BDO Business Restructuring (Pty) Ltd

REGISTRATION NUMBER: 2002/025164/07



PROMOTION OF ACCESS TO INFORMATION ACT NO. 2 of 2000 PROTECTION OF PERSONAL INFORMATION ACT NO. 4 OF 2013

INDEX

•	Foreword	Pg. 2
•	Contact Persons	Pg. 3
•	HRC Guide	Pg. 3
•	Automatic Disclosure	Pg. 4
•	Legislative Records	Pg. 4 - 6
•	Access Requests	Pg. 7 – 9
•	Requests for Correction and Deletion	Pg.10 - 11
•	Objection to Processing	Pg. 12 – 13
•	Sign	Pg. 13
•	Forms – Access Requests	Pg. 14 - 18
•	Fees – Access Requests	Pg. 18-19
•	Forms – Correction and Deletion	Pg. 20 - 21
•	Forms - Objection to Processing	Pg. 22 - 23

FOREWORD

MANUAL OF BDO Business Restructuring (Pty) Ltd

Registration Number : 2002/025164/07

Prepared in accordance with Section 51 of the Promotion of Access to Information Act. No. 2 of 2000 and updated in accordance with the provisions of the Protection of Personal Information Act No. 4 of 2013.

INTRODUCTION

On 9 March 2001, the Promotion of Access to Information Act. No. 2 of 2000 ("PAIA") became operative, giving effect to the section 32(2) Constitutional right of access to information.

One of the main requirements specified in PAIA, is the compilation of an information manual that provides information on both the types and categories of records held by a private body.

This document serves as the company's information manual and provides reference to the records held by the company and the process to request access to such records.

In addition, this document serves as the manual which explains how to access, object to processing, or request correction of personal information held by the company, in terms of the Protection of Personal Information Act No. 4 of 2013 ("POPIA").

SCOPE OF THE MANUAL

Nature of Business:

BDO Business Restructuring (Pty) Ltd, a South African company, is an affiliated company of BDO South Africa Incorporated, a South African personal liability company, which in turn is a member of BDO International Limited, a UK company limited by guarantee, and forms part of the international BDO network of independent member firms. BDO is the brand name for the BDO network and for each of the BDO member firms. BDO Business Restructuring (Pty) Ltd is a company of business consultants which provides business restructuring services to its clients.

BDO Business Restructuring (Pty) Ltd.'s mission is to provide the highest standard of service to clients and to perform professional services with due care, competence and diligence. The company has a continuing duty to maintain professional knowledge and skill at a level required to ensure that clients receive the advantage of competent professional service based on up-to-date developments in practice, legislation and techniques.

The scope of the manual is limited to the records held by BDO Business Restructuring (Pty) Ltd

AVAILABILITY OF THE MANUAL

A copy of this manual is available to the public for inspection on the Company's website at www.bdo.co.za or on request from the designated contact person referred to in this manual.

CONTACT PERSON

CONTACT DETAILS

Head of Business: Mark Stewart **Contact Number:** 011 488 1700

Email: mstewart@bdo.co.za

The responsibility for administration of, and compliance with PAIA and POPIA has been delegated to the Information Officer. Requests pursuant to the provisions of PAIA and POPIA should be directed as follows:

Contact person Mark Stewart

Postal Address PO Box Private Bad X60500, Houghton, 2041

Physical Address Wanderers Office Park, 52 Corlett Drive, Illovo, Johannesburg, 2196

Phone number 011 488 1700

E-mail mstewart@bdo.co.za

HRC GUIDE

GUIDE FOR REQUESTERS ON HOW TO USE PAIA AND POPIA

A Guide has been compiled in terms of Section 10 of PAIA by the Human Rights Commission. It contains information to assist a person wishing to exercise a right, in terms of the PAIA or POPIA. The Guide is available for inspection, inter alia, as follows:

Kindly direct queries to

PO Box 31533

Postal Address: Braamfontein,

Johannesburg, 2017

The Information Regulator

Braampark Forum 3, 33 Hoofd Street

Braamfontein

Phone number: 010 023 5200

E-mail: inforeg@justice.gov.za

Website

https://www.justice.gov.za/inforeg/index.html

AUTOMATIC DISCLOSURE

Brochures,

Pricelists,

Pamphlets

LEGISLATIVE RECORDS

RECORDS HELD IN ACCORDANCE WITH LEGISLATION

Records are held in accordance with the following legislation:

