

**THIS DOCUMENT REPRESENTS THE FRAMEWORK & PRIVACY POLICY ON THE  
PROTECTION OF PERSONAL INFORMATION ACT, 4 OF 2013 (“POPI”)**

**BISHOP FRASER INCORPORATED** (registration number: 2018/375096/21) is a for profit incorporation (“**Business**”). We adhere to the highest standards of protecting your personal information when you use [www.bishopfraser.co.za](http://www.bishopfraser.co.za) or any of its associated websites or platforms (collectively, “**Website**”) or services (“**Services**”). We have created this privacy policy to detail and inform you of the measures we have taken to safeguard your personal information and respect your privacy (“**Policy**”).

- For more information regarding your personal information lawfully stored or used by the Business, please contact [davide@bishopfraser.co.za](mailto:davide@bishopfraser.co.za).
- This Policy was last updated on 30 June 2021.
- This Policy complies with, and facilitates the obligations required from, the South African *Protection of Personal Information Act, No. 4 of 2013* (“**POPI**”), as amended.

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## 1 INTRODUCTION

- 1.1 The Protection of Personal Information Act 4 of 2013, (“POPIA/The Act”) and the Regulations promulgated thereunder give effect to the right to privacy provided by section 14 of the Bill of Rights of the Constitution of the Republic of South Africa 1996.
- 1.2 The Act and Regulations require the “**Responsible Person**” (as defined POPIA) to develop, implement, monitor and maintain a compliance framework, (Regulation 4 of Regulations published under GG number 42110 dated 14 December 2018).
- 1.3 In some circumstances, the Business is the “**Responsible Party**” (as defined in POPI) and is responsible for your personal information (collectively referred to as “**we**”, “**us**” or “**our**” in this Policy) in instances where we decide the Processing operations concerning your personal information.
- 1.4 Sometimes we also operate as an “**Operator**” (as defined in POPI) of personal information on behalf of a third-party responsible party, where that responsible party’s privacy terms will apply.
- 1.5 We have developed this policy (“**Policy**”) in order to comply with the aforesaid requirements and to further demonstrate commitment to the spirit of the Act in respecting the rights of Data Subjects to have their Personal Information protected as set out in the Act. The terms “**Data Subject**”, “**you**” and “**your**” are used interchangeably in this Policy to refer to all persons who access our Website and / or Services, or engage with us for any reason whatsoever.
- 1.6 Forms 1, 2 and 4 of the POPI Regulations are attached to this Policy.
- 1.7 You have the right to make a complaint at any time to the South African data regulator’s office (“**Information Regulator**”). We would, however, appreciate the chance to deal with your concerns before you approach any such regulator, so please contact us in the first instance.

## 2 SCOPE

- 2.1 This Policy applies to all employees of the Business and anyone who may process Personal Information for and on behalf of the Business.
- 2.2 This Policy applies to all situations and business processes where Personal Information is processed, more importantly where such information may be made accessible to third parties. This Policy must be read together with our PAIA Manual.

### 3 DEFINITIONS

- 3.1 **“Applicable Legislation”** means all legislation applicable to the Business, including the Act, Income Tax Act 58 of 1962, Value Added Tax Act 89 of 1991, Labour Relations Act 66 of 1995, Basic Conditions of Employment Act 75 of 1997, Employment Equity Act 55 of 1998, Electronic Communications and Transactions Act 25 of 2002, Telecommunications Act 103 of 1996; Electronic Communications Act 36 of 2005, Consumer Protection Act 68 of 2008, National Credit Act 34 of 2005 and all legislation as listed under clause 7 of the Business’s PAIA Manual.
- 3.2 **“Data Subject”** means the person to whom personal information relates as defined under the Act;
- 3.3 **“Employee”** means, for the purposes of this policy, any person employed permanently (full- or part-time), temporary, or on a fixed-term contract, and include contractors that may come into contract with, use, process or otherwise deal with Personal Information.
- 3.4 **“Information Officer”** means the ‘responsible person’ as defined by the Act and as detailed in the Business’s PAIA Manual, and who is authorised to develop, implement, monitor and maintain a compliance framework on behalf of the Business.
- 3.5 **“Office-bearer”** means the members of the Board of Trustees, the Principal Officer, members of Committees of the Scheme, governance secretaries and persons in similar positions.
- 3.6 **“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.
- 3.7 **“Personal Information”** shall mean, for purposes of this Policy and as defined under the Act, information about an identifiable, natural person, and in so far as it is applicable, an identifiable, juristic person, including, but not limited to:
- 3.7.1 information relating to the race, gender, sex, pregnancy, marital status, national,
  - 3.7.2 ethnic or social origin, colour, sexual orientation, age, physical or mental health,
  - 3.7.3 well-being, disability, religion, conscience, belief, culture, language and birth of the person;
  - 3.7.4 information relating to the education or the medical, criminal or employment history of the person or information relating to financial transactions in which the person has been involved;

