2000
- Protection of Personal Information Act 4 of 2013
- Short Term Insurance Act 53 of 1998
- Skills Development Levies Act 9 of 1999

---

## Controlled Document

Copyright



- Skills Development Act 97 of 1998
- Spatial Planning and Land Use Management Act 16 of 2013
- Tobacco Products Control Act 83 of 1993
- Unemployment Contributions Act 4 of 2002
- Unemployment Insurance Act 63 of 2001
- Value Added Tax Act 89 of 1991.

## 5. ACCESS TO RECORDS

---

Records held by CBRE EFM 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 CBRE EFM and in this regard, the Act distinguishes between 2 (two) types of requesters:

### Personal Requester

A personal requester is a requester who is seeking access to a record containing personal information about the requester. Subject to the provisions of PAIA, CBRE EFM will provide the requested information, or give access to any record with regard to the requester's personal information. The prescribed fee for reproduction of the information requested will be charged by CBRE EFM.

### Other Requester

This requester (other than a personal requester) is entitled to request access to information pertaining to third parties. However, CBRE EFM is not obliged to grant access prior to the requester fulfilling the requirements for access in terms of PAIA. The prescribed fee for reproduction of the information requested will be charged by CBRE EFM.

### 5.1. AUTOMATIC AVAILABILITY OF CERTAIN RECORDS

As envisaged in terms of Section 51(1)(c) of PAIA, records lodged in terms of Government requirements with various statutory bodies, including the Registrar of Companies, are automatically available.

### 5.2. RECORD SUBJECTS AND CATEGORIES

For purposes of Section 51(1)(e), the service offering of CBRE EFM is an integrated suite of

---

**Controlled Document**

Copyright

high-quality real estate services across Africa and the Middle East including facilities management.

The records which are kept comprise the following main categories:

- Contracts and Agreements
- General Correspondence
- General Administration Records
- Financial intelligence Centre Act documentation

The following business units within CBRE EFM retain records to which access may be requested:

### **INTERNAL AUDIT**

The Internal Audit records comprise the following main categories:

- General Correspondence
- General Administration Records
- Audit Reports and Audit Findings

### **ACCOUNTING**

The Accounting records comprise the following main categories:

- Accounting Records
- General Correspondence
- Management Reports
- Transactional Records
- VAT Records
- Tax Records
- Consolidation Records
- Technical Records

---

## **Controlled Document**

Copyright

- Departmental Administration Records

## **CORPORATE COMMUNICATIONS**

The Corporate Communications records comprise the following main categories:

- Press Releases / Statements

## **COMPANY SECRETARIAL**

The Company Secretarial records comprise the following main categories:

- General Correspondence
- Share Registers
- Statutory Records
- Shareholders Agreements
- Registration with statutory bodies

## **HUMAN RESOURCES DEPARTMENT**

Human Resource records comprise the following main categories:

- General Correspondence
- Employee Records
- General Company and HR Policies and Procedures
- Training Records
- Pension Records
- Employee Benefit Records
- Statutory Records
- Contracts
- Labour Relations Records
- Employment Equity Records

---

## **Controlled Document**

Copyright



- PAYE Records

## **INFORMATION TECHNOLOGY**

The IT records comprise the following main categories:

- General Correspondence
- Contracts and Agreements
- Operational Records
- IT Infrastructure Layouts and Diagrams
- Asset Registers
- IT Acceptable Use Policies

## **SAFETY AND INSURANCE RECORDS**

- General correspondence
- Insurance policies and procedures
- Statutory records
- Assets and motor vehicle records
- Employee related insurance
- Property related insurance

### **5.3. ACCESS REQUEST PROCEDURE**

As envisaged in Section 51(1)(e) of PAIA, the purpose of this section is to provide requesters with sufficient guidelines and procedures to facilitate a request for access to records held by CBRE EFM.

It is important to note that an application for access to information can be refused in the event that the application does not comply with the procedural requirements of PAIA. In addition, the successful completion and submission of an access request form does not automatically allow the requester access to the requested record.

If it is reasonably suspected that the requester has obtained access to CBRE EFM's records

---

## **Controlled Document**

Copyright

through the submission of materially false or misleading information, legal proceedings may be instituted against such requester.

