



WESSELS IMMINK BOTHA INC.
ATTORNEYS | PROKUREURS

PRIVACY NOTICE

Privacy is Paramount.

PRIVACY NOTICE

1. INTRODUCTION

This Privacy Notice (“**Notice**”) explains how Wessels Immink Botha Incorporated (Registration number: 2016/119239/21) and all its divisions, subsidiaries, affiliates and / or entities controlled by it (if applicable (collectively referred to in this document as “**the WIB Group**”)) makes use of the personal information collected about you, in line with the *Protection of Personal Information Act 4 of 2013* (“**POPIA**”) and where applicable Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (*General Data Protection Regulation* (“**GDPR**”)) and throughout this Notice the WIB Group may be referred to as “we”, “us”, “our”, “WIB” or “the WIB Group”. The provisions of this privacy statement are subject to any provisions of POPIA and any other applicable laws that cannot be amended.

2. APPLICATION

WIB Group shall strive to observe, and comply with its obligations under POPIA and, where relevant, the GDPR, as well as accepted information protection principles, practices, and guidelines when it processes personal information from or in respect of you. This Notice then pertains to personal information collected by WIB Group in connection with the services which we offer and provide and applies to the following persons:

2.1 APPLICANTS

Persons who wish to apply to do business with us, including the sale or provision of goods or services to us, or who want to purchase from us certain goods or services, including persons or legal entities who submit applications to do business, credit applications and or quotations or tenders; or applicants who apply for a bursary, funding, CSI opportunity or a sponsorship from us.

2.2 BUSINESS PARTNERS

Whether in their capacity as Operator/s (as defined in POPIA) or not, who provide services, goods and other benefits to us our employees or to our customers, clients and service providers, such as medical aids, pension or provident funds, administrators, financial service providers, advertising, marketing or PR agencies, wellness or health and medical providers.

(Operators must, in addition to this Notice, refer to terms and conditions of the Operator Agreement which shall apply to all activities performed by the Operator).

2.3 CONTRACTORS, VENDORS, SERVICE PROVIDERS, SUPPLIERS

Persons who are desirous of, or who do provide us with goods, and services, or who provide professional consulting or management services or who we provide goods and services to, including general consultancy services and any infrastructure or property related services and who we interact and communicate with, either physically or via email or via our websites, applications, mobile applications, or social media portals or platforms, and or who come onto our properties, sites, facilities and or who enter our offices, warehouses and buildings.

2.4 CUSTOMERS AND CLIENTS (POTENTIAL AND ACTUAL)

Persons who are desirous of, or who do use and or purchase our products or services, who receive marketing communications and / or who communicate with us physically or via email or via our websites, applications, mobile applications, or social media portals or platforms, and / or who come onto our sites, facilities and / or who enter our offices; tenants who lease and occupy our premises or properties.

2.5 INTERACTORS

Persons who interact with us, physically or via email or via our websites, applications, mobile applications, or social media portals or platforms, or who come onto our sites and / or who enter our offices or facilities.

2.6 RECIPIENTS OF MARKETING AND PROMOTIONAL MATERIALS AND COMMUNICATIONS

Persons who have given us permission, as a customer, or in the context of a sale of our goods or services, or who have entered into a competition or promotion carried out by the WIB Group, permission to provide them with marketing materials, direct marketing materials and / or other promotional related materials and communications.

2.7 REGULATORS AND PUBLIC BODIES

Persons who we engage with to discharge legal and public duty obligations, including SARS, the South African Reserve Bank, JSE Limited, Department of Labour, the Financial Sector Conduct Authority and the Legal Practice Council.

2.8 USERS OF OUR SITES

Persons who use our websites, applications, mobile applications, or social media portals or platforms whether in order to find out more about us, to make enquiries about us, or our products or services or

where persons want to do business with us be it providing or selling to us or receiving or buying from us, certain goods and services, etc.

3. COLLECTING YOUR INFORMATION

- 3.1 In order to engage and / or interact with you, for the purposes described above, we will have to process certain types of your personal information. The information we collect about you may include the following:

3.1.1 AS AN INDIVIDUAL

- 3.1.1.1 your or your employer or organisation's contact information, such as name, alias, address, identity number, passport number, phone number, cell phone number, vehicle make and registration number, social media user ID, email address, and similar contact data, serial numbers of equipment, details regarding the possession of dangerous weapons, and other contact information including details of your employer, memberships or affiliations, such as the name of your employer or organisation that you are a member of, information about your colleagues or those within your organisation, your status with an organisation;
- 3.1.1.2 personal details such as your date of birth, age, gender and marital status, country, or preferred language;
- 3.1.1.3 financial and account information including banking details, security-related information (including user names, authentication methods, and roles), service-related information (including purchase history and account profiles), billing-related information (including payment, shipping, and billing information), personal or household / familial financial status, income and expenditures, your credit history and insolvency status, and similar data, all which are required to perform contractual matters and / or in order to provide you access to services;
- 3.1.1.4 health information, such as information about your health status, medical records and medical assessment outcomes;
- 3.1.1.5 video or voice recordings, physical characteristics and / or photos;
- 3.1.1.6 dietary preferences;
- 3.1.1.7 information about your next of kin or dependants;
- 3.1.1.8 insurance related information, such as information about your lifestyle, driving history and certifications such as driving licence details, the period for which a licence has been held, existing and previous insurance policy, details, previous accident and claims history and details of any motoring convictions;
- 3.1.1.9 career, education, and employment related information, such as job preferences or interests, work performance and history, salary history, status as a veteran, nationality and immigration status, demographic data, disability-related information, application

information, professional licensure information and related compliance activities, accreditations and other accolades, education history (including schools attended, academic degrees or areas of study, academic performance, and rankings), and similar data, which are required for contractual or employment related matters or which are required to comply with laws and public duties;

3.1.1.10 your marketing preferences and consents; and

3.1.1.11 **Special personal information** (as defined in POPIA) including race, gender, pregnancy, national, ethnic or social origin, colour, physical or mental health, disability, criminal history, including offences committed or alleged to have been committed, membership of a trade union and biometric information, such as images, fingerprints and voiceprints, blood typing, DNA analysis, retinal scanning and voice recognition.

3.1.2 AS A JURISTIC ENTITY (I.E. A COMPANY, TRUST OR CLOSE CORPORATION)

3.1.2.1 name, address, contact details, registration details, registered address;

3.1.2.2 financial information and account information including banking details, security-related information (including user names, authentication methods, and roles), service-related information (including purchase history and account profiles), billing-related information (including payment, shipping, and billing information), income and expenditures, financial statements, credit history, insolvency status, details about your employees, business partners, customers, tax number, VAT number and similar data, all which are required to perform contractual matters and / or in order to provide you access to services; and

3.1.2.3 your Broad-Based Black Economic Empowerment (“B-BBEE”) score card.

3.1.3 YOUR ACTIVITY

3.1.3.1 user content, such as content of communications, suggestions, questions, comments, feedback, and other information you send to us, that you provide to us when you contact us, or that you post on our websites, applications, mobile applications, or social media portals or platforms (including information in alerts, folders, notes, and shares of content), and similar data which are required to perform contractual matters and / or in order to provide you access to services or attend to queries;

3.1.3.2 social media and online content, such as information placed or posted in social media and online profiles, online posts, and similar data, which are required to perform contractual matters and / or in order to provide you access to services or attend to queries and generally for the purposes of advertising, marketing and related communications;

3.1.3.3 device and browser Information, such as network and connection information (including Internet Service Provider (ISP) and Internet Protocol (IP) addresses), device

and browser identifiers and information (including device, application, or browser type, version, plug-in type and version, operating system, user agent, language and time zone settings, and other technical information), advertising identifiers, cookie identifiers and information, and similar data, which are required to perform contractual matters and / or in order to provide you access to services or attend to queries or to ensure that security safeguards are in place;

3.1.3.4 usage information and browsing history, such as usage metrics (including usage rates, occurrences of technical errors, diagnostic reports, settings preferences, backup information, API calls, and other logs), content interactions (including searches, views, downloads, prints, shares, streams, and display or playback details), and user journey history (including clickstreams and page navigation, URLs, timestamps, content viewed or searched for, page response times, page interaction information (such as scrolling, clicks, and mouse-overs), and download errors), advertising interactions (including when and how you interact with marketing and advertising materials, click rates, purchases or next steps you may make after seeing an advertisement, and marketing preferences), and similar data which are required to perform contractual matters and / or in order to provide you access to services or attend to queries or to ensure that security safeguards are in place; and

3.1.3.5 location data, such as the location of your device, your household, and similar location data, which are required to perform contractual matters and / or in order to provide you access to services or attend to queries or to ensure that security safeguards are in place.

Collectively, “**personal information**”.

***For purposes of the GDPR, this is specifically limited to natural persons only.*

3.2 You are required to provide any personal information we may reasonably require for lawful purposes to interact, transact or otherwise engage with you. Where you fail to provide or delay in providing such personal information, we may not be able to offer services or products to you or otherwise engage with you and / or we may need to terminate any existing engagement or interaction with you.

3.3 Where you provide personal information to the WIB Group about third party individuals (e.g., information about your spouse, civil partner or emergency contacts) you should provide these individuals with a copy of this Notice beforehand or ensure they are otherwise made aware of how their information will be used by the WIB Group.

