

PAIA Information Manual

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

For

Chubb Insurance South Africa Limited

CHUBB®

Contents

1. Introduction	2
2. Contact details & general information	2
3. South African Human Rights Guide	3
4. Record types that may be requested	3
5. Information available in terms of other legislation	5
6. Information automatically available	5
7. Subjects, categories and description of information held	6
8. Grounds for refusal of access of records	6
9. Records that can not be found or do not exist	6
10. Request procedure	7
11. Fees	8
12. Right of appeal	8
13. Protection of Personal Information that is Processed by Chubb	9
14. PAIA FORMS	11
 ANNEXURE A	 12
ANNEXURE B	16
ANNEXURE C	18
ANNEXURE D	27
ANNEXURE E	29
ANNEXURE F	31
ANNEXURE G	32
ANNEXURE H	34

1. Introduction

The Promotion of Access to Information Act, No 2 of 2000 ("PAIA") gives effect to the Constitutional right of access to information in records held by public or private bodies that is required for the exercise or protection of any rights. PAIA sets out the requisite procedural issues attached to such request, the requirements which such request must meet as well as the grounds for refusal or partial refusal of such request.

PAIA recognizes that the right of access to information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to limitations aimed at reasonable protection of privacy and commercial confidentiality.

Chubb Insurance South Africa Limited ("the Company" / "Chubb") has compiled this Manual to comply with the provisions of PAIA and the Protection of Personal Information Act, 2013 ("POPIA") and to ensure that members of the public have effective access to information in Chubb's possession which will assist them in exercising and protecting their rights. Where information requested is not immediately available Chubb will endeavour to make it available in a timely manner insofar as that is reasonably practicable in the circumstances.

This Manual sets out the procedure to be followed to facilitate a request to access to information as well as the following information:

- Purpose of the processing of personal information;
- Description of the categories of data subjects and of the information or categories of information relating thereto;
- The recipients or categories of recipients to whom personal information may be supplied;
- Planned transborder flows of personal information;
- A general description of the security measures implemented by Chubb to ensure the confidentiality, integrity and availability of the information which is to be processed.

This Manual is available for inspection, free of charge, at the offices of Chubb (see details below).

2. Contact details & general information

All requests for access to records in terms of PAIA and POPIA must be in writing and must be addressed to Chubb Insurance Limited's Information Officer at the below contact details:

Company name	:	Chubb Insurance South Africa Limited
Company registration number	:	1973/008933/06
Information Officer	:	Mr. Wihan du Preez (Legal & Compliance Manager)
Tel	:	(011) 722-5751
Email	:	Wihan.duPreez@chubb.com
Website	:	www.chubb.co.za
Postal Address	:	PO Box 1192 Saxonwold 2132
Physical Address	:	The Towers, 5th Floor 15 Alice Lane, Sandton Johannesburg, 2196 South Africa

3. South African Human Rights Guide

The South African Human Rights Commission (“SAHRC”) plays a key role in the implementation of PAIA. All pertinent information about PAIA, including access to PAIA itself and regulations made under it, is available on the SAHRC’s website on www.sahrc.org.za or you can contact the commission by telephone: (011) 877 3600

or via E- mail: PAIA@sahrc.org.za.

The SAHRC can also be contacted by post at:

South African Human Rights Commission
Promotion of Access to Information Act Unit
Research and Documentation
Department Private Bag X2700
Houghton 2041

Section 10 of PAIA requires the SAHRC to publish a guide containing information reasonably required by a person wishing to exercise any right in terms of PAIA. The SAHRC Guide that has been published contains the following information:

- the object of PAIA;
- particulars of the information;
- the manner and form of a request for access to information held by a private body;
- assistance available from both the Information Officer and the SAHRC in terms of PAIA;
- all remedies in law regarding acts, omissions, rights and duties, including how to lodge an internal appeal and a court application;
- schedules of fees to be paid in relation to requests for access to information; and
- regulations made in terms of PAIA

4. Record types that may be requested

Access to the documents listed below may be subject to the grounds of refusal set out in this Manual:

4.1 Personnel Records

“Personnel” refers to any person who works for or provides services to or on behalf of and who receives or is entitled to receive remuneration, and any other person who assists in carrying out or conducting Chubb’s business and includes, without limitation, directors (executive and non- executive), all permanent, temporary and part-time staff as well as contract workers. Personnel records include:

- 4.1.1 personnel records (provided by personnel themselves);
- 4.1.2 records provided by a third party relating to personnel;
- 4.1.3 conditions of employment and other personnel-related contractual and quasi-legal records;
- 4.1.4 internal evaluation records and other internal records;
- 4.1.5 correspondence relating to personnel;
- 4.1.6 training schedules and material;
- 4.1.7 employment policies and procedures;
- 4.1.8 payroll records;
- 4.1.9 disciplinary and performance records;
- 4.1.10 registrations with Department of Labour, Unemployment Insurance Fund, Compensation Fund and in terms of the Skills Development Levies Act, 1998;
- 4.1.11 records of Unemployment Insurance Fund contributions;

- 4.1.12 records regarding benefit schemes;
- 4.1.13 health and safety records; and
- 4.1.14 workplace skills plans.