#### 5.4. COMPLETION OF THE ACCESS REQUEST FORM

In order for CBRE EFM to respond to requests in a timely manner, the Access Request Form (**Annexure A**) should be completed, taking due cognizance of the following Instructions:

- the Access Request Form must be completed in English.
- type or print in BLOCK LETTERS an answer to every question.
- if a question does not apply, state “NOT APPLICABLE” in response to that question.
- if there is nothing to disclose in reply to a particular question, state “NIL” in response to that question.
- if there is insufficient space on a printed form in which to answer a question, additional information may be provided on an additional folio.
- when the use of an additional folio is required, precede each answer thereon with the title applicable to that question.

#### 5.5. SUBMISSION OF ACCESS REQUEST FORM

The completed Access Request Form (**Annexure A**) must be submitted via e-mail and must be addressed to the relevant Information Officer as envisaged in paragraph 2 above.

#### 5.6. FEES

Section 51(1)(f) of PAIA provides for 2 (two) types of fees:

A **request fee** (which will be a standard fee) and an **access fee**, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs where applicable. When a request is received by the Information Officer of CBRE FM, the Information Officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee (if any) before further processing of the request. If a search for the record is necessary and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the Regulations for this purpose, the Information Officer 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.

---

**Controlled Document**

Copyright

The Information Officer shall withhold a record until the requester has paid the fee or fees as indicated. 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 record for disclosure including making arrangements to make it available in the request form. If a deposit has been paid in respect of a request for access, which is refused, then the Information Officer shall repay the deposit to the requester.

Payment details can be obtained from the relevant Information Officer (as per paragraph 2 above). Payment can be made either via a direct deposit, by bank guaranteed cheque or by postal order (no credit card payments are accepted). Proof of payment must be supplied.

## 5.7. NOTIFICATION

Requests will be evaluated, and the requester notified within 30 (thirty) days of receipt of the completed Access Request Form (**Annexure A**). Notifications may include:

- Notification of Extension Period (if required)

The requesters may be notified whether an extension period is required for the processing of their requests, including:

- The required extension period, which will not exceed an additional 30 (thirty) day period;
- Adequate reasons for the extension; and
- Notice that the requester may lodge an application with a court against the extension and the procedure, including the period, for lodging the application.

- Payment of Deposit (if applicable)

The requester may be notified whether a deposit is required. A deposit will be required depending on certain factors such as the volume and/or format of the information requested, and the time required for search and preparation of the record(s). The notice will state:

- The amount of the deposit payable (if applicable); and
- That the requester may lodge an application with a court against the payment of the deposit and the procedure, including the period, for lodging the application.

In the event that access is refused to the requested record, the full deposit will be refunded to the requester.

---

## Controlled Document

Copyright

- Decision on Request

If no extension period or deposit is required, the requesters will be notified within 30 (thirty) days of the decision on their requests.

If the request for access to a record is **successful**, the requester will be notified of the following:

- The amount of the access fee payable upon gaining access to the record (if any);
- An indication of the form in which the access will be granted;
- Notice that the requester may lodge an application with a court against the payment of the access fee and the procedure, including the period, for lodging the application.

If the request for access to a record is **not successful**, the requester will be notified of the following:

- Adequate reasons for the refusal [refer to paragraph 5.8 (Third Party Information) and paragraph 5.9 (Grounds for Refusal) below]; and
- That the requester has the remedies available as detailed in paragraph 5.11 (Remedies Available when Request is Refused) below.

## 5.8. THIRD PARTY INFORMATION

If access is requested to a record that contains information about a third party, CBRE EFM is obliged to attempt to contact this third party to inform them of the request. This enables the third party the opportunity of responding by either consenting to the access or by providing reasons why the access should be denied.

In the event of the third party furnishing reasons for the support of denial of access, our designated contact person will consider these reasons in determining whether access should be granted, or not.

## 5.9. GROUNDS FOR REFUSAL

CBRE EFM may legitimately refuse to grant access to a requested record that falls within a certain category. Grounds on which CBRE EFM may refuse access include:

- Disclosure of the record (containing trade secrets, commercial, scientific, technical or any other confidential information) would harm the commercial or financial interests of CBRE EFM.

