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AMENDED NOTICE
RE: NOTICE RELATING TO AMENDED GUIDELINES TO DEVELOP CODES OF CONDUCT IN TERMS OF CHAPTER 7 OF THE PROTECTION OF PERSONAL INFORMATION ACT OF 2013

Section 40(1)(f)(ii) and Section 65 of the Protection of Personal Information Act, No. 4 of 2013 require that the Information Regulator develop guidelines to assist affected persons and stakeholders to develop or to apply for the approval of codes of conduct.

The Information Regulator has developed draft guidelines to assist affected persons and stakeholders to develop codes of conduct. Consultations were held on the 6th November 2019.

The Information Regulator invites written comments to the amended guidelines from the 5th December 2019 till the 17th January 2020 (close of business at 16h00).

Comments must either be delivered to the Information Regulator at:

Physical Address: Braampark ,Forum 3, 33 Hoofd Street ,Braamfontein, 2017 or transmitted via **Email**: VarSewlal@justice.gov.za

GUIDELINES ON DRAFTING CODES OF CONDUCT

Issued under the Protection of Personal Information Act, 2013 (Act No. 4 of 2013) (POPIA)

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PART 1 INTRODUCTION - THE LEGISLATIVE FRAMEWORK

1. **The Purpose of the Protection of Personal Information Act. 4 of 2013 (POPIA) and the need for Codes**

The purpose of POPIA is, amongst others, to give effect to the constitutional right to privacy by safeguarding personal information when processed by a responsible party.

POPIA applies to the processing of personal information:

1.1. entered in a record by or for a responsible party by making use of automated or non-automated means; and

1.2. where the responsible party is:

1.2.1. domiciled in the Republic; or

1.2.2. not domiciled in the Republic but makes use of automated and non-automated means in the Republic.

1.3. Chapter 3 of POPIA regulates the processing of personal information by or for a responsible party through the eight (8) conditions for the lawful processing of personal information, the processing of special personal information and the processing of personal information of children;

1.4. POPIA empowers the Regulator from time to time to issue, amend and revoke codes; to prepare written guidelines that would assist bodies to develop or to apply codes; to approve codes; and to consider afresh, upon application the determinations by adjudicators under approved codes;

1.5. The purpose of a code is to promote transparency on how personal information will be processed. Codes do not replace the relevant provisions in POPIA, but operate in support of the requirements in POPIA. A code of conduct cannot limit a data subject's right to privacy, as provided for in POPIA;

1.6. The relevant bodies bound by an approved code of conduct must not perform an act or engage in a practice that breaches the approved code. A breach of an approved code is deemed to be a breach of the conditions for the lawful processing of personal information referred to in Chapter 3 and shall be dealt with in terms of Chapter 10 of POPIA;

1.7. A code should limit itself to provisions which outline the specific obligations of relevant bodies bound by the code. The code should comply with all the conditions for the lawful processing of personal information or meet equivalent standards of lawful processing of personal information. The code must also cover governance and administrative issues;

1.8. In deciding to issue a code, the Regulator will consider whether the code meets the requirements set out in Chapter 7 of POPIA and the requirements set out in these guidelines; and

1.9. The guidelines encourage different sectors to develop codes within an established framework and harmonize a code with POPIA.

2. Scope of guidelines

2.1. The objective of these guidelines is to serve as an interpretative aid to Chapter 7 of POPIA.

2.2. These guidelines will further serve as practical guide that outlines minimum criteria and provide a framework to ensure that codes are evaluated in a standard manner. This will foster transparency relating to requirements and processes that will enable the approval of codes.

3. Definitions: The following terms used in these Guidelines are defined in POPIA:

3.1. '**Body**' means public or private body as defined in POPIA;

3.2. '**code of conduct**' means a code of conduct issued in terms of Chapter 7 of POPIA;

3.3. '**Constitution**' means the Constitution of the Republic of South Africa,

3.4. '**data subject**' means the person to whom personal information relates;

3.5. '**information matching programme'** means the comparison, whether manually or by means of any electronic or other device, of any document that contains personal information about ten or more data subjects with one or more documents that contain personal information of ten or more data subjects, for the purpose of producing or verifying information that may be used for the purpose of taking any action in regard to an identifiable data subject;

3.6. '**prescribed**' means prescribed by regulation or by a code of conduct;

3.7. 'Regulator' means the Information Regulator established in terms of section 39;

3.8. '**Regulations**' means Regulations made in terms of Section 112(2) of the Protection of Personal Information Act;

3.9. **'relevant body'** refers to any specified body or class of bodies and any specified industry, profession, or vocation or class of industries, professions, or vocations;

3.10. **'Republic'** means the Republic of South Africa; and

4. Who should use these guidelines

These guidelines should be used by:

4.1. relevant bodies that are considering developing a code for approval;

4.2. stakeholders considering a proposed code developed by a relevant body; and

4.3.   stakeholders and relevant bodies in considering a proposed code developed on the Regulator's own initiative.