4.2 Customer records

A “customer” refers to any natural or juristic entity that receives services from Chubb. Customer records include:

- 4.2.1 records pertaining to products sold and/or serviced by Chubb including, without limitation, Banking, Insurance and Rewards products;
- 4.2.2 records provided by a customer to a third party acting for or on behalf of Chubb;
- 4.2.3 records provided by a third party;
- 4.2.4 records generated by or within Chubb relating to its customers, including transactional data;
- 4.2.5 policy documents and agreements.

4.3 Private body records

These are records which include, but are not limited to, records which pertain to Chubb’s own affairs including:

- 4.3.1 financial records;
- 4.3.2 operational records;
- 4.3.3 databases;
- 4.3.4 information technology systems and documents;
- 4.3.5 sales, advertising, promotional and marketing records;
- 4.3.6 internal correspondence;
- 4.3.7 product records;
- 4.3.8 statutory records;
- 4.3.9 internal policies and procedures;
- 4.3.10 accounting records;
- 4.3.11 taxation records;
- 4.3.12 agreements and contracts;
- 4.3.13 administration, secretarial and legal records;
- 4.3.14 records of litigation / arbitration proceedings;
- 4.3.15 insurance policies and records; and
- 4.3.16 records pertaining to health and safety and the environment.

4.4 Other party records

- 4.4.1 Personnel, customer or private body records which are held by another party on Chubb’s behalf, as opposed to the records held by Chubb itself.
- 4.4.2 Records held by Chubb pertaining to other parties, including without limitation, financial records, correspondence, contractual records, and records about Chubb’s contractors / suppliers / service providers.

5. Information available in terms of other legislation

5.1 Information is available in terms of the following legislation, persons or entities specified in such legislation:

- 5.1.1 Basic Conditions of Employment Act, 75 of 1997;
- 5.1.2 Companies Act, 71 of 2008;
- 5.1.3 Compensation for Occupational Injuries and Diseases Act, 130 1993;
- 5.1.4 Competition Act, 89 of 1998;
- 5.1.5 Consumer Protection Act, 68 of 2008;
- 5.1.6 Electronic Communications and Transactions Act, 25 of 2002;
- 5.1.7 Employment Equity Act, 55 of 1998;
- 5.1.8 Financial Intelligence Centre Act, 38 of 2001;
- 5.1.9 Income Tax Act, 58 of 1962;
- 5.1.10 Insolvency Act, 24 of 1936;
- 5.1.11 Insurance Act, 63 of 2001;
- 5.1.12 Labour Relations Act, 66 of 1995;
- 5.1.13 Medical Schemes Act, 131 of 1998;
- 5.1.14 National Health Act, 61 of 2003;
- 5.1.15 Occupational Health and Safety Act, 85 of 1993;
- 5.1.16 Pension Funds Act, 24 of 1956;
- 5.1.17 Protected Disclosures Act, 26 of 2000;
- 5.1.18 Protection of Personal Information Act, 4 of 2013;
- 5.1.19 Skills Development Act, 97 of 1998;
- 5.1.20 Skills Development Levies Act, 9 of 1999;
- 5.1.21 Unemployment Insurance Act, 63 of 2001;
- 5.1.22 Unemployment Insurance Contributions Act, 4 of 2002;
- 5.1.23 Value Added Tax Act, 89 of 1991.

5.2 The abovementioned Acts, as amended, apply and the list is not exhaustive.

5.3 The above records being as they are of a public nature, are available automatically in accordance with that particular legislation without a person having to request access thereto in terms of PAIA, as envisaged in Section 52 of PAIA.

6. Information automatically available

The following categories of records are automatically available for inspection, purchase or photocopying. Request forms for these categories of information are also available from Chubb's Information Officer, whose contact details appear section 2 of this Manual:

- 6.1 General information pertaining to Chubb;
- 6.2 Services information and brochures;
- 6.3 Newsletters.

7. Subjects, categories and description of information held

Please note that the records listed in section 4 above are not automatically available, and the process outlined in PAIA in respect of access to information must be followed.

8. Grounds for refusal of access of records

- 8.1 There are various grounds upon which Chubb may or must refuse a request for access to a record in accordance with Chapter 4 of PAIA. They are:
- 8.1.1 protection of the privacy of a third party who is a natural person, in order to avoid the unreasonable disclosure of personal information concerning that natural person (including a deceased individual) (section 63 of PAIA);
 - 8.1.2 protection of the commercial information of a third party (section 64 of PAIA), if the record contains:
 - a. trade secrets of that third party;
 - b. financial, commercial, scientific or technical information, other than trade secrets, of a third party, the disclosure of which would be likely to cause harm to the commercial or financial interests of that third party; or
 - c. information supplied in confidence by a third party, the disclosure of which could reasonably be expected:
 - A. to put that third party at a disadvantage in contractual or other negotiations; or
 - B. to prejudice that third party in commercial competition;
 - 8.1.3 protection of confidential information of third parties if disclosure would constitute an action for breach of a duty of confidence owed to that third party in terms of an agreement (section 65 of PAIA);
 - 8.1.4 protection of the safety of individuals and the protection of property (section 66 of PAIA);
 - 8.1.5 protection of records which would be privileged from production in legal proceedings, unless that legal privilege has been waived (section 67 of PAIA);
 - 8.1.6 protection of Chubb's commercial activities (section 68 of PAIA) including, without limitation, records that contain:
 - a. Chubb's trade secrets;
 - b. financial, commercial, scientific or technical information, the disclosure of which would be likely to cause harm to Chubb's commercial or financial interests;
 - c. information, the disclosure of which could reasonably be expected to put Chubb at a disadvantage in contractual or other negotiations; or to prejudice Chubb in commercial competition;
 - d. computer programs owned by Chubb.
 - 8.1.7 protection of research information of Chubb or a third party, if disclosure would expose the identity of Chubb or the third party, the researcher or the subject matter of the research to serious disadvantage (section 69 of PAIA).
- 8.2 Section 70 of PAIA contains an overriding provision. Disclosure of a record that has been requested is compulsory if it would reveal a substantial contravention of, or failure to comply with the law, or imminent and serious public safety or environmental risk and the public interest in the disclosure of the record clearly outweighs the harm contemplated by its disclosure.
- 8.3 Requests for information that are, in the opinion of Chubb, frivolous or vexatious or which involve an unreasonable diversion of resources.

