



## PERSONAL INFORMATION OBJECTION PROCEDURE & FORM

### 1. INTRODUCTION

A data subject who is the subject of personal information held by El Shaddai is entitled to **object against the processing** of his/her/its personal information. This document describes **how** a data subject may make an objection to El Shaddai to object to El Shaddai processing his/her/its personal Information.

This document should be read in conjunction with any other additional El Shaddai policies, made available by the School from time to time in particularly, the El Shaddai Privacy Policy).

Commented [CGP1]: Hyperlink to Privacy Policy

### 2. DEFINITIONS

**"Child"** means a natural person under the age of 18 years who is not legally competent, without the assistance of a competent person, to take any action or decision in respect of any matter concerning him or herself.

**"Competent Person"** means any person who is legally competent to consent to any action or decision being taken in respect of any matter concerning a Child, including a parent or guardian.

**"Data Subject"** means the person to whom the personal information relates;

**"El Shaddai"** **"El Shaddai"** means El Shaddai Christian School, as more fully described in the El Shaddai Christian School [PAI Manual](#);

**"Information Officer"** means the person acting on behalf of El Shaddai and discharging the duties and responsibilities assigned to the head of El Shaddai by the POPIA. The Information Officer is duly authorised to act as such, with such authorisation having been confirmed by the head of El Shaddai in writing;

**"Operator"** means a person who processes Personal Information for the Responsible Party in terms of a contract;

**"Personal Information"** shall have the meaning attributed to it in terms of POPIA;

**"POPIA"** means the [Protection of Personal Information Act 4 of 2013](#), as amended from time to time;

**"Process" or "Processed"** shall have the meaning attributed to it in terms of POPIA;

**"Responsible Party"** means a public or private body or any other person that, alone or in conjunction with others, determines the purpose and means for Processing Personal Information;

**"Objection"** means an objection to the processing of personal information of a data subject held by El Shaddai; and

**"Objector"** means any person, including a public body or an official thereof, making an objector to the processing of their personal information held by El Shaddai and includes any person acting on behalf of that person.

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### 3. OBJECTIONS FROM THE DATA SUBJECT

An **objection** to the processing of personal information of a data subject may be made by a data subject or a competent person (on behalf of a child as a data subject) to El Shaddai.

#### 4. OBJECTION PROCESS

The data subject **objecting** to their personal information being processed by El Shaddai must do so in writing by completing **Form 1** in [Annexure A](#) attached hereto or in the El Shaddai Data Protection Policy.

*NOTE: That the information officer may assist an objector in completing Form 1 should the objector make the objection orally as a result of illiteracy or a disability. Further, if an objection is made on behalf of a data subject then the objector must submit proof, to the satisfaction of the information officer, of his/her/its authority to make such objection.*

Once completed, the data subject must **submit** the completed **Form 1** to El Shaddai's information officer (preferably via email), at:

Designated Information Officer: **Mrs Mary-Ann Vorster**  
Physical Address: **6 Langeberg Rd, Durbanville, Cape Town, 7550**  
Postal Address: **PO Box 1980, Durbanville, 7550**  
Telephone Number: **+27 021 9751980**  
E-mail: [popi@escs.org.za](mailto:popi@escs.org.za) or [vorsterm@escs.org.za](mailto:vorsterm@escs.org.za)

Once received, the information officer will **verify the identity** of the individual making the request to ensure that the individual has the right to object to the processing of the personal information record.

The information officer will **notify the data subject** that their request has been received and will ensure that the objection is completed.

## **ANNEXURE A:**

## Objection to Processing

The Form / information required:-

**OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF  
SECTION 11(3) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO.  
4 OF 2013)  
REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018  
[Regulation 21]**

**Note to the form (to be presented to the Data Subject):**

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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.
2. Complete as is applicable.

Signed at ..... this ..... day of .....20.....

.....  
*Signature of data subject/designated person*

**Responsible Party obligations:**

The responsible party, or a designated person, must render such reasonable assistance as is necessary, free of charge to complete the form.

**On collection of information the following needs to be captured:**

1. Signature of Data Subject
2. Where Signed
3. Date of signing

The Regulation only shows the requirement of a signature on the form, however does not confirm under the regulation the requirement that a signature needs to be obtained, therefore section 13(1) is not applicable, i.e. "*Where the signature of a person is required by law and such law does not specify the type of signature, that requirement in relation to a data message is met only if an advanced electronic signature is used.*"

**Data Subject verification**

1. It will be imperative to verify the identity of the Data Subject on receipt of the above information by adding certain actions or additional questions during collection with explanation why the additional information is required. The latter explanation can be confirmed in the Privacy Policy.
2. The Privacy Policy should be made available to the Data Subject prior to submission of the above information to the Responsible Party. Were the information is collected electronically the Privacy Policy can be presented under a hyperlink.