



DAWIE DE BEER ATTORNEYS

PRIVACY POLICY

Compiled in accordance with the requirements
of the
Protection of Personal Information Act
(Act 4 of 2013)

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1 INTRODUCTION

The Protection of Personal Information Act 4 of 2013 aims:

- to promote the protection of personal information processed by public and private bodies;
- to introduce certain conditions so as to establish minimum requirements for the processing of personal information;
- to provide for the establishment of an Information Regulator to exercise certain powers and to perform certain duties and functions in terms of this Act and the Promotion of Access to Information Act, 2000;
- to provide for the issuing of codes of conduct;
- to provide for the rights of persons regarding unsolicited electronic communications and automated decision making;
- to regulate the flow of personal information across the borders of the Republic; and
- to provide for matters connected therewith.

- 1.1 This privacy policy ("this Policy") explains how we protect and use your Personal Information in terms of the Protection of Personal Information Act 4 of 2013.
- 1.2 Dawie De Beer Attorneys is protective of the personal nature of the information you provide to us and is committed to the protection thereof.
- 1.3 By providing us with your Personal Information, you –
 - 1.3.1 agree to the terms of this Policy and authorise us to process such information as set out herein; and
 - 1.3.2 authorise Dawie De Beer Attorneys, our Service Providers and other Third Parties, (but not limited to these persons) to Process your Personal Information for the purposes stated in this Policy, but always in accordance with applicable law.
- 1.4 We will not use your Personal Information for any other purpose than that set out in this Policy and will endeavour to protect your Personal Information that is in our possession from the unlawful use thereof, unauthorised alteration, loss, dissemination, disclosure or access.
- 1.5 This Policy applies to all external parties with whom we interact, including but not limited to individual clients, representatives of client organisations, visitors to our offices, third party operators, and other users of our legal and related services. Defined terms used in this Policy are explained in paragraph 16, "Annexure A".

2 COLLECTION OF PERSONAL INFORMATION

- 2.1 We may collect or obtain Personal Information about you -

- 2.1.1 directly from you or from persons authorized by you;
- 2.1.2 in the course of our relationship with you;
- 2.1.3 in the course of providing legal services to you and/or your organisation;
- 2.1.4 when you make your Personal Information public;
- 2.1.5 when you visit and/or interact with our website or our various social media platforms;
- 2.1.6 when you interact with any third-party content or advertising on our website and/or our various social media platforms; or
- 2.1.8 when you visit our offices.
- 2.2 We may also receive Personal Information about you from third parties (e.g. law enforcement authorities).
- 2.3 In addition to the above, we may create Personal Information about you such as records of your communications and interactions with us, including, but not limited to, your attendance at events or at interviews in the course of applying for employment with us, subscription to our newsletters and other mailings and interactions with you during the course of our digital or any other marketing campaigns in any form.

3 CATEGORIES OF PERSONAL INFORMATION WE MAY PROCESS

We may process the following categories of Personal Information about you -

- 3.1 personal details: names, surname and photographs;
- 3.2 demographic information: gender; date of birth / age; nationality; salutation; title; and language preferences;
- 3.3 identifier information: passport or national identity number; utility provider details; bank statements; tenancy agreements;
- 3.4 contact details: correspondence address; telephone number; email address; and details of your public social media profile(s);
- 3.5 instruction details: details of individuals instructing Dawie De Beer Attorneys and personal information included in correspondence, documents, evidence or other materials that we process in the course of providing legal services;
- 3.6 attendance records: details of meetings and other events organised by or on behalf of Dawie De Beer Attorneys that you may and/or may not have attended;

- 3.7 consent records: records of any consents you may have given, together with the date and time, means of consent and any related information;
- 3.8 payment details: billing address; payment method; bank account number or credit card number; invoice records; payment records; SWIFT details; IBAN details; payment amount; payment date; and records of cheques and EFT payments;
- 3.9 data relating to your visits to our website and or social media platforms, your device type; operating system; browser type; browser settings; IP address; language settings; dates and times of connecting to a website and/or social media platform, and other technical communications information;
- 3.10 CCTV Camera footage / recordings that may be installed at our offices and/or parking area and any video or cinema graphic images;
- 3.11 employer details: where you interact with us in your capacity as an employee of an organisation, the name, address, telephone number and email address of your employer, to the extent relevant;
- 3.12 content and advertising data: records of your interactions with our online advertising and content, records of advertising and content displayed on pages displayed to you, and any interaction you may have had with such content or advertising (including, but not limited to, mouse hover, mouse clicks and any forms you complete) and
- 3.13 any personal information of whatsoever nature you voluntarily share with us and/or shared and which is available in the public domain, e.g. Twitter / Facebook / Instagram.

