

4SIGHT HOLDINGS LTD (“4SIGHT”)

THE PROMOTION OF ACCESS TO INFORMATION ACT MANUAL

("PAIA Manual")

1. PREAMBLE

The Promotion of Access to Information Act, 2 of 2000 ("**PAIA**") came into operation on 9 March 2001. PAIA seeks, among other things, to give effect to the Constitutional right of access to any information held by the State or by any other person where such information is required for the exercise or protection of any right and gives natural and juristic persons the right of access to records held by either a private or public body, subject to certain limitations, in order to enable them to exercise or protect their rights. Where a request is made in terms of PAIA to a private body, that private body must disclose the information if the requester is able to show that the record is required for the exercise or protection of any rights, and provided that no grounds of refusal contained in PAIA are applicable. PAIA sets out the requisite procedural issues attached to information requests.

Section 51 of PAIA obliges private bodies to compile a manual to enable a person to obtain access to information held by such body and stipulates the minimum requirements that the manual has to comply with.

This Manual constitutes 4Sight's PAIA manual. This Manual is compiled in accordance with section 51 of PAIA as amended by the Protection of Personal Information Act, 4 of 2013 ("**POPIA**"), which gives effect to everyone's Constitutional right to privacy and largely commenced on 1 July 2020. POPIA promotes the protection of personal information processed by public and private bodies, including certain conditions so as to establish minimum requirements for the processing of personal information. POPIA amends certain provisions of PAIA, balancing the need for access to information against the need to ensure the protection of personal information by providing for the establishment of an Information Regulator to exercise certain powers and perform certain duties and functions in terms of POPIA and PAIA, providing for the issuing of codes of conduct and providing for the rights of persons regarding unsolicited electronic communications and automated decision making in order to regulate the flow of personal information and to provide for matters concerned therewith.

This PAIA manual also includes information on the submission of objections to the processing of personal information and requests to delete or destroy personal information or records thereof in terms of POPIA.

VERSION	POLICY OWNER	DATE
1	Group Legal Officer	30 June 2021

2. CONTACT DETAILS

The Information Officer

Tracy Short

E-mail:

tracy.short@4sight.cloud

Tel:

+27 12 640 2600

Postal Address:

Same as below

Address:

4Sight House, 28 Roos Street,
Fourways, South Africa, 2191

3. INFORMATION REGULATOR'S GUIDE

An official Guide has been compiled which contains information to assist a person wishing to exercise a right of access to information in terms of PAIA and POPIA. This Guide is made available by the Information Regulator (established in terms of POPIA). Copies of the updated Guide are available from the Information Regulator in the manner prescribed. Any enquiries regarding the Guide should be directed to:

Postal Address: 33 Hoofd Street
Forum III, 3rd Floor Braampark
Braamfontein, Johannesburg

Telephone Number: +27 (0) 10 023 5207

E-mail Address: infoereg@justice.gov.za

Website: <https://www.justice.gov.za/infoereg/>

4. OBJECTIVES OF THIS MANUAL

The objectives of this Manual are:

- to provide a list of all records held by the legal entity;
- to set out the requirements with regard to who may request information in terms of PAIA as well as the grounds on which a request may be denied;
- to define the manner and form in which a request for information must be submitted; and
- to comply with the additional requirements imposed by POPIA.

5. ENTRY POINT FOR REQUESTS

PAIA provides that a person may only make a request for information, if the information is required for the exercise or protection of a legitimate right.

Information will therefore not be furnished unless a person provides sufficient particulars to enable 4Sight to identify the right that the requester is seeking to protect as well as an explanation as to why the requested information is required for the exercise or protection of that right. The exercise of a data subject's rights is subject to justifiable limitations, including the reasonable protection of privacy, commercial confidentiality and effective, efficient and good governance. PAIA and the request procedure contained in this Manual may not be used for access to a record for criminal or civil proceedings, nor should information be requested after the commencement of such proceedings.

The Information Officer has been delegated with the task of receiving and co-ordinating all requests for access to records in terms of PAIA, in order to ensure proper compliance with PAIA and POPIA.

The Information Officer will facilitate the liaison with the internal 4Sight legal team on all of these requests.

All requests in terms of PAIA and this Manual must be addressed to the Information Officer using the details in paragraph 2 above.

