

## PROCESSING NOTICE

(SECTION 18 OF THE PROTECTION OF PERSONAL INFORMATION ACT, NO. 4 OF 2013)

The Road Accident Fund (RAF) acknowledges receipt of claims lodged for payment of compensation in accordance with the provisions of the Road Accident Fund Act, No. 56 of 1996 (the Act).

Section 18(1) of the Protection of Personal Information Act, No. 4 of 2013 (POPIA) in subsection (1) requires notification to data subjects when collecting personal information to make the data subjects aware of the information being collected and where the information is not collected from the data subjects, the source from which it is collected; the name and address of the responsible party; the purpose for which the information is being collected; whether or not the supply of the information by that data subject is voluntary or mandatory; the consequences of failure to provide the information; any particular law authorising or requiring the collection of the information; the fact that, where applicable, the responsible party intends to transfer the information to a third country or international organisation and the level of protection afforded to the information by that third country or international organisation; as well as, any further information such as the recipient or category of recipients of the information; nature or category of the information; the existence of the right of access to and the right to rectify the information collected; the existence of the right to object to the processing of personal information; the right to lodge a complaint to the Information Regulator and the contact details of the Information Regulator. In this regard you are referred to the RAF's Information Manual published at the RAF's Home Page <http://www.raf.co.za/Pages/Default.aspx> for further information with regards to the aforementioned rights.

Section 18(4) of POPIA provides that it is not necessary for the RAF to comply with subsection 18(1) if the data subject or a competent person where the data subject is a child has provided consent for the non-compliance; non-compliance would not prejudice the legitimate interests of the data subject as set out in terms of POPIA; non-compliance is necessary to avoid prejudice to the maintenance of the law by any public body, including the prevention, detection, investigation, prosecution and punishment of offences; to comply with an obligation imposed by law or to enforce legislation concerning the collection of revenue as defined in section 1 of the South African Revenue Service Act, 1997 (Act No. 34 of 1997); for the conduct of proceedings in any court or tribunal that have been commenced or are reasonably contemplated; or in the interests of national security; compliance would prejudice a lawful purpose of the collection; compliance is not reasonably practicable in the circumstances of the particular case; or the information will— not be used in a form in which the data subject may be identified; or be used for historical, statistical or research purposes.

Consequently, be advised that the RAF is, in terms of section 4(1)(b) of the Act, required to investigate the claim, and to this end the RAF will, based on the exclusion provided for in subsection 18(4) of POPIA, process Personal Information obtained from the claimant, as well as from other sources, including, but not limited to, the insured driver, witnesses, employer(s), medical service providers, and, other organs of state, strictly for the purpose of execution of the statutory duty imposed on the RAF by section 4(1)(b) of the Act.