- * Basic Conditions of Employment Act, 1997
- * Broad Based Black Economic Empowerment Act, 2003
- * Companies Act 1973
- * Companies Act 2008 (Act No. 71 of 2008)
- * Compensation for Occupational Injuries and Diseases Act, 1993
- Employment Equity Act, 1998
- Finance Act, 2007
- Income Tax Act, 1962
- * Labour Relations Act, 1995
- Occupational Health and Safety Act, 1993
- Pension Funds Act, 1956 (Act No. 24 of 1956)
- * Promotion of Access to Information Act, 2000
- * Skills Development Act, 1998



- * Skills Development Levies Act, 1999
- * Unemployment Insurance Act, 2001
- * Unemployment Insurance Contributions Act, 2002
- * Value-Added Tax Act, 1991

CATEGORIES AND PROCESSING OF RECORDS

CATEGORY OF DATA	TYPE OF PERSONAL	PURPOSE OF	RECIPIENTS OF
SUBJECT	INFORMATION	PROCESSING	PERSONAL
			INFORMATION
Clients, potential	Name, ID or	To provide the services	Service providers or
clients and previous	registration number,	as set out in the	operators who provide
clients	client address, client	engagement letter.	software or systems to
	financial information,		process the personal
	contracts, client third	To market similar	information. This
	party information	services or relevant	includes cloud service
	(CIPC records),	events to the client.	providers and cloud
	shareholder and		storage.
	director names, ID	To comply with legal,	
	numbers and	risk and compliance	To government
	addresses.	requirements.	agencies or
			professional bodies
		To communicate with	where we are required
		clients, and to carry	to disclose under a
		out instructions and	legal obligation.
		requests.	
Current and previous	Name, ID number,	To give effect to the	Service providers or
employees	address, medical	employment contract.	operators who provide
	information, disability		software or systems to
	information, provident	To pay salaries.	process the personal
	fund and employee		information. This
	benefit information,	To submit information	includes cloud service
	bank details, tax	as per our legal	providers and cloud
	registration number,	obligations imposed	storage.
	employment contracts,	on us.	
	beneficiary		To government
	information, vehicle	To monitor	agencies or
	registration	performance.	professional bodies
	information,		where we are required
	performance records,	To ensure a safe	to disclose under a
	payroll records,	working environment.	legal obligation.
	electronic access		DS

	records, health and safety records, CCTV surveillance records, training records, background checks, criminal record checks, employment history, CV, records of qualifications.		
Job applicants	Name, CV and application information, criminal checks, background checks, qualification records, psychometric testing results.	Recruitment and employment purposes, including background checks, reference checks, criminal record checks, Home Affairs checks and qualification checks.	Service providers or operators who provide software or systems to process the personal information. This includes cloud service providers and cloud storage.
Family members of employees	Names, ID numbers or dates of birth, address	For employee emergency contacts and for employee benefits claims.	To employee benefit funds for the purposes of processing a claim.
Visitors to office locations	CCTV records and vehicle registration information (where applicable)	To detect, prevent and report theft and other crimes. For the safety of staff and visitors to our buildings.	To law enforcement agencies, where necessary. Service providers or operators who provide software or systems to process the personal information. This includes cloud service providers and cloud storage.
Suppliers/vendors	Supplier name and company information, bank details, personal information of supplier representatives.	To manage and maintain your accounts with us. To give effect to and enforce any contract which may exist	Service providers or operators who provide software or systems to process the personal information. This includes cloud service

between	the	vendor	providers	and	cloud
and BDO.			storage.		

TRANSBORDER FLOWS OF PERSONAL INFORMATION

Where it is necessary, for the purposes of processing, to transfer personal information outside of South Africa, we will only do so in accordance with the provisions of POPIA.

We anticipate that personal information may be transferred outside of South Africa for purposes of cloud storage, and where we do so, we will ensure that the necessary safeguards are in place to protect personal information.

SECURITY OF PERSONAL INFORMATION

The company takes appropriate and reasonable technical and organisational measures to protect personal information which it processes, so as to prevent:

- a) The loss of, damage to, or unauthorised destruction of personal information;
- b) The unlawful access to or processing of personal information.

For further information, please see our Privacy Statement

ACCESS REQUESTS

ACCESS REQUEST PROCEDURE

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

COMPLETION OF ACCESS REQUEST FORM

In order to facilitate a timely response to requests for access, all requesters should take note of the following when completing the Access Request Form:

- * The Access Request Form must be completed
- * Proof of identity is required to authenticate the identity of the requester. Therefore, in addition to the access form, requestors will be required to supply a copy of their identification document.