9. Records that can not be found or do not exist

If all reasonable steps have been taken to find a record requested and there are reasonable grounds for believing that the record (a) is in Chubb's possession but cannot be found or (b) does not exist, the head of the private body must, by way of affidavit or affirmation, notify the requester that it is not possible to give access to that record.

10. Request procedure

- 10.1 A request must comply with all the procedural requirements as contained in section 53 of PAIA relating to a request for access to a record. These procedural requirements are set out in this section.
- 10.2 If a requester wishes to request access to any of the aforementioned categories of information, s/he is required to complete a request form as set out in Annexure A hereto and must submit the form, together with the prescribed fee where applicable, to the Information Officer at the postal or physical address or electronic mail address referred to in section 2 above. These forms are also available from:
- 10.2.1 The Company's Information Officer (whose contact details are in section 2 of this Manual);
 - 10.2.2 the SAHRC website (www.sahrc.org.za);
 - 10.2.3 The Department of Justice and Constitutional Development website (www.doj.gov.za).
- 10.3 In certain instances there is a prescribed fee (payable in advance where applicable) for requesting and accessing information in terms of PAIA. Details of these fees are contained in the request form. A requester may also be called upon to pay the additional fees prescribed by regulation for searching for and compiling the information that is requested, including the costs of making copies of the information.
- 10.4 In terms of 54(3)(b) of PAIA a requester may lodge a complaint with the Information Regulator or make an application with a court against the tender or payment of the request fee or the tender or payment of a deposit, as the case may be.
- 10.5 It is important to note that access to information is not guaranteed – the requester must identify the right she/he/it is seeking to protect and explain why the record requested is required for the exercise or protection of that right. The request for access form must be completed with enough particularity to at least enable the Information Officer to identify the following:
- 10.5.1 The record/s requested;
 - 10.5.2 The identity of the requester;
 - 10.5.3 The form of access that is required, if the request is granted;
 - 10.5.4 The postal address or fax number of the requester; and
 - 10.5.5 The right that the requester is seeking to protect and an explanation as to why the record is necessary to exercise or protect such a right.
- 10.6 The requester will be notified in the manner indicated by him/her/it on the request for access form whether or not his/her/its request has been approved.
- 10.7 Chubb will process the request for access within 30 days of receipt of the request for access, unless the request for access is of such a nature that an extension of the prescribed time limit is necessitated in accordance with section 57 of PAIA. In the case of an extension of the time limit, the requester has the right to lodge a complaint with the Information Regulator in accordance with section 57(3)(c) of PAIA by following the process and completing the form prescribed by POPIA. The requester may also make an application with a court against the extension.
- 10.8 If, in addition to a written reply from the Information Officer, the requester wishes to be informed of the decision on the request for access in any other manner, the requestor must state the manner and the particulars so required.
- 10.9 If a request for access is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the Information Officer.
- 10.10 If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.
- 10.11 The prescribed fee for reproduction of the record requested by a personal requestor will be charged in accordance with section 54(6) of PAIA and Annexure B below.
- 10.12 If the search for a record of Chubb in respect of which a request for access by a requester has been made; and the preparation of that record for disclosure would, in the opinion of the Information Officer, require more than the hours prescribed for this purpose, the Information Officer must by notice require the requester to pay as a deposit the prescribed portion (being not more than one third) of the access fee which would be payable should the request be granted.
- 10.13 The requester may lodge a complaint with the Information Regulator or make an application to court against the tender of the request fee or the tender or payment of a deposit, as the case may be.

If the requester's interest does affect a third party then Chubb will first need to inform the third party within 21 days of receiving the request and the third party will have 21 days to make representations and/or submissions regarding the granting of access to the record. If the Information Officer does decide to grant access to the record after considering these submissions, the third party that has been affected has 30 days in which to appeal the decision in the High Court or to lodge a complaint with the Information Regulator in accordance with section 74 of POPIA in the prescribed form. If no appeal or complaint is lodged within 30 days, the requester must be granted access to the Record.