6. AUTOMATICALLY AVAILABLE INFORMATION

Information that is obtainable via 4Sight's website about 4Sight is automatically available and need not be formally requested in terms of this Manual.

7. INFORMATION AVAILABLE IN TERMS OF POPIA

7.1. The purpose of processing personal information

In terms of POPIA, personal information must be processed for a specified purpose. The purpose for which personal information is processed by 4Sight will depend on the nature of the personal information and the particular data subject. This purpose is ordinarily disclosed, explicitly or implicitly, at the time the personal information is collected.

In general, personal information is processed for purposes of

- Administration of collective investment schemes
- Rendering service according to instructions given by clients
- Staff administration
- Keeping of accounts and records
- Complying with tax laws

7.2. A description of the categories of data subjects and personal information

4Sight may possess records relating to suppliers, shareholders, contractors service providers, staff and clients:

Entity Type	Personal Information Processed
Clients: Natural Persons	Names; contact details; physical and postal addresses; date of birth; ID number; Tax related information; nationality; gender; confidential correspondence
Clients – Juristic Persons / Entities	Names of contact persons; Name of Legal Entity; Physical and Postal address and contact details; Financial information; Registration Number; Founding documents; Tax related information; authorised signatories, beneficiaries, ultimate beneficial owners
Clients – Foreign Persons / Entities	Names; contact details; physical and postal addresses; date of birth; Passport number Tax related information; nationality; gender; confidential correspondence
Intermediary / Advisor	Names of contact persons; Name of Legal Entity; Physical and Postal address and contact details; Financial information; Registration Number; Founding documents; Tax related information; authorised signatories, beneficiaries, ultimate beneficial owners

Contracted Service Providers	Names of contact persons; Name of Legal Entity; Physical and Postal address and contact details; Financial information; Registration Number; Founding documents; Tax related information; authorised signatories, beneficiaries, ultimate beneficial owners
Employees / Directors	Gender: Pregnancy; Marital Status; Race: Age: Language; Education information; Financial Information; Employment History; ID number; Physical and Postal address; Contact details; Opinions, Criminal behaviour; Well-being

7.3. The recipients or categories of recipients to whom the personal information may be supplied

Depending on the nature of the personal information, 4Sight may supply information or records to the following categories of recipients:

- Statutory oversight bodies, regulators or judicial commissions of enquiry making a request for personal information;
- Any court, administrative or judicial forum, arbitration, statutory commission, or ombudsman making a request for personal information or discovery in terms of the applicable rules;
- South African Revenue Services, or another similar authority;
- Anyone making a successful application for access in terms of PAIA or POPIA; and
- Subject to the provisions of POPIA and other relevant legislation, 4Sight may share information about a client's creditworthiness with any credit bureau or credit providers industry association or other association for an industry in which 4Sight operates.

7.4. Planned transborder flows of personal information

If a data subject visits 4Sight's website from a country other than South Africa, the various communications will necessarily result in the transfer of information across international borders.

4Sight may need to transfer a data subject's information to service providers or group entities in countries outside South Africa, in which case it will fully comply with applicable data protection legislation.

These countries may not have data-protection laws which are similar to those of South Africa.

7.5. A general description of information security measures to be implemented by 4Sight

4Sight takes extensive information security measures to ensure the confidentiality, integrity and availability of personal information in its possession. 4Sight takes appropriate technical and organisational measures designed to ensure that personal information remains confidential and secure against unauthorised or unlawful processing and against accidental loss, destruction or damage.

8. INFORMATION AVAILABLE IN TERMS OF OTHER LEGISLATION

Information is available in terms of certain provisions of the following legislation to the persons or entities specified in such legislation:

- Basic Conditions of Employment Act No. 75 of 1997;
- Broad-Based Black Economic Empowerment Act No 53 of 2003 ;
- Companies Act No. 71 of 2008;
- Competition Act No 89 of 1998;
- Conventional Penalties Act No 15 of 1962;
- Copyright Act 98 of 1978;
- Currencies and Exchanges Act 9 of 1993;
- Customs and Excise Act No. 91 of 1964;
- Disaster Management Act No 57 of 2002;
- Electronic Communications and Transactions Act 25 of 2002 ;
- Employment Equity Act No. 55 of 1998;
- Financial Intelligence Centre Act 38 of 2001;
- Income Tax Act No. 58 of 1962;
- Labour Relations Act No. 66 of 1995;
- Occupational Health and Safety Act 85 of 1993;
- Prevention and Combating of Corrupt Activities Act 12 of 2004;
- Prevention of Organised Crime Act 121 of 1998;
- Promotion of Access to Information Act 2 of 2000;
- Protected Disclosures Act 26 of 2000;
- Protection of Constitutional Democracy against Terrorist and Related Activities Act 33 of 2004;
- Regulation of Interception of Communications and Provision of Communication-Related Information Act 70 of 2002;
- Securities Transfer Tax Act 25 of 2007;
- Securities Transfer Tax Administration Act 26 of 2007;
- Skills Development Act 97 of 1998;
- Skills Development Levy Act 9 of 1999;
- The Compensation for Occupational Injuries and Diseases Act No. 130 of 1993;
- The Insolvency Act No. 24 of 1936;
- The Occupational Health and Safety Act No. 85 of 1993;
- The Value-Added Tax Act No. 89 of 1991;
- Trade-Marks Act 194 of 1993;
- Trust Property Control Act 57 of 1988;
- Unemployment Insurance Act No. 30 of 1966;
- Unemployment Insurance Contributions Act 4 of 2002

9. CATEGORIES OF RECORDS AVAILABLE UPON REQUEST

4Sight maintains records on the categories and subject matters listed below. Please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be granted. All requests for access will be evaluated on a case-by-case basis in accordance with the provisions of PAIA.

Please note further that many of the records held by 4Sight are those of third parties, such as clients and employees, and 4Sight takes the protection of third-party confidential information very seriously. For further information on the grounds of refusal of access to a record please see paragraph 12.5 below. Requests for access to these records will be considered very carefully. Please ensure that requests for such records are carefully motivated.

Category of records	Records
Internal records The records listed pertain to 4Sight's own affairs	<ul style="list-style-type: none"> • Documents of incorporation • Memorandum of Incorporation • Minutes of Board of Directors meetings • Records relating to the appointment of directors / auditor / secretary / public officer and other officers • Share Register and other statutory registers
Financial Records	<ul style="list-style-type: none"> • Annual Financial Statements • Tax Returns • Accounting Records • Banking Records • Bank Statements • Electronic banking records • Asset Register • Rental Agreements • Invoices
Tax Records	<ul style="list-style-type: none"> • PAYE Records • Documents issued to employees for income tax purposes • Records of payments made to SARS on behalf of employees • All other statutory compliances: <ul style="list-style-type: none"> ○ VAT ○ Skills Development <ul style="list-style-type: none"> ▪ Levies, UIF, Workmen's Compensation
Personnel Documents and Records	<ul style="list-style-type: none"> • Employment contracts • Employment Equity Plan • Disciplinary records • Salary records • Disciplinary code • Leave records • Training records • Training Manuals • Annual performance assessments

Safety, Health, Environment and Sustainability	<ul style="list-style-type: none"> • Environmental Assessment Records • Incident reports and investigations • Licenses and Approvals • Mining Charter Compliance Information • Safety, Health, Environment and Sustainability Policies and Management Standards • Philosophy and Strategy • Safety and Environmental Statistics • Sustainability Information • Training Records
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10. REQUEST PROCEDURE

10.1. Completion of the prescribed form

Any request for access to a record from a public body in terms of PAIA must substantially correspond with the form included in Appendix A hereto.

A request for access to information which does not comply with the formalities as prescribed by PAIA will be returned to you.

POPIA provides that a data subject may, upon proof of identity, request 4Sight to confirm, free of charge, all the information it holds about the data subject and may request access to such information, including information about the identity of third parties who have or have had access to such information.

POPIA also provides that where the data subject is required to pay a fee for services provided to him/her, 4Sight must provide the data subject with a written estimate of the payable amount before providing the service and may require that the data subject pays a deposit for all or part of the fee.

Grounds for refusal of the data subject's request are set out in PAIA and are discussed below.