---

## Controlled Document

Copyright

- The record is privileged from production in legal proceedings, unless the legal privilege has been waived.
- Protecting personal information that CBRE EFM holds about a third person (who is a natural person), including a deceased person, from unreasonable disclosure.
- Protecting commercial information that CBRE EFM holds about a third party or Landlord (client) (for example trade secrets: financial, commercial, scientific or technical information that may harm the commercial or financial interests of the organisation or the third party).
- Disclosure of the record would result in a breach of duty of confidence owed to a third party in terms of an agreement.
- Disclosure of the record would endanger the life or physical safety of an individual.
- Disclosure of the record would prejudice or impair the security of property or means of transport.
- 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 prejudice or impair the protection of the safety of the public.
- Disclosure of the record would put CBRE EFM at a disadvantage in contractual or other negotiations or prejudice it in commercial competition.
- The record is a computer program.
- The record contains information about research being carried out or about to be carried out on behalf of a third party or CBRE EFM.

## 5.10. RECORDS THAT CANNOT BE FOUND OR DO NOT EXIST

If CBRE EFM has searched for a record and it is believed that the record either 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.

## 5.11. REMEDIES AVAILABLE WHEN A REQUEST IS REFUSED

---

### Controlled Document

Copyright

- Internal Remedies

CBRE EFM does not have internal appeal procedures. The decision made by the Information Officer is final. Requesters will have to exercise such external remedies at their disposal if the request for information is refused, and the requestor is not satisfied with the answer supplied by the Information Officer.

- External Remedies

- A requestor that is dissatisfied with the Information Officer's refusal to disclose information, may within 30 (thirty) days of notification of the decision, may apply to a Court for relief.
- A third party dissatisfied with the Information Officer's decision to grant a request for information, may within 30 (thirty) days of notification of the decision, apply to a Court for relief.
- For purposes of PAIA, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status and a Magistrate's Court designated by the Minister of Justice and Constitutional Development and which is presided over by a designated Magistrate.

## 6. PROTECTION OF PERSONAL INFORMATION ACT

---

For purposes of this section of the Manual, all terms used with initial capital letters, shall bear the meaning assigned to them under the "Definitions" in Section 1 of the Protection of Personal Information Act, 4 of 2013 ("**POPIA**").

Chapter 3 of POPIA provides for the minimum Conditions for Lawful Processing of Personal Information. These Conditions may not be derogated from unless specific exclusions apply as outlined in POPIA.

Insofar as CBRE EFM Processes Personal Information in its capacity as the employer of the CBRE EFM staff, CBRE EFM is the Responsible Party for purposes of POPIA.

In accordance with its duties as the Operator / Responsible Party (as may be applicable),

---

### Controlled Document

Copyright



CBRE EFM will ensure that the Personal Information of a Data Subject:

- is processed lawfully, fairly and transparently. This includes the provision of appropriate information to Data Subjects when their data is collected by CBRE EFM, in the form of a privacy notice. CBRE EFM will only Process Personal Information if a lawful basis exists (e.g. to give effect to contractual obligations and to comply with legislative requirements);
- is processed only for the purpose for which it was collected;
- will not be Processed for a secondary purpose unless that Processing is compatible with the original purpose;
- is adequate, relevant and not excessive for the purposes for which it was collected;
- is accurate and kept up to date;
- will not be kept for longer than necessary;
- is processed in accordance with integrity and confidentiality principles. This includes physical and organizational measures to ensure that Personal Information, in both physical and electronic form, are subject to an appropriate level of security when stored, used and communicated by CBRE EFM, in order to protect against access and acquisition by unauthorised persons and accidental loss, destruction or damage;
- is processed in accordance with the rights of Data Subjects, where applicable. Data Subjects have the right to:
  - a) be notified that their Personal Information is being collected by CBRE EFM. The Data Subject also has the right to be notified in the event of a data breach;
  - b) know whether CBRE EFM 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;
  - c) request the correction or deletion of inaccurate, irrelevant, excessive, out of

---

## Controlled Document

Copyright

date, incomplete, misleading or unlawfully obtained personal information;

- d) object to CBRE EFM's use of their Personal Information and request the deletion of such Personal Information (deletion would be subject to CBRE EFM's record keeping requirements);
- e) object to the processing of Personal Information for purposes of direct marketing by means of unsolicited electronic communications; and
- f) 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 non-compliance with the protection of his, her or its Personal Information.

