***Note: the purpose of this document is to determine whether a supplier is an operator or transborder operator in terms of the POPIA***

**(Responsible Party letterhead)**

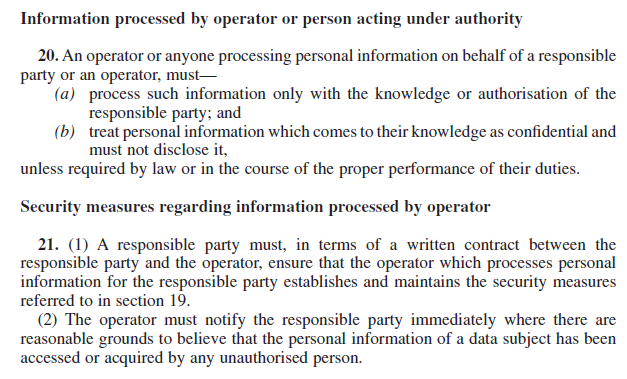
**(date)**

**(insert supplier name and address)**

Dear (insert supplier name)

**Compliance with the Protection of Personal Information Act, 2013 (POPIA)**

The (insert responsible party name) is preparing for compliance with the POPIA. Condition 7: Security Safeguards, sections 20 and 21 refers to the processing of information for which (insert responsible party name) is the responsible party. These sections are reproduced below for your convenience.



Please confirm the following, selecting which Statement applies to your relationship with (insert responsible party name) and take the necessary action:

1. Statement 1. (insert company name) does not process personal information as an operator on behalf of (insert responsible party name) as defined in the Protection of Personal Information Act, 2013.   
   Action required: Submit to (responsible party to supply return address) Statement 1 on your letterhead supported by an authorised signature to (supply return address)

OR

1. Statement 2. (insert company name) does process personal information as an operator on behalf of (insert responsible party name) as defined in the Protection of Personal Information Act, 2013. The processing excludes any transborder flows of the personal information processed as defined in the Protection of Personal Information Act, 2013, section 72(1).   
   Action required: Submit to (supply return address) Statement 2 on your letterhead supported by an authorised signature); Supply evidence that you comply with Section 19 of the POPIA.

OR

1. Statement 3. (insert company name) does process personal information as an operator on behalf of (insert responsible party name) as defined in the Protection of Personal Information Act, 2013. The processing includes transborder flows of the personal information processed as defined in the Protection of Personal Information Act, 2013, section 72(1).   
   Action required: Submit to (supply return address) Statement 3 on your letterhead supported by an authorised signature). Supply evidence that you comply with Section 19 of the POPIA. Supply evidence that the target transborder destination involved in the processing of personal information supplied by the AASA meets the requirements of Section 72(1) of the POPIA.

Where either Statement 2 or Statement 3 applies, in accordance with the POPIA (insert responsible party name) requires a written contract to be in place which addresses Section 19 to 22 of the POPIA. Where Statement 3 applies, (insert responsible party name) also requires a written contract to be in place which addresses Section 72(1) of the POPIA.

Please indicate whether your current contract or one to be introduced within the next three months addresses the relevant requirements of the POPIA.

Thank you for your co-operation.

(Signed)

(insert responsible party name)