POPIA provides that a data subject may object, at any time, to the processing of personal information by 4Sight, on reasonable grounds relating to his/her particular situation, unless legislation provides for such processing. The data subject must complete the prescribed form attached hereto as Appendix C and submit it to the Information Officer at the postal or physical address, facsimile number or electronic mail address set out above.

A data subject may also request 4Sight to correct or delete personal information about the data subject in its possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully; or destroy or delete a record of personal information about the data subject that 4Sight is no longer authorised to retain records in terms of POPIA's retention and restriction of records provisions.

A data subject that wishes to request a correction or deletion of personal information or the destruction or deletion of a record of personal information must submit a request to the Information Officer at the postal or physical address, facsimile number or electronic mail address set out above on the form attached hereto as Appendix D.

10.2. **Proof of identity**

Proof of identity is required to authenticate your identity and the request. You will, in addition to this prescribed form, be required to submit acceptable proof of identity such as a certified copy of your identity document or other legal forms of identity.

10.3. **Payment of the prescribed fees**

There are two categories of fees which are payable:

- **The request fee:** R50
- **The access fee:** This is calculated by taking into account reproduction costs, search and preparation costs, as well as postal costs. These fees are set out in Appendix B.

Section 54 of PAIA entitles 4Sight to levy a charge or to request a fee to enable it to recover the cost of processing a request and providing access to records. The fees that may be charged are set out in Regulation 9(2)(c) promulgated under PAIA.

Where a decision to grant a request has been taken, the record will not be disclosed until the necessary fees have been paid in full.

10.4. **Timelines for consideration of a request for access**

Requests will be processed within 30 (thirty) days, unless the request contains considerations that are of such a nature that an extension of the time limit is needed.

Should an extension of the time limit be required, you will be notified, together with reasons explaining why the extension is necessary.

10.5. **Grounds for refusal of access and protection of information**

There are various grounds upon which a request for access to information / a record may be refused. These grounds include:

- the protection of personal information of a third person (who is a natural person) from unreasonable disclosure;
- the protection of commercial information of a third party (for example: trade secrets; financial, commercial, scientific or technical information that may harm the commercial or financial interests of a third party);
- if disclosure would result in the breach of a duty of confidence owed to a third party;
- if disclosure would jeopardise the safety of an individual or prejudice or impair certain property rights of a third person;
- if the record was produced during legal proceedings, unless that legal privilege has been waived;
- if the record contains trade secrets, financial or sensitive information or any information that would put 4Sight (at a disadvantage in negotiations or prejudice it in commercial competition); and/or
- if the record contains information about research being carried out or about to be carried out on behalf of a third party or by 4Sight.

Section 70 PAIA contains an overriding provision. Disclosure of a record is compulsory if it would reveal (i) a substantial contravention of, or failure to comply with the law; or (ii) there is an imminent and serious public safety or environmental risk; and (iii) the public interest in the disclosure of the record in question clearly outweighs the harm contemplated by its disclosure.

If the request for access to information affects a third party, then such third party must first be informed within 21 (twenty-one) days of receipt of the request. The third party would then have a further 21 (twenty-one) days to make representations and/or submissions regarding the granting of access to the record.

11. REMEDIES AVAILABLE TO A REQUESTER ON REFUSAL OF ACCESS

If the Information Officer decides to grant you access to the particular record, such access must be granted within 30 (thirty) days of being informed of the decision.

There is no internal appeal procedure that may be followed after a request to access information has been refused. The decision made by the Information Officer is final. In the event that you are not satisfied with the outcome of the request, you are entitled to apply to the Information Regulator or a court of competent jurisdiction to take the matter further.

Where a third party is affected by the request for access and the Information Officer has decided to grant you access to the record, the third party has 30 (thirty) days in which to appeal the decision in a court of competent jurisdiction. If no appeal has been lodged by the third party within 30 (thirty) days, you must be granted access to the record.

12. AVAILABILITY OF THIS MANUAL

Copies of this Manual are available for inspection, free of charge, at the corporate offices of 4Sight at 4Sight House, 28 Roos Street, Fourways, South Africa, 2191.

Appendix A –

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REPUBLIC OF SOUTH AFRICA

FORM C

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

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

[Regulation 10]

A. Particulars of private body

The Head:

1 **B. 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 the capacity in which the request is made, if applicable, must be attached. |

Full names and surname:

Identity number:

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Postal address:

Telephone number: (.....) Fax number: (.....)