5.   Purpose of these guidelines

These guidelines will:

5.1.   assist relevant bodies to decide whether it is appropriate for them to develop a code;

5.2.   clarify when the Regulator will develop a code on its own initiative or when bodies may develop a code;

5.3.   provide for stakeholder consultations when a code is being considered;

5.4.   outline matters that need to be addressed in the issuing and registration of codes;

5.5.   clarify when notifications will be issued on the availability of an approved code for inspection;

5.6.   outline the procedures that must be prescribed in a code for dealing with complaints;

5.7.   outline matters relating to the reviewing, amendment or revocation of approved codes;

5.8.   apply to any specified personal information or class of personal information, activities, industry, profession or vocation, or class of industries, professions or vocations;

5.9.   afford an opportunity to develop a framework that will support the correct application of POPIA in a transparent and cost-effective manner;

5.10. foster the responsible processing of personal information in accordance with POPIA which is beneficial to all sectors, encompassing the needs of relevant bodies;

5.11. assist responsible parties, which include persons that process personal information to comply with POPIA;

5.12. build trust amongst data subjects and stimulate transparent processing of personal information;

5.13. create the opportunity to develop best practices and ultimately attain improved compliance with POPIA;

5.14. enable compliance with the requirements of POPIA in relation to trans-border information flows of personal information and serve as a mechanism to protect the international flow of personal information; and

5.15. serve as a mechanism to hold responsible parties accountable. Breaches of the applicable code of conduct will impact on the evaluation and determination of offences, the type of penalties and administrative fines to be imposed.

6. Why develop a code

The primary purpose of these guidelines is to outline how all the conditions for the lawful processing of personal information are to be applied or complied with by relevant bodies.

The reason for developing a code may include:

6.1. providing clarity on how the conditions for the lawful processing of personal information are to be applied and complied with given the particular features of the sector or sectors, body or class of bodies in which the relevant responsible parties are operating;

6.2. providing a functional equivalent means of achieving the obligations related to the conditions for the lawful processing of personal information;

6.3. promoting an organisational cultural change in a relevant body relating to the lawful processing of personal information;

6.4. stipulating processing conditions for specified information or classes of information;

6.5. stipulating processing conditions for any specified activity or class of activity;

6.6. outlining rules and procedures for information matching programmes if such programmes are used within a specific sector;

6.7. outlining how the legitimate interests of data subjects are to be protected insofar as automated decision making affect them;

6.8. enabling the review of the code by the Regulator; and

6.9. providing details regarding the expiry of the code.

7. Criteria for approving codes

In deciding to develop a code, relevant bodies should also consider the following:

7.1. whether the relevant bodies that will be bound by the code meet the resource requirements set out in paragraph 10 below; and

7.2. whether POPIA, the Regulations or an approved code already cover the same issues which may negate the need to develop a code.

8. Application of POPIA

A relevant body which is considering to develop a code is first encouraged to gain a full understanding of POPIA, in particular the conditions for the lawful processing of personal information.

9. Administrative mechanisms

A relevant body which is considering developing a code should have adequate administrative capacity to develop the code. This may include the establishment of a code development committee or some other administrative mechanism to manage the development of a code. The mechanism should include consultations with the relevant stakeholders.

10. Resource requirements:

A relevant body should ensure that it has sufficient resources for the development and implementation of a code.
Resources may need to be allocated when:

10.1. investigating the need for the development for a code;

10.2. establishing an administrative mechanism responsible for developing a code;

10.3. drafting and scoping a code;

10.4. seeking legal or professional advice;

10.5. involving stakeholders in effective consultations on the draft code;

10.6. obtaining the necessary authorization;

10.7. establishing representativeness;

10.8. establishing a function to oversee the operation of a code and reporting on the operation and regular reviews of a code;

10.9. establishing a procedure for the making and dealing with complaints; and

10.10. maintaining information about a code on the website, including a list of bodies bound by a code.

