**PAIA Data subject access request handling process**

**Note: also see “The Guide on how to use the Promotion of Access to Information Act - Act 2 of 2000”, SAHRC 2005.**

1. Is it a data subject access request? (Yes: proceed. No: reject the request in writing stating your reason for rejection, and state that the requester may lodge an application with a court against the refusal of the request, and the procedure (including the period) for lodging the application.)
   1. is it in writing?
   2. does it contain the name and an address for correspondence?
   3. has the requester used a pseudonym?
   4. does it describe the information being requested?

2. Do you have enough information to be sure of the requester's identity? (Yes: Proceed; No: Ask the requester for any evidence you reasonably need to confirm their identity)

3. Do you need more information from the requester to find what they want? (No: proceed; Yes: Ask them promptly for the other information you reasonably need so you can find the information they want.

4. Are you charging a fee? (No: Proceed; Yes: You will need to ask the individual promptly to pay the fee. The maximum fee you can charge is defined in the PAIA Manual. The 30 days within which you must respond starts when you receive the fee and all the information you need to help you find the information.

5. Do you have the information the requester wants? (Yes: proceed; No: Tell the requester you do not have the information they want.

6. Will the information be changed between receiving the request and sending the response? (No: Proceed; Yes: You can still make routine amendments and deletions to personal information after receiving a request. You must not make changes to records as a result of receiving the request, even if the information is inaccurate or embarrassing.

7. Does it include information about other people? (No: Proceed; Yes: You will not have to supply the information unless the other people mentioned have given their consent for the disclosure, or it is reasonable to supply the information without their consent. If you decide not to disclose the other people's information, you should still disclose as little information as possible by redacting the references to them.

8. Are you obliged to supply the information? (Yes: proceed; No: If all the information that the requester wants is exempt from subject access, then you can reply that you do not hold any of their personal data that you are required to reveal. There are some circumstances when you are not obliged to supply certain information. See the PAIA for more details

9. Does the information contain any complex codes or terms? (No: Proceed and supply the information; Yes: You must make sure you explain the codes so that the information can be understood. You must provide a copy of the information in a permanent form unless the individual agrees otherwise, or doing so would be impossible or involve disproportionate effort.