- * Complete the form in BLOCK LETTERS and answer every question.
- * If a question does not apply state N/A 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, additional information may be provided on an
- * attached folio

When the use of an attached folio is required, precede each answer with the applicable title.

SUBMISSION OF ACCESS REQUEST FORM

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

This fee is not applicable to personal requesters referring to any person seeking to access records that contain their personal information

An initial, request fee of R57.00 (including VAT) is payable on submission

PAYMENT OF FEES

Payment details can be obtained from the contact person as indicated above and can be made either via a direct deposit, by bank guaranteed cheque or by postal order. Proof of payment must be supplied

The access fee must be paid prior to access being given to the requested record.

If the request for access is successful an access fee may be required for the search, reproduction and/or preparation of the record(s) and will be calculated based on the Prescribed Fees.

If a deposit has been paid in respect of a request for access which is refused then the information officer must refund the deposit to the requestor

ACCESS REQUESTS

ACCESS REQUEST PROCEDURE

NOTIFICATION

The company will within 30 days of receipt of the request decide whether to grant or decline the request and give notice with reasons to that effect.

The 30 day period within which the company has to decide whether to grant or refuse the request, may be extended for a further period of not more than thirty days, if the request is for a large volume of information and the information cannot be reasonably obtained within the original 30 day period. The company will notify the requester in writing should an extension be sought.

GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

The main grounds for refusal of a request for information are:

- Mandatory protection of the privacy of a third party who is natural person, which would involve the unreasonable disclosure of personal information of that natural person.
- Mandatory protection of the commercial information of a third party, if the record contains
 - Trade secrets of that party
 - Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that party
 - Information disclosed in confidence by a third party to the company if the disclosure could put that third party to a disadvantage in negotiations or commercial competition

- Mandatory protection of confidential information of third parties if it is protected in terms of any agreement
- Mandatory protection of the safety of individuals and the protection of property.
- Mandatory protection of records which could be regarded as privileged in legal proceedings.
- The Commercial Activities of the company which may include:
 - Trade secrets of the company
 - Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of the company.

REQUESTS FOR CORRECTION AND DELETION

REQUESTS FOR CORRECTION AND DELETION PROCEDURE

It is important to note that the successful completion and submission of a Request for Correction or Deletion Form does not automatically allow the requester to correct or delete personal information or destroy or delete a record. An application to correct or delete personal information is subject to the provisions of section 23 and regulation 3 of POPIA.

COMPLETION OF REQUESTS FOR CORRECTION AND DELETION FORM

In order to facilitate a timely response to requests for correction and deletion, all requesters should take note of the following when completing the Request for Correction or Deletion Form:

- * The Request for Correction or Deletion Form must be completed
- * Proof of identity is required to authenticate the identity of the requester. Therefore, in addition to the Request for Correction or Deletion Form, requestors will be required to supply a copy of their identification document.
- * Complete the form in BLOCK LETTERS and answer every question.
- * If a question does not apply state N/A 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, additional information may be provided on an attached folio
- * When the use of an attached folio is required, precede each answer with the applicable title.

SUBMISSION OF REQUESTS FOR CORRECTION AND DELETION

The complete Request for Correction or Deletion Form together with a copy of the identity document must be submitted either via post, e-mail or fax and must be addressed to the contact person as indicated above.

REQUESTS FOR CORRECTION AND DELETION

REQUESTS FOR CORRECTION AND DELETION PROCEDURE

NOTIFICATION

The company will as soon as reasonably practicable:

- correct the information;
- destroy or delete the information;
- provide credible evidence in support of the information or
- take reasonable steps, in the circumstances, to attach to the personal information, an indication that a correction of the information was requested but has not been made, in such a manner that it will always be read with the information.

The company will provide notification of the action taken as a result of the Request for Correction or Deletion Form.

GROUNDS FOR REFUSAL TO CORRECT OR DELETE PERSONAL INFORMATION

The main grounds for refusal of a to correct or delete information are:

- Credible evidence in support of the personal information held;
- The Information is being retained in terms of applicable legislation and/or the company's Record Retention and Destruction Policy; or
- The Personal Information is necessary to carry out our mandate or in terms of applicable legislation.

PAYMENT OF FEES

No fees are payable in respect of requests for correction or deletion of personal information.

OBJECTION TO PROCESSING

OBJECTION TO PROCESSING PERSONAL INFORMATION PROCEDURE

It is important to note that the successful completion and submission of an Objection to the Processing of Personal Information Form does not automatically prohibit the Company from processing the personal information. An application to object to the processing of personal information is subject to and must comply with the provisions of section 11(3) and regulation 2 of POPIA.