11. Role of the Regulator

11.1. A relevant body should notify the Regulator of its intention to develop a code and keep the Regulator informed throughout the process of the development of a code.

11.2. A relevant body should consult these guidelines, POPIA and the Regulations.

12. Code requirements under POPIA

12.1. POPIA sets out the minimum requirements of what must be included in a code and how a code should apply. A code does not replace the relevant provisions of POPIA.

12.2. Any failure to comply with an approved code is deemed to be a breach of the conditions for the lawful processing of personal information. A code should limit itself to provisions which outline the specific obligations of relevant bodies bound by a code and any mandatory requirements under POPIA.

12.3. Any matters unrelated to the conditions for the lawful processing of personal information should not form part of a code to be approved by the Regulator.

PART 2 – ISSUING OF CODES BY THE REGULATOR

13.   Process for issuing of codes of conduct

The Regulator may issue a code on its own initiative after consultation with the relevant stakeholders.

14.   Codes issued by the Regulator on own initiative

14.1.   A code must:

14.1.1. is in writing;

14.1.2. incorporate all the conditions for the lawful processing of personal information;

14.1.3. prescribe how the conditions for the lawful processing of personal information are to be applied or complied with; and

14.1.4. set out the period during which a code will be in force.

14.1.5. A code will commence operation on notification of the commencement date.

14.1.6. A code will be in force until it is revoked by the Regulator.

14.1.7. The Regulator may specify a period for which a code will be in force.

15.   Other matters that may be included in a code

A code may:

15.1.   provide for exemptions;

15.2.   consider a process for dealing with complaints by all relevant bodies bound by a code

15.3. and provide for the reporting to the Regulator about those complaints; and

15.4. deal with any other matters relating to the protection of personal information in general.

16. A code may apply to any one or more of the following:

16.1. any specified information or class of information;

16.2. any specified body or class of bodies;

16.3. any specified activity or class of activities; or

16.4. any specified industry, profession, or vocation or class of industries, professions, or vocations.

17. A code must also specify appropriate measures:

17.1. for information matching programmes if such programmes are used within a specific sector; or

17.2. for protecting the legitimate interests of data subjects in so far as automated decision making is concerned.

18. Provision for exemptions

18.1. A code may provide for exemptions under POPIA.

18.2. POPIA will apply in instances where no exemptions are provided for.

19. Consultation on codes

19.1. The Regulator is required to undertake public consultations with affected stakeholders or a body representing such stakeholders before issuing a code and must:

19.1.1. give notice in the Government Gazette that the issuing of a code is being considered;

19.1.2. make a draft of a code publicly available, for example on its website;

19.1.3. invite the public to make written submissions to the Regulator within a specified period; and

19.1.4. give consideration to any submissions made within the specified period.

19.2. The Regulator should, where practicable, notify all affected persons proposed to be bound by the code. The draft code should be brought to the attention of affected stakeholders to ensure that they are aware of the public consultation period. The Regulator must also ensure that the affected stakeholders are aware that a code is being developed and what it seeks to achieve.

Relevant stakeholders include:

19.2.1. individuals and bodies which may be affected by the code; and

19.2.2. affected stakeholders.

19.3. The appropriate way to bring a code to the attention of affected persons will depend on the circumstances but may include:

19.3.1. placing a code or information about a code on the website of the Regulator;

19.3.2. public notices in newspapers or industry publication;

19.3.3. direct engagement with relevant bodies; and

19.3.4. consultation with relevant Regulators to assess any other legal issues associated with the code.

19.4. When conducting a consultation, the Regulator must ensure that participation in the consultation is accessible to all affected persons; and

19.5. A consideration will be given to the comments raised by the affected persons and stakeholders consulted.

19.6. The Regulator must submit a statement of consultation with the application to issue a code which should contain the following details:

19.6.1. the period that the draft code was available for public consultation;

19.6.2. the industry bodies which will be affected by a code;

19.6.3. the methods that were employed by the Regulator to consult with industry bodies and affected stakeholders;

19.6.4. a list of industries and affected persons who made submissions to a code;

19.6.5. details of the changes made to a code following public consultations; and

19.6.6. a summary of issues raised through the consultation with affected stakeholders and reasons why a particular comment was not incorporated into the final document.