- 3.7.5 any identifying number, symbol or other particular assigned to the person;
- 3.7.6 the address, fingerprints or blood type of the person;
- 3.7.7 the personal opinions, views or preferences of the person, except where they are about another individual or about a proposal for a grant, an award of a prize to be made to another individual;
- 3.7.8 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;
- 3.7.9 the views or opinions of another individual about the person;
- 3.7.10 the views or opinions of another individual about a proposal for a grant, an award or a prize to be made to the person, but excluding the name of the other individual where it appears with the views or opinions of the other individual; and
- 3.7.11 the name of the person where it appears with other personal information relating to the person or where the disclosure of the name itself would reveal information about the person;
- 3.7.12 but excludes information about a natural person who has been dead, or a juristic person that has ceased to exist, for more than 20 years.
- 3.8 **“Policy”** means this policy developed in terms of the Act and Regulations thereto;
- 3.9 **“Processing”** means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including:
- 3.9.1 the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
- 3.9.2 dissemination by means of transmission, distribution or making available in any other form; or
- 3.9.3 merging, linking, as well as restriction, degradation, erasure or destruction of information.
- 3.10 **“Purpose”** means the Business’s purpose to processing of Personal Information as set out under the Business’s PAIA Manual;

3.11 “**Responsible Party**” means, for purposes of this policy, all persons to whom this policy applies, whom, whether alone or in conjunction with others determines the purpose and means of processing Personal Information.

3.12 “**Special Personal Information**” means information relating to a person’s (a) religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life or biometric information of a data subject; or (b) criminal behaviour, as defined under the Act.

#### 4 **COLLECTION AND PROCESSING OF PERSONAL INFORMATION**

4.1 Should you decide to register with or function as a user on our Website, engage with us and / or use any Services, you hereby expressly consent to, and opt-in to the Business collecting, collating, processing, and using the following Personal Information when you use the Website and / or Services.

4.1.1 **Information provided by the user or from a User’s other authorised Responsible Party:**

The Business processes Personal Information which the Business either processes itself, or which is received from another Responsible Party to whom you have provided your Personal Information with your permission to be shared with the Business; and

4.1.2 **Information that is collected automatically:**

The Business receives and stores information which is transmitted automatically from the User’s computer when the User browses the internet and accesses the Website and / or the Services. This information includes information from cookies (which are described in clause 14 below), the user’s Internet Protocol (“**IP**”) address, browser type, embedded web links, and other commonly used information-gathering tools. These tools collect certain standard information that your browser sends to the Website such as your browser type and language, access times, and the address from which you arrived at the Website.

4.2 Should your Personal Information change, please update it by providing the Business with updates to your Personal Information as soon as reasonably possible to enable us to update it. The Business will, however, not be able to update any personal information of yours attained from another Responsible Party, where, should you want to update same, you must approach the relevant Responsible Party to do so. The Business is under no

obligation to ensure that your Personal Information or other information supplied by you is correct.

4.3 You warrant that the Personal Information disclosed to the Business is directly from you as the User on the Website or in connection to the Services, and all such Personal Information is lawfully yours to provide. You also warrant that any Personal Information provided to us from a third-party Responsible Party, was attained from you lawfully and provided to us with your express consent to the relevant Responsible Party to do so.