3.4 In addition to collecting personal information from you directly, we may also collect personal information about you from other third parties, such as your employer, insurers, underwriters, reinsurers, credit

bureaus, medical and legal professionals, government bodies, claimants, courts, vetting and data validation agencies and other professional advisory service providers. This information may be sourced prior to and during the course of providing the services to you.

3.5 You have the right to object to the processing of your personal information. It's voluntary to accept the terms and conditions of this Notice and by providing your personal information to us, you agree to be bound by the terms of our Notice. Where you object to providing certain personal information, we may not be able to offer services or products to you or otherwise engage or transact with you and / or we may need to terminate any existing engagement, mandate or interaction with you.

3.6 We rely on your consent to collect and use personal information concerning any criminal convictions or alleged offences. Where we rely on your consent to collect and use your information, you are not obliged to provide your consent and you may choose to subsequently withdraw your consent at any stage once provided. However, where you refuse to provide information that we reasonably require in providing the services, we may be unable to offer you the services and / or we may terminate the services provided with immediate effect. Where you choose to receive the services from us you agree to the collection and use of your personal information in the way we describe in this section of the Notice.

4. HOW AND WHERE DO WE COLLECT YOUR PERSONAL INFORMATION FROM?

We will collect and obtain personal information about you either directly from you, from certain third parties (such as your employer or regulators), or from other sources which are described below.

4.1 DIRECT COLLECTION

4.1.1 You provide personal information to us when you:

- 4.1.1.1 use our websites, applications, mobile applications, or social media portals or platforms, enquire about, or search for our goods or services;
- 4.1.1.2 create or maintain a profile or account with us;
- 4.1.1.3 conclude a contract, fee and mandate or written engagement with us;
- 4.1.1.4 purchase, use or subscribe to our goods or services;
- 4.1.1.5 purchase, use, or otherwise interact with content, products, or services from third party providers who have a relationship with us;
- 4.1.1.6 create, post, or submit user content on our websites, applications, mobile applications, or social media portals or platforms;
- 4.1.1.7 register for or attend one of our events, functions or locations;
- 4.1.1.8 request or sign up for information, including marketing material;
- 4.1.1.9 communicate with us by phone, email, chat, in person, or otherwise;

- 4.1.1.10 complete a contact form, questionnaire, survey, support ticket, or other information request form;
- 4.1.1.11 when you submit a quotation, or offer to do business with us, a tender or when you conclude a contract with us; or
- 4.1.1.12 express an interest in a bursary or sponsorship.

4.2 AUTOMATIC COLLECTION

4.2.1 We collect personal information automatically from you when you:

- 4.2.1.1 search for, visit, interact with, or use our websites, applications, mobile applications, or social media portals or platforms;
- 4.2.1.2 use our goods or services (including through a device);
- 4.2.1.3 access, use, or download content from us;
- 4.2.1.4 open emails or click on links in emails or advertisements from us;
- 4.2.1.5 otherwise interact or communicate with us (such as when you attend one of our events, functions or locations, when you request support or send us information, or when you mention or post to our social media accounts).

4.3 COLLECTION FROM THIRD PARTIES

4.3.1 We collect personal information about you from third parties, such as:

- 4.3.1.1 your organization and others with whom you have a relationship with that provide or publish personal information related to you, such as from our customers or from others when they create, post, or submit user content that may include your personal information;
- 4.3.1.2 Regulators, professional or industry organizations and certification / licensure agencies that provide or publish personal information related to you;
- 4.3.1.3 third parties and affiliates who deal with or interact with us or you;
- 4.3.1.4 service providers and business partners who work with us and that we may utilize to deliver certain content, products, or services to enhance your experience;
- 4.3.1.5 marketing, sales generation, and recruiting business partners;
- 4.3.1.6 SAPS, the Department of Home Affairs, credit bureaus and other similar agencies;
- 4.3.1.7 government agencies, regulators and others who release or publish public records; and
- 4.3.1.8 other publicly or generally available sources, such as social media sites, public and online websites, open databases, and data in the public domain.

5. PROCESSING YOUR INFORMATION

5.1 We rely on the following legal grounds to collect and use your personal information:

5.1.1 DUE DILIGENCE PURPOSES

To carry out a due diligence before we decide whether we are able or willing to engage or interact with you (as part of the “Know Your Customer” process as per the requirements of the *Financial Intelligence Centre Act 38 Of 2001*) employ you or to do business with you, including obtaining and verifying your credentials, including your business details, medical status, health history and related records, education and employment history and qualifications, credit and financial status and history, tax status, B-BBEE status, and / or any performance or vendor related history.