4 SENSITIVE PERSONAL INFORMATION

Where we need to process your Sensitive Personal Information, we will do so in the ordinary course of our business, for a legitimate purpose, and in accordance with applicable law.

5 PURPOSES OF PROCESSING AND LEGAL BASES FOR PROCESSING

5.1 We will process your Personal Information in the ordinary course of the business of providing legal and related services. We will primarily use your Personal Information only for the purpose for which it was originally or primarily collected.

We will use your Personal Information for a secondary purpose only if such purpose constitutes a legitimate interest and is closely related to the original or

primary purpose for which the Personal Information was collected. We may subject your Personal Information to processing during the course of various activities, including, without limitation, the following:- -

- 5.1.1 operating our business;
- 5.1.2 analysis, evaluation, review and collation of information in order to determine legal issues and potential disputes, provide legal advice and prepare or comment on opinions, memoranda, agreements, correspondence, reports, publications, documents relating to legal proceedings and other documents and records (whether in electronic or any other medium whatsoever) -
- 5.1.3 compliance with applicable law, fraud, cybercrime, and money laundering prevention;
- 5.1.4 transfer of information to our Service Providers and other third parties.
- 5.2 We may process your Personal Information for relationship management and marketing purposes in relation to our services (including, but not limited to, processing that is necessary for the development and improvement of our legal and related services), for accounts management, and for marketing activities in order to establish, maintain and/or improve our relationship with you and with our Service Providers. We may also analyse your Personal Information for statistical purposes.
- 5.3 We may process your Personal Information for internal management and management reporting purposes, including but not limited to: conducting internal audits, conducting internal investigations, implementing internal business controls, providing central processing facilities, for insurance purposes and for management reporting analysis.
- 5.4 We may Process your Personal Information for safety and security purposes.

6 DISCLOSURE OF PERSONAL INFORMATION TO THIRD PARTIES

- 6.1 We may disclose your Personal Information to our Associates and Service Providers, for legitimate business purposes, in accordance with applicable law and subject to applicable professional and regulatory requirements regarding confidentiality. In addition, we may disclose your Personal Information -
 - 6.1.1 if required by law;
 - 6.1.2 legal and regulatory authorities, upon request, or for the purposes of reporting any actual or suspected breach of applicable law or regulation;

- 6.1.3 Third Party Operators (including, but not limited to, data processors such as providers of data hosting services and document review technology and services), located anywhere in the world, subject to paragraph 6.2;
- 6.1.4 where it is necessary for the purposes of, or in connection with, actual or threatened legal proceedings or establishment, exercise or defence of legal rights;
- 6.1.5 to any relevant party for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including, but not limited to, safeguarding against, and the prevention of threats to, public security;
- 6.1.6 to any relevant third-party acquirer(s), in the event that we sell or transfer all or any portion of our business or assets (including, but not limited to, in the event of a reorganization, dissolution or liquidation); and
- 6.1.7 to any relevant third-party provider, where our website and/or social media platforms uses third party advertising, plugins or content.
- 6.2 In the event that we engage a Third-Party Operator to process any of your Personal Information, we recognise that any Operator who is in a foreign country must be subject to a law, binding corporate rules or binding agreements which provide an adequate level of protection similar to POPIA and /or the GDPR. We will review our relationships with Operators we engage and, to the extent required by any applicable law if force, we will require such Operators to be bound by contractual obligations to -
 - 6.2.1 only Process such Personal Information in accordance with our prior written instructions; and
 - 6.2.2 use appropriate measures to protect the confidentiality and security of such Personal Information.

7 CROSS BORDER/ INTERNATIONAL TRANSFER OF PERSONAL INFORMATION

- 7.1 Personal information collected by Dawie de Beer Attorneys may be transferred to persons (data recipients) in other countries. Those countries' laws might not protect personal information in the same way or on the same level as the law in the data subject's country. However, Dawie de Beer Attorneys will take reasonable steps to ensure that recipients in other countries have appropriate privacy and data protection measures in place and/or that the Operator/third party undertakes to protect the Personal Information in line with applicable data protection legislation and the transfer is necessary in order to provide the legal and other related services that are required by Dawie De Beer Attorneys' clients.