4.4 You may choose to provide additional Personal Information to us, in which event you agree to provide accurate and current information, and, generally, not to impersonate or misrepresent any person or entity or falsely state or otherwise misrepresent your affiliation with anyone or anything.

## 5 PURPOSE AND USE OF PERSONAL INFORMATION

### 5.1 When do we collect your Personal Information:

5.1.1 We will process your Personal Information in the following circumstances:

5.1.1.1 you submit an enquiry and/or contact us or request that we contact you;

5.1.1.2 you visit or browse our Website;

5.1.1.3 when you contract with us to be a provider of services to us;

5.1.1.4 you complete any of our documents, including our client forms or surveys; and  
/ or

5.1.1.5 you make use of our various products and Services.

### 5.2 How we use your Personal Information:

5.2.1 Any Processing of your Personal Information will be reservedly for our legitimate business purposes and as a necessary function of your engagement with the Website and / or our Services, and you have expressly consented to this by using our Website and / or Services, but we will not, without your express consent:

5.2.1.1 use your Personal Information for any purpose other than as set out below:

5.2.1.1.1 in relation to the provision to you of the Services and / or access to the Website;

- 5.2.1.1.2 to fulfil orders for products and Services;
- 5.2.1.1.3 to contact you as requested by you;
- 5.2.1.1.4 to enable you to provide us with your contracted services;
- 5.2.1.1.5 for internal record keeping of responsible party third parties and the development of metrics of third-party searches;
- 5.2.1.1.6 to contact you regarding current or new Services or any other product offered by us (unless you have opted out from receiving marketing material from us, possible through that same correspondence to you); and / or
- 5.2.1.1.7 to improve our Website by, for example, monitoring your browsing habits, or tracking your activities on the Website; or
- 5.2.1.2 disclose your Personal Information to any third party other than as set out below:
  - 5.2.1.2.1 to our employees and / or third-party service providers who assist us to interact with you via our Website, email or any other method, for your use of the Services, and thus need to know your Personal Information in order to assist us to communicate with you properly and efficiently;
  - 5.2.1.2.2 to external Responsible Parties who already have your express consent to process and / or attain such Personal Information from and / or with us;
  - 5.2.1.2.3 to our professional services providers (such as our insurers or lawyers where we believe that it is required under our contractual relationship with our insurance provider to do so);
  - 5.2.1.2.4 to law enforcement, government officials, fraud detection agencies or other third parties when we believe in good faith that the disclosure of Personal Information is necessary to prevent physical harm or financial loss, to report or support the investigation into suspected illegal activity or the contravention of an applicable law or to investigate violations of this Policy and/or the Website's other policies; and
  - 5.2.1.2.5 to our service providers (under contract with us) who help with parts of our business operations (fraud prevention, marketing, technology services etc). However, our contracts dictate that these service providers may only



use your Personal Information in connection with the services they perform for us, not for their own benefit and under the same standards as how we operate.

5.2.2 We are entitled to use or disclose your personal information if such use or disclosure is required in order to comply with any Applicable Law, subpoena, order of court or legal process served on us, or to protect and defend our rights or property. In the event of a fraudulent online payment, the Business is entitled to disclose relevant personal information for criminal investigation purposes or in line with any other legal obligation for disclosure of the personal information which may be required of it.

### 5.3 **Our legal justifications for processing your personal information:**

5.3.1 Your use of the Website and / or any of our Services constitutes your explicit opt-in consent to our Processing of your Personal Information. Further, we also rely on our contractual arrangements with you as the lawful basis on which we collect and Process your Personal Information when you make an order for products and Services. Alternatively, in some cases, we rely on our legitimate interests as a business (for example, to measure user satisfaction and troubleshoot user issues). Where we rely on our legitimate interests, we will always make sure that we balance these interests against your rights.