5.1.2 TO PROCESS TRANSACTIONS AND RENDER, PROVIDE OR RECEIVE GOODS AND SERVICES OR OTHERWISE PERFORM IN TERMS OF A CONTRACT OR MANDATE

Where we enter into a contract with you we will collect and use your personal information where necessary to enable us to take steps to fulfil our mandate, including exercising all contractual rights, assessing or communicating requirements, manufacturing, packaging, ordering, delivering, and / or responding to, or submitting queries, complaints, returns or engaging in general feedback, or acting in such a manner as to personalize any goods or services, and to make recommendations related to us or our or your operations.

5.1.3 ATTENDING TO FINANCIAL MATTERS PERTAINING TO ANY TRANSACTION

To administer accounts or profiles related to you or your organisation including registrations, subscriptions, purchases, billing events, fees, costs and charges calculations, quoting, invoicing, receipt of payments or payment of refunds, reconciliations and financial management in general.

5.1.4 COMMUNICATIONS

To make contact with you and to communicate with you generally, including via email, WIB Group’s website or by telephone, or in respect of our or your requirements, mandate or instructions.

5.1.5 SECURITY AND ACCESS CONTROL

To identify and authenticate your access to and to provide you with access to our goods, services or premises and generally to ensure the security and protection of all persons including employees, and persons when entering or leaving our offices, or facilities and / or to exercise our

rights and to protect our and others' rights and / or property, including to take action against those that seek to violate or abuse our systems, services, customers or employees and / or other third parties where applicable.

5.1.6 EMPLOYMENT

Determining *Employment Equity Act* 55 of 1998 statistics, to conclude an employment contract with you, to manage recruitment, promotion and succession planning; and to conduct and communicate with you regarding your employment, your ongoing employment, and to perform human resources administration, financial administration, comply with labour, tax and B-BBEE laws, management and organizational administration, training, and skills development, including performance assessments and disciplinary matters and to manage your benefits, including administering remuneration, relocation, insurance, payroll, pensions and other employee benefits and tax, including disclosure to other affiliates within the WIB Group and to others such as payroll providers, accountants, occupational health providers, insurers, pensions administrators, hosting service providers and external legal advisers or counsel. If applicable, to manage membership to trade unions and collective agreements for administering collective employee arrangements.

5.1.7 TRAVEL

To facilitate business travel, travel-related support including conference attendance, bookings and emergency support services.

5.1.8 LEGAL AND REGULATORY OBLIGATIONS, LITIGATION, INSURANCE AND PUBLIC DUTIES

The collection and use of some aspects of your personal information is necessary to enable us to meet our legal and regulatory obligations, including the requirements to register with Regulators, obtain and hold permits and certificates, register for VAT, Tax, PAYE, SDL, COIDA and UIF, customs and excise etc. and to pay levies and fees due in respect thereof by the WIB Group or others, to submit legal or statutory reports or provide various regulatory or statutory notices or returns. We may also need to use your personal information to litigate and / or to pursue or defend legal claims or collections, to attend to insurance claims and related procedures, to respond to a request or order from an SAPS official, investigator or court official, regulator, or public authority.

5.1.9 B-BBEE

To comply with obligations imposed on the WIB Group under the *Black Based Economic Empowerment Act* 52 of 2003 ("**BEE Act**") read together with the Department of Trade and Industry's Codes of Good Practice on Broad-Based Black Economic Empowerment published in

terms of Government Gazette No. 36928 on 11 October 2013 under section 9(1) of the BEE Act, as amended or reissued from time to time, and to monitor or report B-BBEE requirements, opportunities and related diversity issues, including using your details in B-BBEE reports and score cards.

5.1.10 PREVENTING AND DETECTING BRIBERY, CORRUPTION, FRAUD AND OTHER FINANCIAL CRIMES

We will use your personal information, including information relating to criminal convictions or alleged offences to conduct sanction screenings, adverse media screenings and to prevent and detect money laundering, bribery, corruption fraud and other financial crime and in terms of our obligations in law.

5.1.11 SECURITY PURPOSES

To permit you access to our offices, facilities, manufacturing or parking areas, as well as to controlled areas, for the purposes of monitoring via CCTV, your interaction and access in and from our facilities described above, and for general risk management, security and emergency incident control purposes as well as for data and cybersecurity purposes.

5.1.12 INTERNAL RESEARCH AND DEVELOPMENT PURPOSES

To conduct internal research and development for new content, products, and services, and to improve, test, and enhance the features and functions of our current goods and services.

5.1.13 PUBLICLY AVAILABLE

Where you have deliberately made personal information publicly available, we can process such personal information.

5.1.14 SALE, MERGER, ACQUISITION, OR OTHER DISPOSITION

To proceed with any proposed or actual sale, merger, acquisition, or other disposition of any business within the WIB Group (including in connection with any bankruptcy or similar proceedings).