## 6.1. PURPOSE OF PROCESSING

As outlined above, Personal Information may only be processed for a specific purpose. CBRE EFM will only use and Process the Personal Information under its care, if a lawful basis exists, which may include (but shall not be limited to) the following:

### For Clients:

- Rendering service according to instructions given by clients
- Provision of value added services
- Provision of property management services and advice
- Maintaining CBRE EFM's accounts and records
- Supporting and managing CBRE EFM's employees in the execution of their duties
- Use of CCTV systems to prevent and detect crime
- Fraud prevention and detection
- Market research and statistical analysis
- Compliance with legal and regulatory requirements
- Verifying identity
- Credit vetting.

---

## Controlled Document

Copyright

For CBRE EFM staff Job Applicants:

- Verification of Job Applicants' information during the recruitment process
- General matters relating to employees:
  - Personal
  - Pension
  - Medical aid
  - Payroll
  - Disciplinary action
  - Training
- Any other reasonably required purpose relating to the employment or possible employment relationship.

For Service Providers / Suppliers / Vendors / Contractors:

- Verifying information and performing checks
- Purposes relating to the agreement or business relationship or possible agreement or business relationships between the parties;
- Payment of invoices
- Complying with CBRE EFM's regulatory and other obligations
- Any other reasonably required purpose relating to the CBRE EFM business.

## 6.2. CATEGORIES OF DATA SUBJECTS

As per section 1 of POPIA, a Data Subject may either be a natural or a juristic person. CBRE EFM will process the Personal Information of the following categories of Data Subjects:

- Shareholders (Company Secretarial Records)
- Board members (Company Secretarial Records)

---

## Controlled Document

Copyright

- Directors
- Employees and Job Applicants
- Service Providers, Contractors, Consultants
- Complainants and enquirers
- Employers and employees of other organisations (Section 197 Transfers)
- Clients
- Visitors or patrons to buildings
- Individuals captured by CCTV images / video
- Individuals who have indicated an interest in CBRE EFM's products / services

### 6.3. TYPES / CLASSES OF INFORMATION PROCESSED

CBRE EFM will process the following main types / classes of information relating to the Data Subjects:

- Personal details
- Personal views / preferences
- Family details
- Education and employment details
- Visual images of individuals captured on CCTV
- Financial details.

#### For Job Applicants

- Curriculum Vitae and Application Forms, which include personal information such as name and contact details, identity number and identity documents (including passports), gender, marital status, physical / postal / e-mail addresses, language proficiency

---

## Controlled Document

Copyright

- Information relating to race
- Criminal checks
- Background checks
- Polygraph test results

For CBRE EFM employees:

- Personal information, including name and contact details, identity number and identity documents (including passports), gender, marital status, pregnancy, physical / postal / e-mail addresses, language proficiency
- Employee disability information
- Employment history and references
- Banking and financial details
- Details of payments to third parties (deductions from salary)
- Employment contracts
- Information relating to race
- Medical aid records and medical conditions
- Pension Fund records
- Remuneration/salary records
- Payroll records
- Performance appraisals and records
- Disciplinary records
- Leave records
- Training records
- Browsing habits and click patterns on CBRE EFM websites
- Physical access records

---

## Controlled Document

Copyright

- Surveillance records
- Time and attendance records
- Health and safety records.

For children of Employees

- Child's personal information, including name, identity number and identity documents (including passports), gender
- Child's medical information and medical conditions

For Service Providers / Contractors / Suppliers / Vendors

- Postal and/or street address
- Title and name
- Contact numbers and/or e-mail address
- Ethnic group
- Employment history
- Age
- Gender
- Marital status
- Nationality
- Language
- Banking and Financial information
- Identity or passport number
- Company information and directors' information
- Other information not specified, reasonably required to be processed for CBRE EFM's business operations.

