



PERSONAL INFORMATION PROTECTION POLICY



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1. Purpose, Scope and Users

- 1.1 This Policy regulates the management of Personal Information of the Company and provides rules and procedures which apply to all departments and individuals within the Company, aimed at ensuring that Personal Information is processed and protected properly.
- 1.2 This Policy applies to the Processing of Personal Information by any department or individual within the Company.
- 1.3 “**Company**” refers to IndluPlace Properties Limited and all wholly-owned subsidiaries directly or indirectly controlled by it.
- 1.4 The users of this document are all staff members of the Company.

2. Reference documents

- 2.1 Protection of Personal Information Act, 2013
- 2.2 Promotion of Access to Information Act, 2000
- 2.3 Personal Information Protection Policy
- 2.4 Information Retention Policy
- 2.5 Personal Information Breach Policy
- 2.6 Cross Border Information Transfer Policy

3. Definitions

The following definitions of terms used in this document are drawn from the Protection of Personal Information Act (“**POPI**”):

3.1 Personal Information

“**personal information**” means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to:

- a. information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;
- b. information relating to the education or the medical, financial, criminal or employment history of the person;
- c. any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
- d. the biometric information of the person;
- e. the personal opinions, views or preferences of the person;

- f. correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
- g. the views or opinions of another individual about the person; and
- h. the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information.

3.2 Special Personal Information

“**special personal information**” includes personal information concerning the religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life or biometric information of an information subject; or the criminal behaviour of an information subject.

3.3 Processing

“**processing**” means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including –

- a. the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use; and
- b. dissemination by means of transmission, distribution or making available in any other form; or merging, linking, as well as restriction, degradation, erasure or destruction of information.

3.4 Responsible Party

“**responsible party**” means a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means for processing personal information.

3.5 Operator

“**operator**” means a person who processes personal information for a responsible party in terms of a contract or mandate, without coming under the direct authority of that party.

4. General Principles for Processing Personal Information

We have summarised below the most important principles of personal information protection set out in POPI. Any processing of personal information which is incompatible with any of the principles would be unlawful (unless an exemption or derogation applies).

4.1 Purpose of the Guiding Principles

In order to provide guidance and recommendations in connection with the processing of personal information (special or not) related to data subjects in the Company, the Company considers it necessary to issue the following guiding principles – which are liable to be updated from time to time as required.

4.2 Scope

The issues considered relate, in particular, to information communication and dissemination and the processing of special personal information – especially those suitable for disclosing health and religious beliefs – and/or biometric information.

5. Compliance with Personal Information Protection Principles

5.1 General

Lawfulness, reasonableness and transparency	Personal information shall be processed lawfully, reasonably and in a transparent manner in relation to the data subject
Purpose limitation	Personal information shall be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes
Data minimisation	Personal information shall be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed
Accuracy	Personal information shall be accurate and, where necessary, kept up to date
Storage limitation	Personal information shall be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal information is processed
Integrity and confidentiality	Personal information shall be processed in a manner that ensures appropriate security of the personal information, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures
Accountability	The responsible party shall be responsible for, and be able to demonstrate compliance with POPI

5.2 Objectives

The objectives of this Policy are to:



- a. Provide a set of privacy and personal information protection standards that govern our procedures and protect the privacy of your personal information.
- b. Demonstrate our on-going commitment to protecting your privacy and addressing any privacy concerns that you might have.
- c. Describe the ways in which we collect, use, disclose and retain your personal information.
- d. Ensure that we comply with POPI.
- e. Facilitate our compliance with any further developments in the protection of personal information.

5.3 **Protection of Personal Information Act 2013 (“POPI”)**

Below, we provide guidance as to how we collect, use, disclose and retain your personal information in accordance with POPI and how we administer this Policy.

5.4 **Consent Obligation**

a. *Consent Required*

The Company shall not collect, use or disclose your personal information unless:–

- i. you give, or are deemed to give, consent to the collection, use or disclosure of your personal information; or
- ii. the collection, use or disclosure of your personal information without your consent is required or authorised under POPI or other written law.

b. *Provision of Consent*

- i. The Company shall not, as a condition of providing a product or service to you require you to consent to the collection, use or disclosure of your personal information beyond what is reasonable to provide the product or service to you.
- ii. The Company shall not obtain or attempt to obtain your consent for collecting, using or disclosing personal information by providing false or misleading information with respect to the collection, use or disclosure of your personal information, or use deceptive or misleading practices.

c. *Implied Consent*

- i. You are deemed to consent to the collection, use or disclosure of your personal information for a purpose if:
 - you voluntarily provide your personal information to the Company for that purpose, albeit without actually expressly providing your consent; and
 - it is reasonable that you would voluntarily provide the information.