5.1.15 MARKETING AND ELECTRONIC COMMUNICATIONS RELATED THERETO

To provide you, or where applicable, obtain your consent to provide you with communications regarding us, our goods and services and or other notifications, programs, events, or updates

that you may have registered or asked for, and to send you offers, advertising, and marketing materials, including providing personalized advertising to you, save where you have opted out of this activity.

5.1.16 EVENTS, ADVERTISING AND PUBLIC RELATIONS MATERIALS AND PUBLICATIONS

For the purposes of making contact with you and or attending to your enquiries and requests in relation to our advertising and public relations materials and publications and or events and functions and for providing you from time to time with information pertaining to the WIB Group, or our advertising and public relations materials and publications, and / or events and functions and to invite you to attend functions and events or our request for your appearance in advertising and public relation materials and publications.

5.1.17 LEGITIMATE INTERESTS (EXCLUDING SPECIAL PERSONAL INFORMATION AND INFORMATION RELATING TO CHILDREN)

The collection and use of some aspects of your personal information is necessary to enable us to pursue our legitimate commercial interests, e.g. to operate our business, particularly where we offer other products and services that may be of interest to you or conduct market research to improve our products and services generally. Where we rely on this legal basis to collect and use your personal information, we shall take appropriate steps to ensure the processing does not infringe the rights and freedoms conferred to you under the applicable data privacy laws.

6. SPECIAL PERSONAL INFORMATION AND PERSONAL INFORMATION OF CHILDREN

6.1 Special personal information (as per clause 3.1.1.11 above) refers to your sensitive personal information and WIB Group acknowledges that it will generally not process special personal information unless: -

6.1.1 processing is carried out in accordance with your explicit consent; or

6.1.2 information has been deliberately made public by you; or

6.1.3 processing is necessary for the establishment, exercise, or defence of a right or legal claim or obligation in law; or

6.1.4 processing is for historical, statistical or research purposes, subject to stipulated safeguards; or

6.1.5 for purposes of POPIA:

6.1.5.1 specific authorisation has been obtained in terms of POPIA; and

6.1.6 for purposes of the GDPR, processing is required:

- 6.1.6.1 for the purposes of carrying out the obligations and exercising specific rights of WIB Group or of you in the field of employment and social security and social protection law;
- 6.1.6.2 to protect your vital interests or that of another natural person where you are physically or legally incapable of giving consent;
- 6.1.6.3 for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;
- 6.1.6.4 for reasons of substantial public interest;
- 6.1.6.5 for the purposes of preventative or occupational medicine; or
- 6.1.6.6 for reasons of public interest in the area of public health.

6.2 WIB Group acknowledges that it may not process any personal information concerning a Child and will only do so where it has obtained the consent of the parent or guardian of that Child or where it is permitted.

****“Child”** - where the child is in the Republic of South Africa, means any natural person under the age of 18 (eighteen) years; and where the child is in the European Union, any natural person under the age of 16 (sixteen years.)

7. ACCURACY OF YOUR INFORMATION

We rely on the availability of accurate personal information in order to provide the services to you and operate our business. You should therefore notify us of any changes to your personal information, particularly changes concerning your contact details, bank account details, or any other information that may affect the proper management and administration of your relationship with us.

8. RECIPIENTS OF YOUR INFORMATION

We share personal information for the purposes set out in this processing statement and with the following categories of recipients:

8.1 THE WIB GROUP, OUR EMPLOYEES AND OUR AFFILIATES

We may share your personal information amongst our employees, divisions, affiliates, and the companies within the WIB Group for business and operational purposes.

8.2 YOUR ORGANISATION AND CONTACTS

We may share your personal information with your organisation and others with whom you have a relationship in order to fulfil or perform a contract or other legal obligation, including with third parties that arrange or provides you with access to our goods or services and who pay us in connection with such access. We may also share your personal information with your contacts provided if you are in the same organisation or to facilitate the exchange of information between you and the contact(s).

8.3 BUSINESS PARTNERS

We may share your personal information with our business partners to jointly offer, provide, deliver, analyse, administer, improve, and personalize products or services or to host events and functions. We may also pass certain requests from you or your organisation to these business providers.

8.4 THIRD PARTY SERVICE PROVIDERS

We may share your personal information with our third party service providers to perform tasks on our behalf and which are related to our relationship with you, including vetting and risk management agencies, such as credit reference, criminal record, fraud prevention, data validation and other professional advisory agencies, financial services providers, property administration, management and facilities management service providers, all benefits including health, medical, and wellness benefits etc. and to assist us in offering, providing, delivering, analysing, administering, improving, and personalizing such services or products.

This Notice does not apply to the information practices of third-party companies who we may engage with or in relation to our business operations (including, without limitation, their websites, platforms and / or applications) which we do not now own or control, or an individual that WIB Group does not manage or employ. These third-party sites may have their own privacy policies and terms and conditions and we encourage you to read them before using them.