COMPLETION OF OBJECTION FORM

In order to facilitate a timely response to objections to processing personal information, all requesters should take note of the following when completing the Objection Form:

- * The Objection Form must be completed
- * Proof of identity is required to authenticate the identity of the requester. Therefore, in addition to the objection form, requestors will be required to supply a copy of their identification document.
- * Complete the form in BLOCK LETTERS and answer every question.
- * If a question does not apply state N/A 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, additional information may be provided on an attached folio
- * When the use of an attached folio is required, precede each answer with the applicable title.

SUBMISSION OF OBJECTION FORM

The complete Objection Form together with a copy of the identity document must be submitted either via post, e-mail or fax and must be addressed to the contact person as indicated above.

OBJECTION TO PROCESSING

OBJECTION TO PROCESSING PERSONAL INFORMATION PROCEDURE

DISCONTINUATION OF PROCESSING PERSONAL INFORMATION

The company will upon receipt of the Objection Form discontinue processing the personal information if the provisions of section 11(3) and regulation 2 of POPIA are met.

GROUNDS FOR REFUSAL

The main grounds for refusal to discontinue processing personal information:

- No reasonable grounds exist to discontinue processing the personal information;
- The information is being processed in terms of applicable legislation; or
- The objection is not in respect of information being processed in terms of section 11(d) to (f) of POPIA.

PAYMENT OF FEES

No fees are payable in respect of objections to processing personal information.

SIGNED AT JOHANNESBURG ON THIS DAY THE 23RD OF JUNE 2021

FULL NAMES: MARK STEWART

CAPACITY/DESIGNATION: INFORMATION OFFICER

Docusigned by: Mark Stewart

SIGNATURE.....

004040540505400

Page 1 of 6

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13 | Page

FORMS

ACCESS REQUEST FORM

(Section 53(1) of the Promotion of Access of Information Act, 2000 (Act No 2 of 2000)

[Regulation 10]

Particulars of Private Body

Requests can be submitted either via post, e-mail or fax and should be addressed to the relevant contact person as indicated below:

Contact person Mark Stewart

Postal Address PO Box Private Bad X60500, Houghton, 2041

Physical Address Wanderers Office Park, 52 Corlett Drive, Illovo, Johannesburg,

2196

Phone number 011 488 1700

E-mail mstewart@bdo.co.za

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

must be given

(c) Proof of capacity in which request is made, if applicable, must be attached.

Full names and surname:

Identity number :

Postal address :

Fax number :

Telephone number :

E-mail address :

Capacity in which request is made, when made on behalf of another person:

Page 2 of 6

Particulars of person requesting access to the record (if a legal entity)

- (a) The particulars of the entity 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 must be given
- (c) Proof of capacity in which request is made, if applicable, must be attached.

Name of entity:

Registration number:

Postal address :

Fax number :

Telephone number:

E-mail address :

Particulars of person on whose behalf request is made

This section must ONLY be completed if a request for information is made on behalf of another person

Full names and surname:

Identity number:

Particulars of record

- (a) Provide full particulars of the record to which access is requested, including the reference number if it is known to you, to enable the record to be requested
- (b) If the provide space is inadequate, please use a separate folio and attach it to this form. Please sign additional folios.

Description of record of relevant part of the record:

Reference number (if available):

Any further particulars of record:

Page 3 of 6

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 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 of payment of fees:

FORM OF ACCESS TO RECORD

Form in which record is required Mark the appropriate box with an X

NOTES

- (a) Compliance with your request in the specified form may depend on the form in which the record is available
- (b) Access in the form requested may be refused under certain circumstances. In such a case you will be informed whether access will be granted in another form.
- (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

1.	If the record is in written or printed Copy of record	form Inspection of record		
2.	If record consists of visual images View the images	Copy of the images		Transcription of the images
3.	If the record consists of recorded in Listen to the soundtrack (audio)	formation that can be re Transcription of soundtrack	produced in s	sound:
4.	If the record is held on computer or (this includes photographs, slides, vetc.)			
	Printed copy of record	Printed copy of information derived from the record		Copy in computer readable form
	If you requested a copy or transcripthe copy of transcription to be poster		_	Yes No

Page 4 of 6	
Note that if the record is not available in the in which the record is available.	language you prefer, access may be granted in the language
In which language would you prefer the reco	ord:
	ding, viewing or listening to the record in the form of access bility and indicate in the form in which the record is required
Disability:	Form in which record is required:
requester must sign all folios1. Indicate the right to be exercised	continue on a separate folio and attach it to this form. The
informed in another manner, please specify compliance with your request.	JEST FOR ACCESS or request has been approved or denied. If you wish to be the manner and provide the necessary particulars to enable of the decision regarding your request for access to the
Signed at	n day of 20