5.3.2 Subject to the other provisions in this Policy, the following constitutes our reasons for processing your Personal Information:

#### 5.3.2.1 **To make our products and Services available to you:**

5.3.2.1.1 We use your Personal Information to provide you with information, products and Services that you request or purchase from us (i.e. to complete certain tasks, processes or orders on our Website, take payment online (where applicable) and deliver your products or Services), and to communicate with you regarding those products and Services that you acquired from us and respond to your questions and comments.

5.3.2.1.2 We may also use your Personal Information to measure how satisfied our Users are and provide User service (including troubleshooting in connection with purchases or your requests for Services or when you ask us questions on social media).

#### 5.3.2.2 **To allow third parties to make their independent services available to you:**

5.3.2.2.1 Should you make use of third-parties' services accessed via the Website (such as a payment gateway with a plug-in on our Website), we provide them with your necessary data in order for them to provide you with their services.

5.3.2.2.2 You expressly understand and agree that same third-party companies may have their own privacy policies governing how they process personal data, which you may be compelled to adhere to.

5.3.2.3 **When you make use of our Website and features thereon:**

5.3.2.3.1 We require your information in order to provide the Website to you and deliver our Services and fulfil our contract with you.

5.3.2.3.2 We also Process your information when you sign-up for our newsletter.

5.3.2.4 **When you take part in a feedback survey:**

5.3.2.4.1 When you take part in our feedback survey, we record certain types of your data and your answers to questions we ask about your opinion of, and use of, our Website and Services.

5.3.2.4.2 We use this information to develop and improve our Website and Services and our User relationships. Your job role, organisation and some or all of your comments may be publicly displayed on our Website as a testimonial. We will do this based on our legitimate interest in explaining our Website and Services.

5.3.2.5 **For administrative and internal business purposes:**

5.3.2.5.1 We may use your Personal Information for our internal business purposes, such as administrative fulfilment of orders, administrative fulfilment of invoices, project management and internal reporting. We may also use your Personal Information to monitor the use of our Website and ensure that our Website is presented in the most effective and relevant manner for you and your device and setting default options for you.

5.3.2.5.2 It is in our legitimate interests as a business to use your Personal Information in this way. For example, we want to ensure our Website is user-friendly and works properly and that our Services are efficient and of high quality. We also want to make it easy for you to interact with us.

### 5.3.2.6 **For security and legal reasons:**

5.3.2.6.1 We use your Personal Information to:

5.3.2.6.1.1 ensure the personal and financial information you provide us is accurate;

5.3.2.6.1.2 conduct fraud checks or prevent other illegal activity;

5.3.2.6.1.3 protect our rights or property (or those of others); and

5.3.2.6.1.4 fulfil our legal and compliance-related obligations.

5.3.2.6.2 In some cases we will use your Personal Information because it's necessary for us to comply with a legal obligation (such as if we receive a legitimate request from a law enforcement agency). In other cases (such as the detection of fraud) we will rely on our legitimate interests as a business to use your Personal Information in this way. Where we rely on our legitimate interests, we will always make sure that we balance these interests against your rights.

### 5.3.2.7 **In relation to your relationship with the Business as User:**

5.3.2.7.1 We use your Personal Information to personalise your experience with the Business to:

5.3.2.7.1.1 provide you with non-marketing correspondence via SMS, post and email as you have given us your consent to this;

5.3.2.7.1.2 contact you when requested by you or in relation to a legal service we are providing you;

5.3.2.7.1.3 Process your website-use data to analyse how you use our Website and Services. This may include information on Services you have viewed and historical transactions. This allows us to provide a browsing experience which is relevant to you;

5.3.2.7.1.4 carry out limited automated decision making (segmentation) based on the information you have given us when we segment our user database to determine which offers that you may be interested in.

## 6 **LINKS TO OTHER WEBSITES**

6.1 Our Website may contain hyperlinks to websites that are not operated by us. These hyperlinks are provided for your reference and convenience only and do not imply any endorsement of the activities of these third-party websites or any association with their Operators.

6.2 We do not control these websites and are not responsible for their data or privacy practices. We urge you to review any privacy statement posted on any site you visit before using the site or providing any personal information about yourself and others.