- 10.14 Once the Information Officer has considered all the submissions, he or she will make a decision as to whether or not access to the record will be granted. If access is granted the requester must then be granted access to the record within 30 days of being informed of the decision.
- 10.15 If the Information Officer does not grant the requester access to the record the requester is entitled in accordance with sections 56(3) (c) and 78 of PAIA to apply to a court for relief within 180 days of notification of the decision. Such relief may include any order compelling the record or records requested to be made available to the requester or for another appropriate order. The court will determine whether the records should be made available or not.
- 10.16 The requester may also approach the Information Regulator and lodge a complaint in accordance with section 74 of POPIA in the prescribed form against the access fee to be paid or the form of access granted. The details of the Information Regulator are as follows:

The Information Regulator (South Africa)
JD House
27 Stiemens Street
Braamfontein
Johannesburg
2001

General enquiries: enquiries@inforegulator.org.za; and
Complaints (together with the complete POPIA/PAIA Form 5): PAIAComplaints@inforegulator.org.za and
POPIAComplaints@inforegulator.org.za

11. Fees

- 11.1 PAIA provides for two types of fees, namely;
- Request fee: This is a non- refundable administration fee paid by all requestors with the exclusion of personal requestors. It is paid before the request is considered;
 - Access fee: This is paid by all requestors only when access is granted. This fee is intended to reimburse the private body for the costs involved in searching for a record and preparing it for delivery to the requestor.
- 11.2 Chubb may withhold a record until the request fee and the deposit (if applicable) has been paid. A schedule of the prescribed fees is attached as Annexure B to the manual.

12. Right of appeal

- 12.1 Chubb does not have any internal appeal procedures. As such, the decision made by the Information Officer is final and requesters will have to exercise the external remedies at their disposal in the event that a request for access is refused. The requester is entitled to receive proper reasons as to why the request was refused.
- 12.2 A requestor that is dissatisfied with the Information Officer's refusal to grant access to any information may, within 180 days of notification of the decision, apply to court for relief. Likewise, a third party dissatisfied with the Information Officer's decision to grant a request may, within 180 days of notification of the decision, apply to court for relief. Such relief may include any order compelling the record or records requested to be made available to the requester or for another appropriate order. The court will determine whether the records should be made available or not. The requester may also lodge a complaint with the Information Regulator against the refusal of the request in accordance with section 74 of POPIA in the prescribed form.
- 12.3 The details of the Information Regulator are as follows:

The Information Regulator (South Africa)
JD House
27 Stiemens Street
Braamfontein
Johannesburg
2001

General enquiries: enquiries@inforegulator.org.za; and
Complaints (together with the complete POPIA/PAIA Form 5): PAIAComplaints@inforegulator.org.za and
POPIAComplaints@inforegulator.org.za

13. Protection of Personal Information that is Processed by Chubb

13.1 Conditions for lawful processing

Chapter 3 of POPIA sets out the conditions for lawful processing of Personal Information (as defined in POPIA) which must be complied with when a responsible party such as Chubb processes the personal information of natural persons and juristic persons. Below is a description of the eight conditions for lawful processing as contained in POPIA:

13.1.1 Accountability

POPIA provides that the responsible party is obliged to ensure that the conditions for lawful processing and all other measures required in terms of POPIA are complied with.

13.1.2 Processing limitation

The processing must be done lawfully and in a manner that does not infringe the right to privacy of a data subject. Personal information may only be processed if, given the purpose for which it is processed, it is adequate, relevant and not excessive. There must furthermore be a justification for processing personal information. Consent is one of the justifications but personal information may be processed in the absence of consent if it is necessary for pursuing the legitimate interests of the responsible party or the third party to whom it is disclosed or for the protection of the legitimate interests of the data subject. It may also be processed if it complies with an obligation imposed by law or where it is necessary for the performance of a contract. The processing of special personal information (as defined in POPIA) or personal information of children generally requires consent, subject to certain limited exceptions.

13.1.3 Purpose specification

POPIA provides that personal information must be collected for a specific, explicitly defined and lawful purpose related to a function or activity of the responsible party. Subject to certain exceptions, records of personal information must not be retained for longer than is necessary to achieve the purpose for which it was collected or subsequently processed, and must be destroyed or deleted once the responsible party is no longer authorised to retain the record. Such exceptions include where (i) the retention is required or authorised by law, (ii) the data subject has consented to the retention, or (iii) the personal information is being retained for historical, statistical or research purposes.

13.1.4 Further Processing Limitation

POPIA provides that the further processing of personal information must be in accordance with or compatible with the purpose for which the personal information was collected.

13.1.5 Information quality

A responsible party must take reasonably practicable steps to ensure that personal information is complete, accurate, not misleading and updated where necessary.

13.1.6 Openness

A responsible party is required to maintain the documentation of all processing operations under its responsibility as required in terms of PAIA and must take reasonably practicable steps to ensure that the data subject is made aware of the personal information being collected, together with other stipulated information, subject to certain exceptions.

13.1.7 Security safeguards

POPIA provides that a responsible party must secure the integrity and confidentiality of personal information in its possession or under its control by implementing appropriate, reasonable technical and organisational measures to prevent the loss of, damage to or unauthorised destruction of personal information, or unlawful access to or processing of personal information. In addition, the responsible party should take all reasonable measures to identify all reasonably foreseeable internal and external risks, establish and maintain appropriate safeguards against risks identified, verify that the safeguards are effectively implemented and ensure that the safeguards are updated in response to new risks.