SIGNATURE OF REQUESTER/PERSON ON WHOSE BEHALF REQUEST IS MADE

Page 5 of 6

YOU MUST SEND WITH THIS APPLICATION 1. Complete all necessary spaces 1. The request fee (if not personal requester) 2. Sign the access request form 2. Any additional folios completed 3. Copy of Identity Document

FEES

PRESCRIBED FEES

(Section 54(7) of the Promotion of Access to Information Act, 2000 (Act No.2 of 2000) [Fees for record of Private Body]

PLEASE NOTE THAT ALL PRICES LISTED BELOW ARE INCLUSIVE OF VALUE ADDED TAX

(a)	For every photocopy of an A4 size page or part thereof	R	1.10
(b)	For every printed copy of an A4 size page or part thereof held on computer or in an electronic or machine readable form	R	0.75
(c)	For a copy in a computer-readable form on (i) compact disc	R	70.00
(d)	(i) For a transcription of visual images, for an A4 size page or part thereof(ii) For a copy of visual images	R R	40.00 60.00
(e)	(i) For a transcription of an audio record, for an A4 size page or part thereof(ii) For a copy of audio record	R R	20.00 30.00
(f)	To search for and prepare the record for disclosure – R50.00 for each hour or part thereof reasonably required for such search and preparation		

Page	of	6

(Section 54(2) of the Promotion of Access to Information Act, 2000 (Act No.2 of 2000) [Regulation 11(3)]

PLEASE NOTE THAT ALL PRICES LISTED ABOVE ARE INCLUSIVE OF VALUE ADDED TAX

- (a) Six hours as the hours to be exceeded before a deposit is payable; and
- (b) One third of the access fee is payable as a deposit by the requester

(Section 54(7) of the Promotion of Access to Information Act, 2000 (Act No.2 of 2000) [Regulation 11(3)]

PLEASE NOTE THAT ALL PRICES LISTED ABOVE ARE INCLUSIVE OF VALUE ADDED TAX

The actual postage fee is payable when a copy of a record must be posted to a requester

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Page	- 1	()1	

FORMS

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, 2018 [Regulation 3]

٨	ot	ے:
1 V	Uι	౮.

- 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 "

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.

Α	DETAILS OF THE DATA SUBJECT	
Name(s) and registered name of data subject:		
Unique identifier/ Identity Number:		
Residential, postal or business address:	Code ()
Contact number(s):		
Fax number/E-mail		
B Name(s) and registered name of responsible party:	DETAILS OF RESPONSIBLE PARTY BDO Business Restructuring (Pty) Ltd	
Residential, postal or business address:	PO Box Private Bad X60500, Houghton	
	Code (2041)	
Contact number(s):	011 488 1700	
Fax number/ E-mail address:	mstewart@bdo.co.za	

Page 2 of 2

C	INFORMATION TO BE CORRECTED/DELETED/ DESTRUCTED/ DESTROYED
D	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 RETAN. (Please provide detailed reasons for the request)
Signed at	thisday of20
Signature of data subject	 t/designated person

YOU MUST

- 1. Complete all necessary spaces
- 2. Sign the access request form
- 3. Sign additional folios completed

SEND WITH THIS APPLICATION

- 1. Copy of Identity Document
- 2. Any additional folios completed

Initial.....

FORMS

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 2]

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.

Α	DETAILS OF THE DATA SUBJECT	
Name(s) and registered name of data subject:		
Unique identifier/ Identity Number:		
Residential, postal or business address:		Code ()
Contact number(s):		
Fax number/E-mail		
В	DETAILS OF RESPONSIBLE PARTY	
Name(s) and	BDO Business Restructuring (Pty) Ltd	
registered name of responsible party:		
Residential, postal or	PO Box Private Bad X60500, Houghton	
business address:		
		Code ()
Contact number(s):	011 488 1700	2345 ()
Fax number/ E-mail address:	mstewart@bdo.co.za	

Page	2	of	2
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C	REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f) (Please provide detailed reasons for the request)

Signed at	this	day of	20
5		,	
Signature of data subj	ect/designated		
person			

YOU MUST

- 1. Complete all necessary spaces
- 2. Sign the access request form
- 3. Sign additional folios completed

SEND WITH THIS APPLICATION

- 1. Copy of Identity Document
- 2. Any additional folios completed

Initial.....