20.   Drafting style

20.1   The Regulator and affected stakeholders must be able to easily understand and interpret a code.

20.2   A code should be written in plain English language that is clear and concise.

20.3   The obligations should be set out in a code in a logical order. For example, the conditions for the lawful processing of personal information should be aligned with the heading of each condition and in the order in which they appear in POPIA.

21. Openness and Transparency

21.1. A relevant body must document policies on how personal information is managed. This includes information about how a data subject may complain about a violation of the conditions for the lawful processing of personal information and how the relevant body will deal with such a complaint.

21.2. These policies must be made easily available on the website of a relevant body. Hard copies must be made available where necessary.

22. Codes issued by the Regulator on application by bodies

22.1. The Regulator may issue a code of conduct on application, in the prescribed form, to a body which is sufficiently representative of any class of bodies, or of any industry, profession, or vocation.

22.2. The application for the issuing of a code must be made in the form and manner specified by the Regulator in the Regulations.

22.3. The application must amongst others be accompanied by the following documentation:

22.3.1. a copy of the code;

22.3.2. submissions received during consultations;

22.3.3. a copy of the explanatory material that has been prepared in relation to the code;

22.3.4. if all the requirements in these guidelines are not met, a statement explaining reasons as to why those requirements have not been met or why they are not relevant; and

22.3.5. any other material that may be relevant to the Regulator's decision to issue a code.

23. Timeframes

20.1. The Regulator will acknowledge receipt of the application in writing within a reasonable time.

20.2. The timeframes for assessing the issuing of a code will not exceed thirteen (13) weeks.

24. Notification

24.1. The Regulator will notify relevant bodies of a decision to issue a code in writing. The decision will include the date when the issuing of a code will take effect. Upon issuing of a code the Regulator will publish an explanatory statement outlining the reasons for approving the code.

24.2. The Regulator will also notify relevant bodies of a decision not to issue a code and the notice will include reasons for such decision.

24.3. The Regulator will publish as soon as reasonably practicable a notice in the Government Gazette that a code has been issued.

24.4. The Regulator will publish a notice on its website and by any other means.

25. Register for approved codes of conduct

25.1. The Regulator must keep a Register of approved codes. Where the Regulator approves a variation to a code, the Register will include the relevant code as varied. The Register will not include any code that the Regulator has removed from the Register.

25.2. The Register, including the full content of any approved code, will be made publicly available on the website of the Regulator.

PART 3 – CODE GOVERNANCE

26. Governance Arrangements

26.1. POPIA does not state how a code should be administered.

26.2. However, there are a number of matters regarding governance arrangements of a code to consider when deciding whether to develop a code. The Regulator will consider the governance arrangements of a code upon receiving an application for registration of a code.

27. Bodies bound by a code

27.1. A code must clearly state the relevant bodies that are bound by the code, or establish a way of identifying the bodies bound by a code.

27.2. Once a code has been issued it is in force and legally binding on relevant bodies.

28. Identifying relevant bodies bound by a code

28.1. A code must identify the bodies which are bound by a code, for example by listing the affected bodies in a code itself.

28.2. Failure to clearly identify bodies bound by the code, either through listing the bodies that will be bound or by clearly describing the way in which bodies bound by a code can be identified, may constitute a reason not to issue a code or to remove a code from the Register of approved codes.

29. Monitoring compliance with a code

29.1. All the industry bodies must have practices or procedures in place to deal with complaints or enquiries from data subjects about the bodies' compliance with the code.

29.2. The Regulator should as part of ongoing code governance, put mechanisms in place to monitor the effectiveness of a code in achieving compliance.

30. Reporting on compliance with a code

30.1. The relevant bodies should provide an annual report to the Regulator which should also be made available on their website. The report should include:

30.1.1. accurate, up to date and sufficient information on how a body has monitored compliance with the code. This includes information received in reports from bodies bound by a code and from audits or investigations;

30.1.2. aggregate information about systemic issues or serious or repeated interference with the condition for the lawful processing of personal information that occurred during the reporting period;

30.1.3. if information regarding the effectiveness of a code in achieving compliance has significantly changed from the last report, a description of the change and any proposed process or practice to address the change;

30.1.4. the number of complaints in relation to a code received in the financial year;

30.1.5. the average time taken to resolve the complaints;

30.1.6. statistical information about the nature of the complaints;

30.1.7. statistical information about the outcomes of the complaints; and

30.1.8. the information about the remedies awarded in resolving the complaint.