13.1.8 Data subject participation

A data subject is entitled to request a responsible party to confirm whether or not it holds personal information about the data subject, and to request the record itself or a description of the record, subject to the requirements in PAIA. A data subject may also request a responsible party to correct or delete personal information that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading, obtained unlawfully, or to destroy or delete personal information that a responsible party is no longer authorised to retain. Such an application can be submitted via: <https://privacyportal-de.onetrust.com/webform/90614a50-71bc-4b29-ad21-25276f3948c0/830b07cf-82c2-41ff-8470-f57932ae3e2f>

13.2 Purpose of the processing of personal information by Chubb

The purposes for which Chubb processes or will process personal information are set out in Annexure C.

13.3 Categories of data subjects and personal information/special personal information relating thereto

As per section 1 of POPIA, a data subject may either be a natural or a juristic person. The categories of data subjects in relation to which Chubb processes personal information are set out in Annexure D.

13.4 Recipients or categories of recipients of personal information

The following are the recipients to whom Chubb may provide a data subject's personal information:

- 13.4.1 various vendors or suppliers;
- 13.4.2 underwriters;
- 13.4.3 medical aid and pension fund providers;
- 13.4.4 insurers and re-insurers;
- 13.4.5 brokers and intermediaries;
- 13.4.6 third party administrators;
- 13.4.7 payroll providers;
- 13.4.8 legal advisors;
- 13.4.9 service providers;
- 13.4.10 third-party applications or platforms; and/ or
- 13.4.11 companies within Chubb's group of companies.

13.5 Cross-border flows of Personal Information

13.5.1 Section 72 of POPIA provides that personal information may only be transferred by a responsible party to a third party in a foreign country outside of the Republic of South Africa in the following circumstances:

- a) If the third party who is the recipient of the personal information is subject to a law, binding corporate rules or a binding agreement which provide an adequate level of protection that effectively upholds principles similar to the conditions for lawful processing under POPIA, including provisions relating to the further transfer of personal information from the recipient to third parties who are in a foreign country; or

- b) if the data subject consents to the transfer of their personal information; or
- c) If the transfer is necessary for the performance of a contractual obligation between the data subject and the responsible party; or
- d) if the transfer is necessary for the conclusion or performance of a contract between the responsible party and a third party, concluded in the interests of the data subject; or
- e) If the transfer is for the benefit of the data subject, and it is not reasonably practicable to obtain the consent of the data subject, and if it were, the data subject, would in all likelihood provide such consent.

13.6 Annexure E contains a list of the planned cross-border transfers of personal information and the justification for such transfers.

13.7 Chubb has entered into an agreement with all its offices and affiliates to ensure that personal information shared with other entities within its group is adequately protected, including where personal information is shared with entities in the United States of America.

13.8 Description of information security measures to the implemented by the Company

The types of security measures implemented by Chubb in order to secure the integrity and confidentiality of the personal information and ensure that personal information is protected from loss, damage, unauthorized destruction or unlawful access are listed in Annexure F hereto.

13.9 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 object to processing in the prescribed form attached as Annexure G to this Manual where the processing is based on one of the following grounds, unless legislation provides for such processing:

- 13.9.1 processing protects a legitimate interest of the data subject;
- 13.9.2 processing is necessary for the proper performance of a public law duty by a public body;
- 13.9.3 processing is necessary for pursuing the legitimate interests of the responsible party or of a third party to whom it is supplied;
- 13.9.4 processing is for purposes of direct marketing other than direct marketing by means of unsolicited electronic communications as referred to in section 69 of POPIA.

13.10 Request 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 H to this Manual.

14. PAIA Forms

[Form 1 - Request for a copy of the Guide from Information Regulator](#)

[Form 2 - Request for Access to Record \(Annexure A\)](#)

[Form 3 - Outcome of Request and Fees Payable \(Annexure B\)](#)

[Form 4 - Internal Appeal Form](#)

[Form 5 - Complaint Form](#)

[Notification to Information Officer](#)

[Settlement Meeting](#)

[Settlement Certificate](#)

[Conciliation of Matter](#)

[Conciliation Certificate](#)

[Request for Assessment](#)

[Notice of request - Information Regulator's own decision to do an assessment](#)

[Decision with regards to conducting an assessment](#)

[Decision with regards to assessment](#)

FORM 2

REQUEST FOR ACCESS TO RECORD

[Regulation 7]

NOTE:

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

TO: The Information Officer

(Address)

E-mail address: Fax number: *Mark with an "X"*☐

Request is made in my own name

☐

Request is made on behalf of another person.