8.5 CYBER THIRD-PARTY SERVICE PROVIDERS

We may share your personal information with our third-party cyber service providers to perform tasks on our behalf and which are related to our relationship with you, including content providers, those who provide technical and / or customer support on our behalf, who provide application or software development and quality assurance, who provide tracking and reporting functions, research on user demographics, interests, and behaviour, and other products or services. These third-party service providers may also collect personal information about or from you in performing their services and / or functions to ourselves. We may also pass certain requests from you or your organisation to these third-party service providers.

8.6 ADVERTISERS

We may share your personal information with advertisers, advertising exchanges, and marketing agencies that we engage for advertising services, to deliver advertising, and to assist us in advertising our brand and products and services. Those advertising services may also target advertisements on third party websites based on cookies or other information indicating previous interaction with us and / or ourselves.

8.7 WEBSITE USERS

We may aggregate information from public records, phone books, social networks, marketing surveys, business websites, and other sources made available to us to create listings and profiles that are placed into user listings and directories. Additionally, if you choose to include your personal information in any reviews, comments, or other posts that you create, then that personal information may be displayed to other users, naturally as part of your posting.

8.8 A THIRD PARTY IN THE EVENT OF MERGER, SALE, OR CHANGE OF CONTROL

We may transfer this privacy statement and your personal information to a successor in title of any of the WIB Group's businesses, in terms of a sale to, acquisition by or merger with (in whole or in part) another organisation, or in terms of any other change of control (such as the result of a liquidation proceeding).

8.9 REGULATORS AND LAW ENFORCEMENT AGENCIES

We may disclose your personal information to regulators, public authorities, and other bodies in order to comply with any applicable law or regulation, to comply with or respond to a legal process or law enforcement or governmental request, law enforcement bodies, where necessary to facilitate the prevention or detection of crime or the apprehension or prosecution of offenders.

8.10 OTHER DISCLOSURES

We may disclose your personal information to third parties if we reasonably believe that disclosure of such information is helpful or reasonably necessary to enforce our terms and conditions or other rights (including investigations of potential violations of our rights), to detect, prevent, or address fraud or security issues, or to protect against harm to the rights, property, or safety of the WIB Group, our employees, any users, or the public.

9. OVERSEAS TRANSFERS OF YOUR INFORMATION

- 9.1 We operate on an international basis and we therefore reserve the right to transfer personal information about you to other countries to be processed for the purposes outlined in the Notice.
- 9.2 In particular, we may make such transfers to administer and manage the services provided to you and improve the efficiency of our business operations. We shall endeavour to ensure that such transfers comply with all applicable data privacy laws and regulations and provide appropriate protection for the rights and freedoms conferred to individuals under such laws.
- 9.3 Where we collect personal information about you in the Republic of South Africa, we may transfer the information to countries outside the Republic of South Africa for the processing purposes outlined in this Notice. This may include transfers to countries that are considered to provide inadequate data privacy safeguards in line with the standard as expected by the Information Regulator of South Africa. In these instances, we shall put in place appropriate safeguards, such as data transfer agreements.
- 9.4 Where required, further information concerning these safeguards can be obtained by contacting us. In addition, if such personal information contains special personal information or personal information relating to children, we will obtain prior authorisation from the Information Regulator of South Africa prior to transfer of information.

10. RETENTION OF YOUR INFORMATION

We retain appropriate records of your personal information to operate our business and comply with our legal and regulatory obligations. These records are retained for predefined retention periods that may extend beyond the period of our engagement with you. In most cases we shall retain your personal information for no longer than is required under the applicable laws. We will keep your personal information for the period necessary to fulfil the purposes described in this Notice unless:

- a longer retention period is permitted or required by law;
- the WIB Group reasonably requires it for lawful purposes related to its functions or activities;
- it is required by a contract between us; or
- with your consent.

We apply appropriate measures to ensure your personal information is securely destroyed in a timely and consistent manner when no longer required.

11. INFORMATION SECURITY

- 11.1 The security of your personal information is important to us, and we have implemented appropriate security measures to protect the confidentiality, integrity, and availability of the personal information we

collect about you and ensure that such information is processed in accordance with POPIA and other applicable data privacy laws.