---

## Controlled Document

Copyright



## 6.4. TYPES / CLASSES OF SPECIAL PERSONAL INFORMATION PROCESSED

CBRE EFM may from to time process the following main types / classes of Special Personal Information:

- Racial / ethnic origin
- Offences / alleged offences
- Results from polygraph testing
- Physical / mental health details
- Criminal proceedings, outcomes and sentences.

## 6.5. WHO THE INFORMATION MAY BE SHARED WITH

CBRE EFM sometimes needs to share the Personal Information it processes with the Data Subjects themselves and/or with other organisations. Where this is necessary, CBRE EFM is required to comply with all aspects of POPIA. What follows is a description of the types of organisations with which CBRE EFM may need to share some of the Personal Information it processes with for one or more reasons. Where necessary or required, CBRE EFM shares information with:

- Family, associates and representatives of the person whose Personal Information we are processing
- Employment and recruitment agencies
- Financial organisations
- Credit reference agencies
- Healthcare, social and welfare organisations
- Healthcare professionals
- Medical Aids
- Government Departments

---

**Controlled Document**

Copyright

- Police / courts where necessary
- Claimants / beneficiaries
- Persons making an enquiry / complaint
- Private investigators
- Educators and examining bodies
- Claims investigators
- Suppliers and service providers
- Industry bodies, e.g. SAPOA and the EAAB
- Ombudsman and regulatory authorities
- Debt collection and tracing agencies
- Other companies in the CBRE EFM Group of Companies
- Auditors
- Pension fund administrators
- Security organisations

## 6.6. TRANS-BORDER / CROSS BORDER FLOWS OF PERSONAL INFORMATION

Section 72 of POPIA provides that Personal Information may only be transferred out of the Republic of South Africa if certain Conditions are satisfied. CBRE EFM currently has no planned transborder flows of Personal Information. Insofar as the transborder flow of Personal Information may become applicable in future, the following Conditions will be satisfied:

- the third party who is the recipient of the information must be subject to a law, binding corporate rules or binding agreement which provide an adequate level of protection that:
  - effectively upholds principles for reasonable processing of the information that are substantially similar to the conditions for the lawful processing of Personal

---

### Controlled Document

Copyright

Information relating to a Data Subject who is a natural person and, where applicable, a juristic person, as set out in POPIA; and

- 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;
- the Data Subject must consent to the transfer;
- the transfer must be necessary for the performance of a contract between the Data Subject and the company in question, or for the implementation of pre-contractual measures taken in response to the Data Subject's request; or
- the transfer must be necessary for the conclusion or performance of a contract concluded in the interest of the Data Subject between the company in question and a third party.

## 6.7. OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION BY A DATA SUBJECT

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 in the prescribed form attached to this Manual as **Annexure B** subject to exceptions contained in POPIA.

## 6.8. REQUESTS FOR CORRECTION OR DELETION OF PERSONAL INFORMATION

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 / deleted in the prescribed form attached as **Annexure C** to this Manual.

## 6.9. GENERAL DESCRIPTION OF INFORMATION SECURITY MEASURES

CBRE EFM employs up to date technology to ensure the confidentiality, integrity and availability

---

### Controlled Document

Copyright

of the Personal Information under its care.

CBRE EFM undertakes to institute and maintain the data protection measures to accomplish the objectives outlined below. The details given are to be interpreted as examples of how to achieve an adequate data protection level for each objective. CBRE EFM may use alternative measures and adapt to technological security development, as needed, provided that the objectives are achieved.

- Access Control of Persons

CBRE EFM shall implement suitable measures in order to prevent unauthorized persons from gaining access to the data processing equipment where the data are processed.

- Data Media Control

CBRE EFM undertakes to implement suitable measures to prevent the unauthorized manipulation of media, including reading, copying, alteration or removal of the data media used by CBRE EFM and containing Personal Information of Data Subjects.

- Data Memory Control

CBRE EFM undertakes to implement suitable measures to prevent unauthorized input into data memory and the unauthorised reading, alteration or deletion of stored data.