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

Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
PARTICULARS OF RECORD REQUESTED <i>Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i>			
Description of record or relevant part of the record:			
Reference number, if available			
Any further particulars of record			
TYPE OF RECORD <i>(Mark the applicable box with an "X")</i>			
Record is in written or printed form			
Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>			
Record consists of recorded words or information which can be reproduced in sound			
Record is held on a computer or in an electronic, or machine-readable form			

FORM OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Printed copy of record <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i>	
Written or printed transcription of virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	
Transcription of soundtrack <i>(written or printed document)</i>	
Copy of record on flash drive <i>(including virtual images and soundtracks)</i>	
Copy of record on compact disc drive <i>(including virtual images and soundtracks)</i>	
Copy of record saved on cloud storage server	

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

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

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

FEES	
a)	A request fee must be paid before the request will be considered.
b)	You will be notified of the amount of the access fee to be paid.
c)	The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.
d)	If you qualify for exemption of the payment of any fee, please state the reason for exemption
Reason	

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

Postal address	Facsimile	Electronic communication (Please specify)

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

Reference number:	
Request received by: (State Rank, Name And Surname of Information Officer)	
Date received:	
Access fees:	
Deposit (if any):	

Signature of Information Officer

ANNEXURE B

FORM 3 OUTCOME OF REQUEST AND OF FEES PAYABLE [Regulation 8]

Note:

- If your request is granted the—
 - amount of the deposit, (if any), is payable before your request is processed; and
 - requested record/portion of the record will only be released once proof of full payment is received.
- Please use the reference number hereunder in all future correspondence.

TO:

Reference number: _____

Your request dated _____, refers.

1. You requested:

Personal inspection of information at registered address of public/private body (including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form) is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you will be liable for the fees prescribed in Annexure B.

OR

2. You requested:

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

3. To be submitted:

Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format (including transcriptions)	
E-mail of information (including soundtracks if possible)	
Cloud share/file transfer	
Preferred language: (Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)	

Kindly note that your request has been:

☐

Approved

☐

Denied, for the following reasons:

--

--

4. Fees payable with regards to your request:

Item	Cost per A4-size page or part thereof/item	Number of pages/items	Total
Photocopy			
Printed copy			
For a copy in a computer-readable form on:			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor			
• If provided to the requestor	R60.00		
For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on the quotation of the service provider		
Copy of visual images			
Transcription of an audio record, per A4-size	R24.00		
Copy of an audio record			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor			
• If provided to the requestor	R60.00		
Postage, e-mail or any other electronic transfer:	Actual costs		
TOTAL:			

5. Deposit payable (if search exceeds six hours):

☐

Yes

☐

No

Hours of search		Amount of deposit (calculated on one third of total amount per request)	
-----------------	--	--	--

The amount must be paid into the following Bank account:

Name of Bank: _____
 Name of account holder: _____
 Type of account: _____
 Account number: _____
 Branch Code: _____
 Reference Nr: _____
 Submit proof of payment to: _____

Signed at _____ this _____ day of _____ 20 _____

Information officer

ANNEXURE C

DESCRIPTION OF RECORDS OF PERSONAL INFORMATION HELD AND PURPOSES OF PROCESSING SUCH PERSONAL INFORMATION

Description of Record of Personal Information	Purpose of Processing
Records of criminal behaviour	For: • KYC checks for the establishment, exercise or defence of a right or obligation in law; • handling of insured's claims; • recruitment and human resources;
Medical and/ or health records	For: • assessing the risk to be insured by Chubb or covered by the medical scheme; • the performance of an insurance or medical scheme agreement; • the enforcement of any contractual rights and obligations; • assessing of claims;
Records relating to race and ethnic origin	To identify data subjects to comply with laws and other measures designed to protect or advance persons ie to comply with Chubb's employment equity, diversity and inclusion and transformation obligations.
Records in respect of both natural and juristic persons in the form of: • a claimants' name, • identification number, • date of birth, • contact details, • address, • gender, • banking details, • medical reports and medical information, • medical history, • invoices in respect of treatment, • information related to salary; • information relating to children; • Biometric information evidencing access to premises, • video footage and/ or photographic evidence of entry / exit of premises, • voice recordings, • race and/ or ethnic origin insofar as such can be evidenced from video surveillance, • photographs on documents such as driver's licenses and/ or identity documents, and inadvertently in limited circumstances Records evidencing religious/ philosophical beliefs; • records related to trade union membership, • records relating to criminal behaviour, including polygraph test results; and	For: • the handling of claims by the insured including • medical malpractice claims, • the purpose of administration and payment of claims; • for the purposes of remunerating employees and providing benefits to employees; • for compliance with laws, including employment equity laws and Financial Services related legislation (i.e. FAIS, Insurance Act etc). • assessment and underwriting of policies;
In respect of juristic persons: • records of the name of the contact at the juristic person, • contact details, • registration number, • incorporation date, • physical and email addresses, • records to support profit and loss claims, • safety and training certificates, • control documents to evidence routines, and • financial accounts records related to claims.	

Company-related information of the corporate customer including: • registration number, • financial and payment details, • contact details, • commercial and market sensitive information of Chubb. Records in respect of natural persons including: • names, • job titles, • medical reports, • location data, • photographs, • employee records, and • objectionable conduct of individuals in respect of employees and directors.	For underwriting of insurance products For assessment of claims
• names, • salaries, • job titles for insured persons, • wage-rolls, • travel patterns, • claims history, • identity or passport numbers of insured persons, and Company-related information of the corporate customer including: • registration number, • financial and payment details; and • contact details.	For offerings related to group travel and group personal accident policies
In respect of insured persons, records include: • name, • identity or passport numbers, • financial and payment details, • contact details, • travel patterns, and • claims history.	For offerings related to group travel and group personal accident policies at a consumer level
Records include the school's census with names and dates of birth students	For offering of group policies for schools
Records include: • company registration number, • financial and payment details, and • contact details.	For offerings related to property and casualty insurance policies and coverages
Records include medical related information.	For offerings related to accident and health and/or property and casualty policies and coverages
Records include: • Biometric information for the Medical malpractice products; • Racial and ethnic origin of the insured persons; and Records in respect of corporate customers include: • board compositions; • certain medical and health related information of insured persons under group policies; and • limited information relating to criminal / sanctions checks	For purposes of underwriting of policies across various lines of business within Chubb