PROCESSING THE PERSONAL INFORMATION OF NON-CLIENTS

- 7.3 If you are not our client, we may need to process your Personal Information in order to provide client services to our clients, including the provision of legal advice.
- 7.4 This Personal Information may be provided to us through the course of the matter for example, provided to us as part of a disclosure process or provided by another third party. Where this is the case, your Personal Information may be used in legal proceedings on behalf of our client.
- 7.5 We will process your Personal Information in these circumstances, subject to applicable law, as -
- this is in our legitimate interests, our client's legitimate interests or those of another third party (such as the courts); and/or
 - we may be required to process that Personal Information to comply with our legal or regulatory obligations.

8 DATA SECURITY

- 8.1 We implement appropriate technical and organisational security measures to protect your Personal Information that is in our possession against accidental or unlawful destruction, loss, alteration, unauthorised disclosure, unauthorised access, in accordance with applicable law.
- 8.2 Where there are reasonable grounds to believe that your Personal Information that is in our possession has been accessed or acquired by any unauthorised person, we will notify the relevant Regulator and you, unless a public body responsible for detection, prevention or investigation of offences or the relevant regulator informs us that notifying you will impede a criminal investigation.
- 8.3 Because the internet is an open system, the transmission of information via the internet is not completely and/or guaranteed to be secure. Although we will implement all reasonable measures to protect your Personal Information that is in our possession, we cannot guarantee the security of any information transmitted using the internet and we cannot be held liable for any loss of privacy or data breach occurring during the course of such transmission.

9 DATA ACCURACY

The Personal Information provided to Dawie De Beer Attorneys should be accurate, complete and up to date. Should Personal Information change, the onus is on the provider of such data to notify Dawie De Beer Attorneys of the change and provide Dawie De Beer Attorneys with the accurate data.

10 DATA MINIMISATION

Dawie De Beer Attorneys will restrict its processing of Personal Information to data which is sufficient for the fulfilment of the primary purpose and applicable legitimate purpose for which it was collected.

11 DATA RETENTION

Dawie De Beer Attorneys shall only retain and store Personal Information for the period for which the data is required to serve its primary purpose or a legitimate interest or for the period required to comply with an applicable legal requirement, whichever is longer.

12 YOUR LEGAL RIGHTS

12.1 You may have rights under the South African and other laws to have access to your Personal Information and to ask us to rectify, erase and restrict use of your Personal Information. You also may have rights to object to your Personal Information being used, to ask for the transfer of Personal Information you have made available to us and to withdraw consent to the use of your Personal Information. You may, therefore, on reasonable grounds, object to us using your personal information. If you object on legitimate grounds, we will stop using your personal information, except if the law allows or demands its use and/or retention.

12.2 As a Data Subject, you may be entitled to the following rights -

12.2.1 You have a right to be informed about how we will use and share your Personal Information;

12.2.2 You have a right to obtain confirmation of whether we are processing your Personal Information, access to your Personal Information and information regarding how your Personal Information is being used by us;

12.2.3 You have a right to have any inaccurate or incomplete Personal Information rectified. If we have disclosed the relevant Personal Information to any third parties, we will take reasonable steps to inform those third parties of the rectification where possible;

12.2.4 You have a right to request that certain Personal Information held by us is erased. This is also known as the right to be forgotten. This is not a blanket right to require all Personal Information to be deleted. We will consider each request

carefully in accordance with the requirements of any laws relating to the processing and retention of your Personal Information;

12.2.5 You have a right to block the processing of your Personal Information in certain circumstances. This right arises if you are disputing the accuracy of Personal Information, if you have raised an objection to processing, if processing of Personal Information is unlawful and you oppose erasure and request restriction instead or if the Personal Information is no longer required by us but you require the Personal Information to be retained to establish, exercise or defend a legal claim;

12.2.6 You have a right to object to our processing of your Personal Information;
and

12.2.7 You have a right not to be subject to a decision which is based on automated processing where the decision will produce a legal effect or a similarly significant effect on you.

12.3 Please note that our PAIA Manual is available at our offices and also available on our website: www.ddebeer.co.za.

12.4 If you have any concerns or would like to make a complaint about our processing of your Personal Information, please contact our Information Officer / Data protection Officer at the details set out below in paragraph 13.