## **7 ORIGINAL AND UPDATED PURPOSES FOR PROCESSING**

7.1 We will only use your Personal Information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the Processing for the new purpose is compatible with the original purpose, please contact us. If we need to use your Personal Information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

## **8 INTERNATIONAL TRANSFER OF PERSONAL INFORMATION**

8.1 Whenever we transfer your Personal Information out of the country, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

8.1.1 we will only transfer your Personal Information to countries that have been deemed to provide an adequate level of protection for Personal Information;

8.1.2 where we use certain service providers, we may use specific contracts approved by the European Commission which give Personal Information the same protection it has in Europe under the GDPR; or

8.1.3 where we use providers based in the US, we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to Personal Information shared between Europe and the US.

## **9 HOW WE TREAT YOUR PERSONAL INFORMATION AND DATA SECURITY**

9.1 We will ensure that all of our employees, third party service providers, divisions and partners (including their employees and third-party service providers) having access to your Personal Information are bound by appropriate and legally binding confidentiality obligations and Process your Personal Information at standards equal to or higher than the Business's in relation to your Personal Information.

- 9.2 We will:
- 9.2.1 treat your Personal Information as strictly confidential, save where we are entitled to share it as set out in this Policy;
  - 9.2.2 take all reasonable measures to identify reasonably foreseeable risks to Personal Information in our possession or under our control;
  - 9.2.3 take all reasonably appropriate technical, security and organisational measures to ensure that your Personal Information is kept secure and is protected against unauthorised or unlawful processing, accidental loss, destruction or damage, alteration, disclosure or access;
  - 9.2.4 ensure that the measures taken to secure your Personal Information are effectively implemented and are subject to periodic review to ensure that they are functioning correctly and efficiently;
  - 9.2.5 update security measures in response to new risks or to remedy previously deficient safeguards;
  - 9.2.6 provide you with reasonable access to your Personal Information to view and/or update personal details;
  - 9.2.7 promptly notify you if we become aware of any unauthorised use, disclosure or processing of your Personal Information;
  - 9.2.8 provide you with reasonable evidence of our compliance with our obligations under this Policy on reasonable notice and request; and
  - 9.2.9 upon your request, promptly correct, transfer, return or destroy any and all of your Personal Information in our possession or control, save for that which we are legally obliged or entitled to retain (acknowledging that some Website and / or Service functionality might be lost if certain Personal Information is amended or destroyed).
- 9.3 It is the responsibility of our Information Officer to implement and oversee the security measures put in place by the Business to protect against –
- 9.3.1 unauthorised access to Personal Information, necessitating the need for restricted access or access privileges within the Practice;
  - 9.3.2 the loss and/ or damage of Personal Information through any means whatsoever;
  - 9.3.3 the unauthorised archiving and destruction of Personal Information.

- 9.4 We will not retain your Personal Information longer than the period for which it was originally needed, unless we are required by law to do so, or you consent to us retaining such information for a longer period. In some circumstances, other applicable national laws require us to retain your data beyond your request for its deletion, or beyond your direct engagement with the Business. As such, we may retain your Personal Information in adherence with compulsory instructions from other applicable national laws, notwithstanding your application to have it deleted or amended.
- 9.5 Whilst we will do all things reasonably necessary to protect your rights of privacy, we cannot guarantee or accept any liability whatsoever for unauthorised or unlawful disclosures of your Personal Information, whilst in our possession, made by third parties who are not subject to our control, unless such disclosure is as a result of our gross negligence or fraud.
- 9.6 If you disclose your Personal Information to a third party, such as an entity which operates a website linked to the Website or anyone other than the Business, the Business shall not be liable for any loss or damage, howsoever arising, suffered by you as a result of the disclosure of such information to the third party, including another user. This is because we do not regulate or control how that third party uses your Personal Information. You should always ensure that you read the privacy policy of any third party.
- 9.7 We are committed to implementing the necessary measures to keep your data secure, where we have implemented current industry-setting standards to keep your data secure.