- User Control

CBRE EFM shall implement suitable measures to prevent its data processing systems from being used by unauthorised persons by means of data transmission equipment.

- Access Control to Data

CBRE EFM represents that the persons entitled to use CBRE EFM's data processing systems are only able to access the data within the scope and to the extent covered by their respective access permissions (authorisations).

---

## Controlled Document

Copyright

- Transmission Control

CBRE EFM shall be obliged to enable the verification and tracing of the locations / destinations to which the Personal Information is transferred by utilization of CBRE EFM's data communication equipment / devices.

- Transport Control

CBRE EFM shall implement suitable measures to prevent Personal Information from being read, copied, altered or deleted by unauthorized persons during the transmission thereof.

- Organisation Control

CBRE EFM shall maintain its internal organisation in a manner that meets the requirements of this Manual.

## 7. AMENDMENTS TO THE MANUAL

---

Amendments to or a review of this Manual will take place on an *ad hoc* basis or as dictated by operational requirements, and at intervals as may be deemed necessary.

Requester/s are advised to access CBRE EFM's website ([www.cbreexcellerate.com](http://www.cbreexcellerate.com)) periodically to inform themselves of any changes.

## 8. AVAILABILITY OF THE MANUAL

---

This Manual is made available in terms of Regulation Number R.187 of 15 February 2002. The Manual is available for inspection at CBRE EFM's offices and on CBRE EFM's website: [www.cbreexcellerate.com](http://www.cbreexcellerate.com). Copies of the Manual are also available from the SAHRC.

---

### Controlled Document

Copyright

## ANNEXURE A – ACCESS REQUEST FORM

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY  
Section 53(1) of the Promotion of Access to Information Act, 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.  
(c) Proof of the capacity in which the request is made, if applicable, must be attached.

Full names and surname:													
Identity number:													
Postal address:													
Telephone number:	( )												
E-mail address:													

Capacity in which request is made, when 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.

## Controlled Document

Copyright



Full names 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.

**1. Description of record or relevant part of the record:**

--

**2. Reference number, if available:**

--

**3. Any further particulars of record:**

--

---

**Controlled Document**

Copyright

**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 to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability:	Form in which record is required
Form in which record is required:	
<p>Mark the appropriate box with an X.</p> <p>NOTES:</p> <p>(a) Compliance with your request in the specified form may depend on the form in which the record is available.</p> <p>(b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.</p> <p>(c) The fee payable for access for the record, if any, will be determined partly by the form in which access is requested.</p>	

**Controlled Document**

Copyright

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

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

--

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

--

## Controlled Document

Copyright

**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 IS MADE**

---

**Controlled Document**

Copyright

# ANNEXURE B – OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF SECTION 11(3) OF POPIA

## Regulations Relating to the Protection of Personal Information, 2018

### 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(s):	
Fax number / E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname/ registered name of data subject:	
Residential, postal or business address:	
Contact number(s):	
Fax number / E-mail address:	
C	REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f)
	<i>(Please provide detailed reasons for the objection)</i>

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
Signature of data subject/designated person

## Controlled Document

Copyright

# ANNEXURE C – REQUEST FOR CORRECTION / DELETION OF PERSONAL INFORMATION, OR DESTROYING / DELETING A RECORD IN TERMS OF SECTION 24(1) OF POPIA

## Regulations Relating to the Protection of Personal Information, 2018 [Regulation 3]

### Note:

1. Affidavits or other documentary evidence as applicable in support of the request may be attached.
2. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.
3. Complete as is applicable.

Mark the appropriate box with an "X".

Request for:

- ☐ Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.
- ☐ Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information.

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

## Controlled Document

Copyright



<b>C</b>	<b>REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(D) to (F)</b>  <i>(Please provide detailed reasons for the objection)</i>
<b>D</b>	<b>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.</b>  <i>(Please Provide Detailed Reasons for the Request)</i>

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
Signature of data subject/designated person

## Controlled Document

Copyright

## VERSION AWARENESS

Please take note that a printed copy of this Manual may not be the latest available version. The latest version, which supersedes all previous versions, is available at [\[INSERT LINK TO CLAROMENTIS\]](#)