



## **SUPPLIER CONSENT: PROTECTION OF PERSONAL INFORMATION ACT**

1. The following terms shall bear the same meaning as contemplated in Section 1 of the Protection of Personal Information Act, No. 4 of 2013 ("POPIA"):

consent; data subject; electronic communication; information officer; operator; person; personal information; processing; record; Information Regulator; responsible party; special information; as well as any terms derived from these terms.

2. The Ports Regulator will process all information by the Respondent in terms of the requirements contemplated in Section 4(1) of the POPIA:

Accountability; Processing limitation; Purpose specification; Further processing limitation; Information quality; Openness; Security safeguards and Data subject participation.

3. The Parties acknowledge and agree that, in relation to personal information that will be processed pursuant to this Supplier Declaration Form, the Responsible party is "Ports Regulator" and the Data subject is the "Respondent". Ports Regulator will process personal information only with the knowledge and authorisation of the Respondent and will treat personal information which comes to its knowledge as confidential and will not disclose it, unless so required by law or subject to the exceptions contained in the POPIA.
4. The Ports Regulator reserves all the rights afforded to it by the POPIA in the processing of any of its information as contained in this Supplier Declaration Form and the Respondent is required to comply with all prescripts as detailed in the POPIA relating to all information concerning the Ports Regulator.
5. In completing this Supplier Declaration form, Ports Regulator acknowledges that it will obtain and have access to personal information of the Respondent. The Ports Regulator agrees that it shall only process the information disclosed by the Respondent in their response to this Supplier Declaration Form for the purpose of registering the Respondent as a Ports Regulator Vendor to facilitate for payment in the execution of the Agreement between the Ports Regulator and the Respondent and in accordance with any applicable law.
6. The Ports Regulator further agrees that in submitting any information or documentation requested in this Supplier Declaration Form, the Respondent is consenting to the further processing of their personal information for the purpose of, but not limited to, risk assessment, assurances, vendor management including vendor verification on the Central Supplier Database for all organs of state ,contract award, contract management, auditing, legal opinions/litigations, investigations (if applicable), document storage for the legislatively

required period, destruction, de-identification, publishing of personal information by the Ports Regulator and/or its authorised appointed third parties as well as vendor verification on the CSD as required by

7. Furthermore, the Ports Regulator will not otherwise modify, amend or alter any personal data submitted by the Respondent or disclose or permit the disclosure of any personal data to any third party without the prior written consent from the Respondent. Similarly, the Ports Regulator requires the Respondent to process any personal information disclosed by the Ports Regulator in the bidding process in the same manner.
8. The Ports Regulator shall, at all times, ensure compliance with any applicable laws put in place and maintain sufficient measures, policies and systems to manage and secure against all forms of risks to any information that may be shared or accessed pursuant to this Supplier Declaration Form (physically, through a computer or any other form of electronic communication).
9. The Ports Regulator shall notify the Respondent, in writing, of any unauthorised access to information, cybercrimes or suspected cybercrimes, in its knowledge and report such crimes or suspected crimes to the relevant authorities in accordance with applicable laws, after becoming aware of such crimes or suspected crime. The Respondent must take all necessary remedial steps to mitigate the extent of the loss or compromise of personal information and to restore the integrity of the affected personal information as quickly as is possible.
10. The Respondent may, in writing, request the Ports Regulator to confirm and/or make available any personal information in its possession in relation to the Respondent and if such personal information has been accessed by third parties and their identity thereof in terms of the POPIA and utilizing Form 2 of the POPIA Regulations.
11. The Respondent may further request that the Ports Regulator correct (excluding critical/mandatory or evaluation information), delete, destroy, withdraw consent or object to the processing of any personal information relating to the Respondent in the Ports Regulator's possession in terms of the provision of the POPIA and utilizing Form 2 of the POPIA Regulations.
12. In submitting any information or documentation requested in this Supplier Declaration Form, the Respondent is hereby consenting to the processing of their personal information for the purpose of this Supplier Declaration Form and further confirming that they are aware of their rights in terms of Section 5 of POPIA.

**Respondents are required to provide consent below:**

<b>YES</b>	
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<b>NO</b>	
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13. Further, the Respondent declares that they have obtained all consents pertaining to other data subject's personal information included in its submission and thereby indemnifying the Ports Regulator against any civil or criminal action, administrative fines or other penalty or loss that may arise as a result of the processing of any personal information that the Respondent submitted to it.

14. The Respondent declares that the personal information submitted for the purpose of this Supplier Declaration Form is complete, accurate, not misleading, is up to date and may be updated where applicable.

Legal Name of Supplier : \_\_\_\_\_

Company Registration Number / ID Number of Respondent / Supplier: \_\_\_\_\_

Name of Authorised Representative: \_\_\_\_\_

Signature of Respondent's authorised representative: \_\_\_\_\_

Date of Signature: \_\_\_\_\_

Should a Respondent have any complaints or objections to processing of its personal information, by the Ports Regulator, the Respondent can submit a complaint to the Information Regulator on <https://www.justice.gov.za/inforeg/>, [click](#) on contact us, [click](#) on complaints.IR@justice.gov.za