30.2. If the reports are not provided to the Regulator or they indicate a lack of compliance with the code, this may inform a decision by the Regulator to review, vary or revoke the code;

30.3. The relevant bodies bound by a code should also report systemic issues or serious violations of a code to the Regulator as soon as they become aware of them.

30.4. A code of conduct may prescribe procedures for making and dealing with complaints alleging a breach of a code;

30.5. If a code sets out procedures for making and dealing with complaints the Regulator must be satisfied that a code meets the prescribed standards in line with POPIA.

PART 4 – COMPLAINTS HANDLING

31. Purpose of complaints handling procedure

31.1   The purpose of a complaints handling procedure is to:

31.1.1. ensure that the prescribed standard procedure is adopted;

31.1.2. ensure that complainants are aware of the procedure that will be utilised in handling complaints;

31.1.3. ensure that the procedure is fair, transparent, impartial and responsive

31.1.4. enable the expeditious resolution of complaints;

31.1.5. promotes effective decision making; and

31.1.6. ensure that complaints are first raised with the responsible party that has compromised personal information

31.2   The responsible party must be afforded the opportunity to respond to the complaint.

31.3   The complaint can be escalated to the Regulator in instances of complaint that warrant the attention of the Regulator in the following circumstances:

31.3.1   the complainant will be disadvantaged if the complaint is directed to the responsible party directly;

31.3.2   a systemic issue of violation of the protection of personal information has occurred;

31.3.3   the responsible party has a history of habitual violation of the protection of personal information; and

31.3.4 complainants represent a class of individuals against the same party; the complaints arise out of a similar circumstance there is a common issue of law or fact.

32. Who should complain

32.1 A data subject;

32.2   A person acting on behalf of a data subject;

32.3   A competent person acting on behalf of a minor; and

32.4 A relevant person appointed by a court of law to manage the affairs of a data subject.

33. The complaints process

33.1   A code of conduct may prescribe procedures for making and dealing with complaints alleging a breach of a code without limiting or restricting the provisions of Chapter 10 of POPIA.

33.2   Once a code issued under Section 60 is in force, failure to comply with a code is deemed to be a breach of the conditions of lawful processing of personal information referred to in Chapter 3 of POPIA and dealt with in terms of Chapter 10 of POPIA.

33.3   If a code sets out procedures for making and dealing with complaints, the Regulator must be satisfied that a code meets the prescribed standards in line with POPIA and the guidelines issued by the Regulator in terms of Section 65 of POPIA.

33.4   A code must provide for the appointment of an independent adjudicator with whom complaints may be lodged.

34.   Responsibilities of the Independent Adjudicator

34.1   The adjudicator when exercising his or her powers must have due regard to Section 44 of POPIA.

34.2   The adjudicator must utilise a process that is accessible, flexible and expeditious, and must also observe the principles of natural justice and procedural fairness.

34.3   The adjudicator must prepare and submit a report, in a form satisfactory to the Regulator, within five (5) months of the end of a financial year of the Regulator on the operation of a code during that financial year.

34.4   The report that is prepared for each year must specify the number and nature of complaints made to an adjudicator under a code during the relevant financial year.

34.5   A responsible party or data subject who is aggrieved by a determination, including any declaration, order or direction that is included in the determination made by an adjudicator, after having investigated a complaint relating to the protection of personal information under an approved code of conduct, may submit a complaint in terms of section 74(2) with the Regulator, against the determination upon payment of a prescribed fee.

34.6   The adjudicator's determination continues to have effect unless and until the Regulator makes a determination under Chapter 10 of POPIA relating to the complaint or unless the Regulator determines otherwise.

PART 5 – REVIEWING, VARYING AND REVOCATION OF APPROVED CODE

35. Review of the operation of an approved code by the Regulator

35.1 The Regulator may on its own initiative review the operation of an approved code.

35.2 The review may occur where the Regulator becomes aware, amongst other matters where:

35.2.1 a change in industry practices, technology or consumer expectations that may impact the effective operation of the code; and

35.2.2 the lack of compliance with an approved code.

35.3 The outcome of the review of a code may inform a decision by the Regulator to revoke an approved code.

36. Variations to an approved code

36.1 The Regulator may approve, in writing, a variation of an approved code. A variation may occur:

36.1.1 when an industry representing one or more relevant bodies bound by the approved code applies for variation;

36.1.2 when a relevant body bound by the approved code applies for variation; and

36.1.3 on the Regulator's own initiative.