Records include children's information including names, gender dates of birth	For concluding contract with customers related to accident and health, leisure, miscellaneous and travel insurance policies/coverages
Human resource Records include: - employees' names, - identification or passport numbers, - dates of birth, - contact details, - salary details, - addresses, - CV's, educational and/ or professional qualifications, - gender, - race and ethnic origin, - employee records, - performance management documents, - disciplinary records, - banking details, - findings of background checks, criminal record checks and credit checks in respect of employees, - employees' race and ethnic origin; and - health information.	For: - on-boarding of new employees; - managing employee information, - managing the recruitment process including conducting background checks, - managing employee compliance with company rules and policies; - managing performance, talent management and disciplinary processes in relation to employees; - complying with employment equity, diversity and inclusion and transformation obligations; - administering employee medical aid and other benefits and payroll systems, - managing employee health and wellbeing; - conducting video surveillance and monitoring emails and other Company resources for security purposes; - use as part of access control to the business premises; and - Reporting in terms of the Occupational Health & Safety Act; - Reporting to INSETA; - Reporting to the Department of Employment and Labour; - the management of occupational injuries or diseases claims in terms of the Compensation for Occupational Injuries and Diseases Act, 1993; - Obtaining opinions and/or assessments from consultants, legal advisors and other third-party vendors
In respect of third party payroll providers and medical aid and benefits supplier's, records include: - name of contact at service provider, - contact details, - registration numbers, - incorporation dates, and - physical and email addresses.	For the purpose of concluding and executing contracts with third party service providers.
Records in respect of individual representatives of brokers, and directors.	For KYC, Due Diligence, sanctions and anti-money laundering purposes.
Records related to juristic persons (such as third party service providers) including: - name of contact at the third party payroll providers and medical aid and benefits suppliers, - contact details, - registration number, - incorporation date, - physical and email addresses, and	For: - payroll services, - credit control and the payment by clients of insurance premiums, - the purpose of provident fund contributions and medical aid contributions, - funeral cover on behalf of employees, income tax purposes; - payroll purposes,

banking details including VAT numbers.	- conducting due diligences when on-boarding a new brokerage firm or a new agency, - managing procurement, - negotiating and concluding outsourcing agreements, - regulatory compliance including complying with laws related to Financial Services, - concluding binder agreements, - complying with employment equity, diversity and inclusion and transformation obligations, - investigating and handling regulatory complaints, - dealing with insurance claims that are escalated, - managing employment equity; - regulatory reporting in terms of INSETA, and - paying service providers for services rendered,
Records in respect of vendors including: - financial statements, and - electronic signatures; - In respect of children including: - names, - date of birth, and - identity numbers. In respect of service providers including: - name of contact at juristic person, - contact details, - registration number, - incorporation date, and - physical and email addresses.	For: - managing employment equity; - regulatory reporting in terms of INSETA, - administering employee benefits and payroll systems, - managing procurement and the approval and on-boarding of new vendors, - administering payroll functions, - paying service providers for services rendered, - managing credit control and the payment by clients of insurance premiums, - the payment of income tax, and - for the purpose of medical aid and provident fund benefits
Details of the broker and the individual representative broker name and contact details of the broker and intermediaries	To: - Due Diligence and Third-Party Audit reviews; - set up a prospective record; - consider a proposal; assess risk and write a policy; - carry out background checks (i.e. KYC / AML / sanctions); - administer the policies on an on-going basis; - manage renewals; and - comply with Chubb's legal obligations.

ANNEXURE D

DESCRIPTION OF data subject or category of data subjects AND CATEGORIES OF PERSONAL INFORMATION IN RELATION TO THE DATA SUBJECTS

Description of Personal Information in to data subjects	Data Subject or Category of Data Subject to whom Personal Information relates
- Board compositions; - Certain medical and health related information of insured persons under group policies, - Criminal behaviour, - Medical related information, - Claimants' name, identification number, date of birth, contact details, address, gender, banking details, medical reports and medical information, medical history, invoices in respect of treatment; - Information related to salary, - Names, - Job titles, Medical reports, Location data, - Photographs, - Employee records, and - Objectionable conduct of individuals in respect of employees and directors.	Insured clients, corporate clients, individual claimants
- Biometric information evidencing access to premises, - Video footage and/ or photographic evidence of entry / exit of premises, Voice recordings, - Race and/ or ethnic origin insofar as such can be evidenced from video surveillance, - Photographs on documents such as driver's licenses and/ or identity documents, and inadvertently in limited circumstances religious/ philosophical beliefs; - Employees' names, identification numbers, dates of birth, contact details, addresses, CV's, educational and/ or professional qualifications, gender, employee records, performance management documents, disciplinary records, banking details, medical aid information; findings of background checks, criminal record - checks (including polygraph test results) and credit checks in respect of employees; and - information related to trade union membership.	Current employees, prospective job applicants and independent contractors
Information relating to children	Children of employees
Biometric data	Employees, natural persons who enter Chubb's business premises including clients, service providers, broker representatives
- name, - identification number, - date of birth, - contact details, - address, - gender, - banking details, - medical reports and medical information, - medical history,	Claimants/ Insured clients