- 11.2 WIB Group shall preserve the security of personal information through reasonable technical and organisational measures and, in particular, prevent loss, unlawful access and unauthorised destruction, its alteration, loss and damage, or access by non-authorised third parties.
- 11.3 Taking into account the state of the art, the costs of implementation and the nature, scope, context and purposes of processing as well as the risk of varying likelihood and severity for your rights and freedoms, WIB Group implements appropriate technical and organisational measures to ensure a level of security appropriate to the risk of processing, including measures protecting any personal information from loss or theft, and unauthorised access, disclosure, copying, use or modification, including:
- 11.3.1 the ability to ensure the ongoing confidentiality, integrity, availability and resilience of processing systems and services;
 - 11.3.2 the capability to restore the availability and access to personal information in a timely manner in the event of a physical or technical incident; and
 - 11.3.3 a process for regularly testing, assessing and evaluating the effectiveness of technical and organisational measures for ensuring the security of processing.
- 11.4 Further, WIB Group maintains and regularly verifies, where appropriate and possible, that the security measures are effective and regularly updates same in response to new risks brought to our attention.
- 11.5 Please note that notwithstanding the contents of this clause 11, no method of storage is 100% secure. Therefore, while we strive to use commercially acceptable measures designed to protect personal information, we cannot guarantee its absolute security.

12. BREACHES OF PERSONAL INFORMATION

- 12.1 A data breach means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal information under the control or in the possession of WIB Group ("**Data Breach**") and refers to any incident in terms of which reasonable grounds exist to believe that your personal information has been accessed or acquired by any unauthorised person.
- 12.2 A Data Breach can happen for many reasons, which include:
- 12.2.1 loss or theft of data or equipment on which personal information is stored;
 - 12.2.2 inappropriate access controls allowing unauthorised use;

12.2.3 equipment failure;

12.2.4 human error;

12.2.5 unforeseen circumstances, such as a fire or flood;

12.2.6 deliberate attacks on systems, such as hacking, viruses or phishing scams; and / or

12.2.7 alteration of personal information without permission and loss of availability of personal information.

12.3 WIB Group will address any Data Breach in accordance with the terms of POPIA and, where relevant, the GDPR.

12.4 WIB Group will notify you and the Regulator (unless the applicable law requires that we delay notification to you) in writing in the event of a Data Breach (or a reasonable belief of a Data Breach).

12.5 WIB Group will provide such notification as soon as reasonably possible and, where feasible, not later than 72 hours after having become aware of any Data Breach in respect of your personal information.

12.6 Where WIB Group acts as an Operator (as defined in POPIA) and should any Data Breach affect data of persons whose information WIB Group processes as an Operator, WIB Group shall (in terms of POPIA and, where applicable, the GDPR) notify the relevant parties immediately where there are reasonable grounds to believe that the personal information of relevant persons has been accessed or acquired by any unauthorised person.

13. YOUR INFORMATION RIGHTS

You have the following rights under applicable data privacy laws (POPIA and where applicable, the GDPR) in respect of any personal information we collect and use about you:

13.1 ACCESS AND INSPECTION

The right to access or inspect your personal information or, for a reasonable fee, to be provided with a permanent copy of the information being held about you. We may and where applicable, must, refuse access to information in terms of the grounds for refusal of access to records set out in the applicable laws including the *Promotion of Access to Information Act 2 of 2000*.

13.2 CORRECTION

The right to request the correction of your personal information where it is inaccurate, irrelevant, excessive, incomplete, misleading or out of date or in cases where the accuracy of information is disputed, to supplement the information to give notice that you dispute its accuracy.

13.3 DELETION

The right to request the erasure, deletion or destruction of your personal information, particularly where the continued use of the information is no longer necessary, and we have no other legal ground for processing the data.

13.4 OBJECTION TO USE OR RESTRICTION OF USE

The right to object to the use of your personal information, at any time, particularly where you feel there are no longer sufficient legitimate grounds for us to continue processing the information where the justification for that processing is that it is necessary for pursuing our legitimate interests or for the protection of your legitimate interests. If you raise an objection, such objection should be based on reasonable grounds relating to your particular situation, unless legislation provides for such processing.

The right to object to or request the restriction of your personal information from further processing.

13.5 OBJECT TO DIRECT MARKETING

The right to object to the use of your personal information for direct marketing purposes. See **clause 14** below for further information.

13.6 OBJECT TO AUTOMATED PROCESSING

The right to object to decisions involving the use of your personal information, which have been taken solely by automated means. See **clause 14** below for further information.

13.7 RIGHT TO COMPLAIN

It is important to note, however, that some of the rights described above can only be exercised in certain circumstances. If we are unable to fulfil a request (complete Annexure A hereto) from you to exercise one of your rights under applicable data privacy laws, we will write to you to explain the reason for refusal. Where required, further information concerning these rights and their application can be obtained by contacting us and / or scrutinizing POPIA.

The right to complain to the relevant data protection regulator about our processing of your personal information.

In respect of the South African Information Regulator, you may complete the requisite complaint form (Annexure B hereto) and contact their office at: complaints.IR@justice.gov.za.

14. DIRECT MARKETING

- 14.1 We will use your personal information to send you direct marketing about other products and services that we feel may be of interest to you. We will give you the opportunity to consent to the receipt of direct marketing at the point that you apply or register to receive the services.
- 14.2 Should you already be considered an existing customer / client of the WIB Group who receives direct marketing from us in relation to the same or similar services, we will give you the opportunity to refuse direct marketing on each occasion thereafter that you receive direct marketing communications from us. You can also change your marketing preferences at any stage by contacting us.