36.2 Where the Regulator decides to vary an approved code on its own initiative, the variation cannot include provisions that deal with exemptions.

36.3 Before deciding whether to approve a variation, the Regulator may undertake a consultation which may include:

36.3.1 making available a copy of the variation sought on the Regulator's website;

36.3.2 consulting any affected persons which the Regulator considers appropriate for the variation sought; and

36.3.3 the variation sought must be published in the Government Gazette.

36.4 In deciding whether to consult regarding a variation, the Regulator may consider the extent to which relevant bodies bound by a code and affected persons have been afforded the opportunity to comment on the variation.

36.5 In deciding whether to approve a variation, the Regulator will consider the matters specified in these guidelines. The decision will primarily be informed by whether the proposed variation effectively addresses the issues it seeks to resolve.

36.6 If the Regulator decides to vary an approved code, the Regulator must:

36.6.1 notify the relevant body that has applied for variation of its decision including the date on which the variation will occur;

36.6.2 publish a notice of the variation on the Regulators website. The variation must be published as soon as practicably possible to ensure that bodies have sufficient time to implement same;

36.6.3 add the varied code to the Register and remove the original approved code from the Register;

36.6.4 publish a notice on the Regulator's website stating that the original approved code has been varied; and

36.6.5 publish the variation on a code in the Government Gazette.

37. The form and manner of the application to vary an approved code

37.1 An application for a variation of an approved code must be made in the prescribed manner specified by the Regulator and must be accompanied by the information specified by the Regulator.

37.2 An application to vary an approved code must be made in writing. There is no formal application form to complete. However, the application should consist of a letter addressed to the Regulator which sets out the following:

37.2.1 the title of the approved code;

37.2.2 the name of the relevant body bound by the code that is applying for variation;

37.2.3 the details of the proposed variation;

37.2.4 the reasons for the variation;

37.2.5 any potential consequences resulting from the variation, including the impact on relevant bodies bound by the approved code; and

37.2.6 details of any consultation carried out with relevant bodies bound by the approved code along with other relevant stakeholders.

37.3 The application must also include:

37.3.1 a copy of the variation as a marked-up version of the current approved code, unless that is impractical, and a separate document showing the complete code as varied;

37.3.2 submissions received on any consultation undertaken on the variation; and

37.3.3 if all the requirements in these guidelines are not met, a statement explaining why those requirements have not been met or why they are not relevant, and any other material that may be relevant to the Regulator's decision to issue a code as varied.

38. Revocation of an approved code

38.1 The Regulator may revoke an approved code from the Register. In deciding whether to revoke an approved code, the Regulator will consider the matters specified in these guidelines.

38.2 The Regulator may revoke an approved code:

38.2.1 on application by one or more relevant bodies representing one or more bodies bound by the code;

38.2.2 on application of any relevant body bound by the code; and

38.2.3 on the Regulator's own initiative.

38.3 In revoking an approved code, the Regulator will undertake a consultation in the same way as for a variation of an approved code.

38.4 If an approved code is revoked from the Register, the Regulator must:

38.4.1 notify the relevant body that applied for the revocation of a decision to revoke the approved code, including the date on which the revocation will occur;

38.4.2 publish a notice about the revocation of the approved code on the Regulator's website;

38.4.3 remove the approved code from the Register on the specified date; and

38.4.4 publish a notice in the Government Gazette that the approved code has been revoked from the Register on the Regulator's website.

## 39.	The form and manner of the application to revoke an approved code

39.1 An application for revocation of an approved code must be made in the form and manner specified by the Regulator and must be accompanied by such information as is specified by the Regulator.

39.2 An application to revoke an approved code must be made in writing. There is no formal application form to complete. However, the application should consist of a letter addressed to the Regulator which sets out the following:

39.2.1	the title of the relevant approved code;

39.2.2	the name of the relevant body bound by the code, or the industry representing one or more of the relevant bodies bound by the code that is applying for revocation;

39.2.3	the reasons of the revocation;

39.2.4	any potential consequences resulting from the revocation, including the impact on bodies bound by the approved code;

39.2.5	details of any consultation carried out with bodies bound by the approved code along with other relevant stakeholders; and

39.2.6	any submissions received during the consultation on revocation of the code.