E-mail address:

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

2 **C. Particulars of person on whose behalf request is made**

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

Full names and surname:

Identity number:

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3 **D. Particulars of record**

- (a) 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.
- (b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Description of record or relevant part of the record:

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2. Reference number, if available:

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3. Any further particulars of record:

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- (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 required 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.

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If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 below, state your disability and indicate in which form the record is required.

Form in which record is required:	
Disability:	
Mark the appropriate box with an X .	
NOTES:	

1. If the record is in written or printed form:						
	copy of record*		inspection of record			
2. If record consists of visual images - (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):						
	view the images		copy of the images*		transcription of the images*	
3. If record consists of recorded words or information which can be reproduced in sound:						
	listen to the soundtrack (audio cassette)		transcription of soundtrack* (written or printed document)			
4. If record is held on computer or in an electronic or machine-readable form:						
	printed copy of record*		printed copy of information derived from the record*		copy in computer readable form* (stiffy or compact disc)	
*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.					YES	NO

6 **G. Particulars of right to be exercised or protected**

If the provided space is inadequate, please continue on a separate folio and attach it to this form.
The requester must sign all the additional folios.

1. Indicate which right is to be exercised or protected:

.....

.....

.....

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

.....

.....

.....

7 **H. Notice of decision regarding request for access**

You will be notified in writing whether your request has been approved / denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

.....

Signed at this day..... ofyear

.....
SIGNATURE OF REQUESTER / PERSON ON
WHOSE BEHALF REQUEST IS MADE

Appendix B - FEES IN RESPECT OF PRIVATE BODIES

- The “**request fee**” payable by a requester, other than a personal requester, referred to in section 54(1) of the Act, is R50.
- The “**fees for reproduction**” referred to in section 52(3) and “**access fees**” payable by a requester referred to in section 54(7), unless exempted under section 54(8) of the Act, are as follows:
 - (a) for every photocopy of an A4-size page or part thereof R1 - R10
 - (b) for every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form R0 - R75
 - (c) for a copy in a computer-readable form on: (i) stiffy disc R7 - R50; (ii) compact disc R70
 - (d) (i) for a transcription of visual images, for an A4-size page or part thereof R40; (ii) for a copy of visual images R60
 - (e) (i) for transcription of an audio record, for an A4-size page or part thereof R20; (ii) for a copy of an audio record R30
 - (f) To search for the record for disclosure, R30 for each hour or part of an hour reasonably required for such search.
- The actual postal fee is payable when a copy of a record must be posted to a requester Exemptions from paying “**access fees**”.
- Person or persons exempted from paying access fees: -
 - (a) A single person whose annual income does not exceed R14,712.00; or
 - (b) Married persons or a person and his/her life partner whose annual income does not exceed R27,192.00.

**Appendix C - FORM 1 OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS
OF SECTION 11(3) OF POPIA**

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018

[Regulation 2] *Note:*

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.*
3. *Complete as is applicable.*

A	DETAILS OF DATA SUBJECT
Name(s) and surname/ registered name of data subject:	
Unique Identifier/ Identity Number	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number / E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY

Name(s) and surname/ Registered	
name of responsible party:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number/ E-mail address:	
C	REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f) <i>(Please provide detailed reasons for the objection)</i>

Signed at this day of20.....
.....

Signature of data subject/designated person

Appendix D - FORM 2

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] *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.*

Mark the appropriate box with an "x".

Request for:

☐

or ☐ Correction or deletion of the personal information about the data subject which is in possession 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.

A	DETAILS OF THE DATA SUBJECT
Name(s) and surname / registered name of data subject:	
Unique identifier/ Identity Number:	
Residential, postal or business address:	

	Code ()
Contact number(s):	
Fax number/E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname / registered name of responsible party:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number/ E-mail address:	
C	INFORMATION TO BE CORRECTED/DELETED/ DESTROYED/ DESTROYED

D	<p>REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(a)</p> <p>WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY; and or</p> <p>REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(b)</p> <p>WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN.</p> <p><i>(Please provide detailed reasons for the request)</i></p>

Signed at this day of20.....

.....

Signature of data subject/ designated person