15. AUTOMATED DECISIONS

- 15.1 Where you apply or register to receive services or to engage or transact with us, we may carry out a real-time automated assessment to determine whether we are able and willing to engage or transact with you. An automated assessment is an assessment carried out automatically using technological means (e.g., computer systems) without human involvement.
- 15.2 This assessment will analyse your personal information and comprise a number of checks, e.g. credit history and bankruptcy check, validation of your driving licence and motoring convictions and other fraud prevention checks.
- 15.3 Your application may be automatically refused, and you will receive notification of this during the application process. However, where a decision is taken solely by automated means involving the use of your personal information, you have the right to challenge the decision and ask us to reconsider the matter, with human intervention. If you wish to exercise this right, you should contact us.

16. COMPLAINTS

- 16.1 If you wish to make a complaint about the way, we use your personal information you should raise this with us by contacting us in the first instance:

Information Officer	Reghardt Pieter Wessels <i>(WIB Group Director & WIB Inc. Partner)</i>
Deputy Information Officer	Wouter Botha <i>(WIB Group Director & WIB Inc. Partner)</i>
Physical Address	Byls Bridge Office Park, Spaces, Building 14 Cnr Olievenhoutbosch & Jean Ave Centurion
Postal Address	Postnet Suite #150 Private Bag X 1028 Lyttelton 0140
Telephone Number	+27 12 003 6576
E-mail	admin@wibattorneys.com

16.2 if you are not satisfied with the way we have handled your complaint you have the right to raise the matter with the Information Regulator:

Information Regulator	
Physical Address	JD House, 27 Stiemens Street Braamfontein Johannesburg
Postal Address	P.O. Box 31533 Braamfontein Johannesburg, 2017
Telephone Number	+27 10 023 5207
Fax Number	(011) 403 0668
E-mail	Complaints email: complaints.IR@justice.gov.za General enquiries email: infoereg@justice.gov.za

17. WHAT ARE COOKIES?

17.1 In general, the cookie is a small file consisting of letters and numbers which is sent to your device from

our web server. It enables us for example to recognise the final appliance used by you when the connection is created between our web server and your device.

- 17.2 We do not use the aforementioned cookies and personal data collected automatically by them either for the purpose of profile making, direct marketing, automated decision-making or for online behavioural marketing.
- 17.3 Reputable partners, for example Google Analytics, aid us in analysing website statistics.
- 17.4 For more information on cookies, you may wish to visit www.allaboutcookies.org which contains comprehensive information on how to do this on a wide variety of browsers. You will also find details on how to delete cookies from your device as well as more general information about cookies.
- 17.5 To support our website, we may from time to time embed photos and video content from websites such as YouTube. As a result, when you visit a page with content embedded from, for example, YouTube, you may be presented with cookies from their websites. We do not control the dissemination of these cookies and you should check the third-party websites for more information about these.

18. HOW TO MANAGE COOKIES

You can set your browser and / or device not to accept cookies. However, this may hinder your user experience as some of the features of our website may not function properly and / or you may be unable to access certain part of our website as a result hereof. If you do not wish to receive cookies, you may change your browser and / or device settings accordingly. If no such change was made or if you accept a cookie, we will regard this as your consent to the sending of any kinds of cookies and that we may use your personal information.

19. CHANGES TO THIS NOTICE

This Notice is not contractual, and the WIB Group reserves the right to reasonably amend it from time to time to ensure it continues to accurately reflect the way that we collect and use personal information about you. Any updates or changes to this Notice will be made available to you. You should periodically review this Notice to ensure you understand how we collect and use your personal information.

20. CONTACT INFORMATION

If you have any questions about the content of this Notice or the rights conferred to you under the applicable data privacy laws, you should contact us at the details provided in clause 16.1 *supra*.

ANNEXURE B:

POPI COMPLAINT FORM

We are committed to safeguarding your privacy and the confidentiality of your personal information and are bound by the Protection of Personal Information Act.

Please submit your complaint to the Information Officer:

Name	
Contact Number	
Email Address:	

Where we are unable to resolve your complaint, to your satisfaction you have the right to complaint to the Information Regulator.

The Information Regulator: Adv Pansy Tlakula

Physical Address: JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001

Email: complaints.IR@justice.gov.za

Website: <https://www.justice.gov.za/inforeg/index.html>

A. Particulars of Complainant

Name & Surname	
Identity Number:	
Postal Address:	
Contact Number:	
Email Address:	

B. Details of Complaint

C. Desired Outcome

D. Signature Page

Signature:
Date