12.5 As a Data Subject, you also have a right to lodge a complaint to the Information Regulator of South Africa if you are unsatisfied with the manner in which we addressed any complaint with regard to our processing of your personal information, the contact details of the Information Regulator are as follows:

JD House, 27 Stiemens Street

Braamfontein, Johannesburg, 2001

P.O. Box 31533, Braamfontein, Johannesburg, 2017

Tel: 010 023 5200 / +27 12 406 4818 / +27 86 500 3351

Website: Home - Information Regulator (info regulator.org.za)

General enquiries: enquiries@info regulator.org.za

Complaints: PAIAComplaints@info regulator.org.za
POPIAComplaints@info regulator.org.za

13. OUR CONTACT DETAILS

Address: Dawie De Beer Attorneys

Suite 5, Garsfontein Office Park
645 Jacqueline Drive, Garsfontein, Pretoria
Gauteng, South Africa.

Email: dawie@ddebeer.co.za.

Website: www.ddebeer.co.za

Information Officers / Data Protection Officers -

Belinda Heyns or Dawie de Beer at +27 (012) 993 5358 – within office hours.

14 COOKIES AND SIMILAR TECHNOLOGIES POLICY

- 14.1 We may Process your Personal Information by our use of Cookies and similar technologies.
- 14.2 When you visit our website and/or social media platforms we may place Cookies onto your device, or read Cookies already on your device, subject always in accordance with applicable law. We may use Cookies to record information about your device, your browser and, in some cases, your preferences and browsing habits. We may process your Personal Information through Cookies and similar technologies, in accordance with our Cookie Policy should we utilize same.

15 DIRECT MARKETING

- 15.1 We may Process your Personal Information for the purposes of providing you with information regarding services that may be of interest to you. You may unsubscribe for free at any time.
- 15.2 If you currently receive marketing information from us which you would prefer not to receive in the future, please let us know by contacting us – our contact details appear in paragraph 13 above.

16. ANNEXURE A - DEFINITIONS

"Associates" means where applicable, partners, directors, employees and consultants of Dawie De Beer Attorneys or of any of its affiliated undertakings.

"Cookie" means a small file that is placed on your device when you visit a website. In this Policy, a reference to a "Cookie" includes analogous technologies such as web beacons and clear Graphic Interchange Format files ("GIFs").

"Operator" means any person or entity that Processes Personal Information on behalf of the Responsible Party.

"PAIA" means the Promotion of Access to Information Act 2 of 2000.

"Personal Information" means information that is about any individual, or from which any individual is directly or indirectly identifiable, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that individual.

Where we refer to "personal information", it means "personal information" as defined in the Protection of Personal Information Act, 4 of 2013 as amended from time to time ("POPI"), and "personal data" as per the General Data Protection Regulation 2016/679 ("the GDPR"). Personal information includes any information about a person that can be used to identify a person directly or indirectly. It includes information like a name, an identification number, location information, an online identifier or one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that person. POPI includes the personal information of juristic persons in its ambit – therefore we will protect the personal information of juristic persons in the same manner as any other person's personal information.

"POPIA" means the Protection of Personal Information Act 4 of 2013, as amended.

"Process", "Processing" or "Processed" means anything that is done with any Personal Information, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

"Responsible Party" means the entity that decides how and why Personal Information is Processed.

"Sensitive Personal Information" means Personal Information about race or ethnicity, political opinions, religious or philosophical beliefs, trade union membership, physical or mental health, sexual life, any actual or alleged criminal offences or penalties, national identification number, and includes minor children's personal information, or any other information that may be deemed to be sensitive under applicable law.

We do not intentionally collect or use personal information of children (persons under the age of 18 years), unless with express consent of a parent or guardian and/or in the capacity as our client the guardian and/or parent of any such child / children or if the law otherwise allows or requires us to process such personal information.

"Service Provider" – third party providers of various services whom we engage, including, but not limited to, providers of information technology, communication, file storage, data storage, copying, printing, accounting or auditing services, counsel,

experts, investigators, correspondent attorneys, translators, taxation consultants and our insurers and professional advisors;

"Website" means any website operated, or maintained, by us or on our behalf and includes all social media platforms.

Where applicable, this Privacy Policy applies in addition to any other agreement that you enter into with us, including the letter of engagement that you agree to when you become our client.

APPROVED:

 (Signature)

Head of Private Body / DJ DE BEER