• invoices in respect of treatment, and salary information.	
• name of contact at juristic person, • contact details including email addresses, • registration number, • incorporation date, and • physical address.	Third party service providers
• name, and • contact details.	Broker and the individual representative broker
• name of contact at juristic person, • contact details, • registration number, • incorporation date, • physical and email addresses, • financial statements, and • electronic signatures.	Vendors
• name, • identity or passport numbers, • financial and payment details • contact details, • travel patterns, • claims history, • salaries and job titles, • wage-rolls, • company related information of the corporate customer including: ○ registration number, ○ financial and payment details, and ○ contact details.	Claimants/ Insured clients

ANNEXURE E

CROSS-BORDER FLOWS OF PERSONAL INFORMATION

Country	Justification for Transfer (in terms of section 72 of POPIA)
Argentina	
Australia	
Austria	
Bahrain	
Belgium	
Bermuda	
Botswana	
Brazil	
Canada	
Chile	
China	
Colombia	
Czech Republic	
Ecuador	
Egypt	
France	
Germany	
Hong Kong	
Hungary	
Indonesia	
Ireland	
Italy	
Japan	
Kenya	
Korea	
Luxembourg	
Malaysia	
Mauritius	
Mexico	

Myanmar	
Namibia	
Netherlands	
New Zealand	
Pakistan	
Panama	
Peru	
Philippines	
Poland	
Portugal	
Puerto Rico	
Saudi Arabia	
Scotland	
Singapore	
South Africa	
Spain	
Switzerland	
Taiwan	
Tanzania	
Thailand	
Tunisia	
Turkey	
Uganda	
United Arab Emirates	
United Kingdom	
United States	
Vietnam	

ANNEXURE F

Security measures to be implemented by Chubb

The following is a list of the types of security measures implemented by Chubb in order to ensure that Personal Information is protected from loss of, damage to or unauthorized destruction of or unlawful access to Personal Information:

- Access to the office will be controlled and there will be restriction of access to hard copies of documents containing Personal Information;
- Physical access will be regulated by identity codes and keywords;
- Chubb has a password system that consists of at least 8 characters and it is modified at six month intervals;
- Where the Processing concerns Special Personal Information, the keyword will be modified at least every three months;
- Chubb has an authentication system whereby the user's credentials will be deactivated in cases where the credentials have not been used for at least six months (except for those that have been authorized exclusively for technical management purposes);
- Access credentials are deactivated if the person in charge of the processing is disqualified from accessing the Personal Information;
- Anti-virus systems are used and updated at least every six months;
- Anti-intrusion systems (i.e. firewalls) are used and updated at least annually (every six months in the case of Special Personal Information);
- The areas containing archives are adequate with regard to the necessities of security and secrecy (e.g. there is controlled access to the offices containing archives will be installed);
- Agreements have been entered into with service providers and operators in terms of which such service providers and operators have contractually agreed to implement and maintain appropriate security measures.

ANNEXURE G

FORM FOR THE OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF POPIA

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, 2017 [Regulation 2(1)]

Note:

1. Affidavits or other documentary evidence in support of the objection must 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.

Reference Number....

A DETAILS OF THE DATA SUBJECT	
Name and surname of data subject:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number:	
E-mail address:	

B DETAILS OF RESPONSIBLE PARTY	
Name and surname of responsible party (if the responsible party is a natural person):	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number:	

E-mail address:

Name of public or Private Body (if the Responsible Party is not a natural person): Business address:

Code ()

Contact number(s): Fax number:

E-mail address:

C REASONS

Signed at _____ this _____ day of _____ 20____

SIGNATURE OF DATA SUBJECT (APPLICANT)

ANNEXURE H:

FORM FOR THE REQUEST TO DELETE OR CORRECT PERSONAL INFORMATION IN TERMS OF POPIA

REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2017

[Regulation 3(2)]

Note:

1. Affidavits or other documentary evidence in support of the request must 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.

Reference Number

Mark the appropriate box with an "x".

Request for:

Reference Number....

Correction or deletion of the Personal Information about the Data Subject which is in possession or under the control of the Responsible Party.

Destruction or deletion of a Record of Personal Information about the Data Subject which is in the possession or under the control of the Responsible Party and who is no longer authorised to security the Record of information.

A DETAILS OF THE DATA SUBJECT	
Surname:	
Full names:	
Identity number:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number:	
E-mail address:	

B DETAILS OF RESPONSIBLE PARTY	
Name and surname of responsible party (if the responsible party is a natural person): Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number:	
E-mail address:	

Name of public or Private Body (if the Responsible Party is not a natural person):

Business address: Code ()

Contact number(s):

Fax number:

E-mail address:

C	REASONS FOR *CORRECTION OR DELETION OF THE DATA SUBJECT/*DESTRUCTION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT WHICH IS IN POSSESSION OR CONTROL OF THE RESPONSIBLE PARTY. (Please provide detailed reasons for the

Signed at _____ this _____ day of _____ 20____

SIGNATURE OF DATA SUBJECT (APPLICANT)