## 10 **USER RIGHTS AND OBLIGATIONS**

- 10.1 The user is entitled to request access to any relevant Personal Information held by the Business and where such access is necessary for you to exercise and / or protect any of the user's rights. For any Personal Information held by any third-party Responsible Party, the user must approach that Responsible Party for the realisation of the user's Personal Information rights with them, and not with the Business.
- 10.2 Under POPIA, you have rights in relation to your Personal Information. Please contact us to find out more about, or manifest, these rights:
- 10.2.1 have your data Processed in a fair, lawful and transparent way;
  - 10.2.2 be informed about how your Personal Information is being used, an example being this Policy;
  - 10.2.3 access Personal Information we hold about you;

- 10.2.4 require us to correct any mistakes in your Personal Information;
- 10.2.5 require us to delete Personal Information concerning you in certain situations where there is no good reason for us to continue to Process it;
- 10.2.6 request that we transfer your Personal Information to you or another service provider in a simple, structured format;
- 10.2.7 object at any time to Processing of your Personal Information for direct marketing purposes;
- 10.2.8 object to automated decision making which produces legal effects concerning you or similarly significantly affects you;
- 10.2.9 object in certain other situations to our continued Processing of your Personal Information; and/or
- 10.2.10 otherwise restrict or temporarily stop our Processing of your Personal Information in certain circumstances.
- 10.3 You will not have to pay a fee to access your Personal Information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.
- 10.4 We may need to request specific information from you to help us confirm your identity and ensure your right to access your Personal Information (or to exercise any of your other rights). This is a security measure to ensure that Personal Information is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.
- 10.5 We try to respond to all legitimate requests within one week. Occasionally it may take us longer than a week if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.
- 10.6 Users with citizenships from jurisdictions other than of South Africa, please note that the Business complies with all South African data protection laws when processing your Personal Information pursuant to the Services as we are a South African entity operating in the South African market. Should foreign law be applicable in any regard to your use of the Services and / or the Website in any way, including how we may process your personal information, please contact the Information Officer who will gladly engage you on its application and your rights.

- 10.7 Users acknowledge that any content provided by users on the Website, including via a messaging system, enters an open, public forum, and is not confidential, where the author of which will be liable for that content, and not the Business.
- 10.8 Users understand that there are risks involved in sharing Personal Information. By disclosing Personal Information such as the user's name and email address, users acknowledge and understand that this information may be collected and used by an authorised third party to communicate with you.
- 10.9 By accepting this Policy, you have opted-in to receive emails from us, where your email address will be used to contact you from time to time and may also use it for security reasons to confirm your identity.
- 10.10 You have the right to opt-out of receiving email communication by following the directions posted on every email communication or by emailing the Information Officer and asking to not be contacted from then on.

## **11 OUR RIGHTS IN RELATION TO PERSONAL INFORMATION**

- 11.1 We will disclose the user's personally identifiable information if we reasonably believe that we are required to do so by law, regulation or other government authority or to protect the rights and property of the Business, its affiliates or the public. The Business may also cooperate with law enforcement in any official investigation and may disclose the user's personally identifiable information to the relevant agency or authority in doing so.
- 11.2 Circumstances may arise where, whether for strategic or other business reasons, the Business decides to sell, buy, merge or otherwise reorganise its business. Such a transaction may involve the disclosure of Personal Information to prospective or actual purchasers, or the receipt of it from sellers. It is the Business's practice to seek reasonable protection for information in these types of transactions and notify you prior to any disclosure of Personal Information. Such disclosure will also be subject to this Policy.
- 11.3 The Business strives to keep the user's Personal Information accurately recorded. The Business provides a user with the reasonable ability to review and correct it or ask for anonymisation, blockage, transfer or deletion, as applicable. Please contact the Information Officer to engage us on such actions or requests.
- 11.4 We also collect, use and share aggregated data or de-identified data such as statistical or demographic data for any purpose. Such de-identified or aggregated data may be derived from your Personal Information but is not considered Personal Information in law as this data does not directly or indirectly reveal your identity. For example, we may



aggregate your usage data to calculate the percentage of users accessing a specific Website feature. However, if we combine or connect aggregated data with your Personal Information so that it can directly or indirectly identify you, we treat the combined data as Personal Information which will be used in accordance with this Policy.