- ii. If you give, or are deemed to give, consent to the disclosure of your personal information by the Company to another organisation for a particular purpose, then you are deemed to consent to the collection, use or disclosure of your personal information for that particular purpose by such other organisation.

d. *Withdrawal of Consent*

- i. On providing reasonable notice to the Company you may at any time withdraw any consent given, or deemed to be given, in respect of the Company's collection, use or disclosure of your personal information for any purpose.
- ii. You may submit the withdrawal of consent via mail, email or by completing the Withdrawal of Consent Form and submit to the Company's Information Officer.
- iii. On receipt of such notice, the Company shall inform you of the likely consequences of withdrawing your consent.
- iv. Please allow up to 30 days for the Company to process and update your request.

5.5 Purpose Limitation Obligation

a. *Limitation of Purpose*

The Company may collect, use or disclose your personal information only for purposes:

- i. that a reasonable person would consider appropriate in the circumstances; and
- ii. where you have been informed, to the extent applicable.

b. *Notification of Purpose*

The Company shall provide you with the following information whenever we seek to obtain your consent to the collection, use or disclosure of your personal information, except under circumstances where your consent is deemed or is not required:

- i. the purpose(s) for the collection, use or disclosure of your personal information, on or before collecting your personal information;
- ii. any other purpose(s) for the use or disclosure of your personal information of which you have not been informed, before the use or disclosure of your personal information for that purpose; and
- iii. on requested by you, the contact details of the Company's Information Officer ("IO"), who can answer your questions about the collection, use or disclosure of your personal information.

5.6 Access and Correction Obligation

a. *Access to Your Personal Information*

- i. On your request, and subject to the restrictions set forth in POPI, the Company shall, as soon as reasonably possible, provide you with:
 - your personal information that is in the Company's possession or control; and

- information about the ways in which your personal information has or may have been used or disclosed by the Company within a year before the data of your request.
- ii. the Company may charge you a minimum fee for access to your personal information to offset the administrative costs in complying with such requests.

b. Correction of Your Personal Information

- i. You may request the Company to correct an error or omission in your personal information that is under the Company's control or possession. Unless the Company is satisfied on reasonable grounds that a correction should not be made or the law states otherwise. The Company shall:
 - correct your personal information as soon as practicable; and
 - send your corrected personal information to every organisation to which your personal information was disclosed by the Company within a year before the data the correction was made, unless that other organisation does not need the corrected personal information for any legal or business purpose.
- ii. the Company is not required to correct or alter an opinion, including professional or an expert opinion.

5.7 Accuracy Obligation

The Company shall make reasonable efforts to accurately record your personal information as given by you or your representatives and make reasonable efforts to ensure that your personal information is accurate and complete, if the personal information:

- a. is likely to be used by the Company to make a decision that affects you; or
- b. is likely to be disclosed by the Company to another organisation.

5.8 Protection Obligation

The Company shall protect personal information in its possession or control by making reasonable security arrangements to prevent unauthorised access, collection, use, disclosure, copying, modification, disposal or any other similar risks.

5.9 Retention Limitation Obligation

The Company shall cease to retain documents containing your personal information, or remove the means by which your personal information can be associated with you, as soon as it is reasonable to assume that:

- a. the purpose for which your personal information was collected is no longer being served by retention of your personal information; and
- b. retention is no longer necessary for legal or business purposes.

5.10 **Transfer Limitation Obligation**

The Company shall not transfer your personal information outside of South Africa except in accordance with the requirements of POPI.

5.11 **Complaints Handling Procedure**

- a. Should you be unhappy with our treatment of your personal information or you believe there has been a breach of this Policy, please contact the Company's Information Officer (details in clause 5.13 below) and clearly set out the nature of your concern.
- b. Complaints may be initially made orally, or in writing. Where a complaint is made orally, you must confirm the complaint in writing as soon as possible. If you require assistance in lodging your complaint, please contact us.
- c. Your complaint will be reviewed, and you will be provided with a written response within fourteen (14) working days.

5.12 **Compliance with this Policy**

- a. the Company implements this Policy through the use of proper procedures and staff training to ensure compliance with this Policy.
- b. We ensure that all our staff members and any representatives who deal with personal information are aware of the standards of this Policy.
- c. the Company requires that all of its staff and representatives with access to personal information maintain confidentiality concerning that personal information. We implement that requirement through appropriate contractual terms and internal policies.
- d. Our procedures for handling personal information are developed to implement the standards of this Policy. The Company trains its staff members in the proper conduct of those procedures that are relevant to their duties.

5.13 **Information Officer ("IO")**

For further information about this Policy or to access our complaint handling procedure, please address your correspondence to the Company Information Officer:

Carel de Wit (CEO)
carel@induplacepropertyess.co.za

2nd Floor, 158 Jan Smuts Building
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