## 12 NOTIFICATION OF CHANGES

- 12.1 We are continually improving our ways of work and our existing Services and Website. We regularly review and, if appropriate, update our Privacy Policy from time to time, and as our services and use of personal data evolves. Because of these ongoing changes, changes in the law and the changing nature of technology, our data protection practices may also change from time to time. If and when our data protection practices change, we will update this Policy to describe our new practices.
- 12.2 If we want to make use of your Personal Information in a way that we have not previously identified, we will contact you to provide information about this and, if necessary, to ask for your consent.
- 12.3 If we do, we will notify you next time you visit our Website. We encourage you to check this Policy regularly.
- 12.4 We will update the version number and date of this document each time it is changed.

## 13 COOKIES PROVISION

- 13.1 The Website may make use of “**cookies**” to automatically collect information and data through the standard operation of the Internet servers. “**Cookies**” are small text files a website can use (and which we may use) to recognise repeat users, facilitate the user’s on-going access to and use of a website and allow a website to track usage behaviour and compile aggregate data that will allow the website operator to improve the functionality of the website and its content, and to display more focused advertising to a user by way of third party tools.
- 13.2 The type of information collected by cookies is not used to personally identify you. If you do not want information collected through the use of cookies, there is a simple procedure in most browsers that allows you to deny or accept the cookie feature. Please note that cookies may be necessary to provide you with certain features available on our Website, and thus if you disable the cookies on your browser you may not be able to use those features, and your access to our Website will therefore be limited. If you do not disable “**cookies**”, you are deemed to consent to our use of any personal information collected

using those cookies, subject to the provisions of this Policy and the Website's other policies.

- 13.3 For more information on the exact Cookies and technical data used, please contact the Information Officer who will gladly provide a full technical breakdown of same cookies and technical data.

## 14 COMPLIANCE

- 14.1 In the successful implementation of this Policy, the Information Officer must maintain a report regarding all steps taken in instances of non-compliance, as prescribed by both POPI and PAIA, which includes but is not limited to –

- 14.1.1 the general responsibility of the consent provided by Data Subjects;
- 14.1.2 reporting instances of loss, breach and/or unauthorized access of Personal Information to relevant authorities, and remedial action taken;
- 14.1.3 the destruction of personal information;
- 14.1.4 the de-identification of personal information;
- 14.1.5 the implementation of specific security measures;
- 14.1.6 disciplinary action against employees violating this policy;
- 14.1.7 obtaining expert assistance, where required;

## 15 COMPLAINTS, OBJECTIONS, WITHDRAWALS, AMENDMENTS AND DELETIONS

### 15.1 Complaints

- 15.1.1 In any instance of actual or alleged violation of this policy, any person may lodge a complaint with the Information Officer, or a designated Deputy. The complaint will be processed in line with the principles of natural justice, and apply this policy, as well as the applicable laws and related policies of the Business, when doing so.
- 15.1.2 The Information Office may constitute a Committee to investigate the matter, and to make findings on the complaint, and recommend action by the relevant departments, units or structures of the Scheme.

### 15.2 Objections, Withdrawals, Amendments and Deletions

- 15.2.1 Any person can object to the processing of Personal Information held by the Business, withdraw a consent to such processing, or requests amendments and/or deletion of their Personal Information.
- 15.2.2 The forms to object, consent to marketing, change or request destruction of personal information must be on the forms attached to the Policy, as prescribed by the Regulations to the POPI Act published under GG number 42110 dated 14 December 2018, which forms shall be made available at [www.bishopfraser.co.za](http://www.bishopfraser.co.za).

## 16 CONTACT DETAILS

16.1 The details of the Information Officer of the Business are as follows –

- 16.1.1 Name: DC Bishop
- 16.1.2 Tel: 082 529 9614
- 16.1.3 Email: [davide@bishopfraser.co.za](mailto:davide@bishopfraser.co.za)

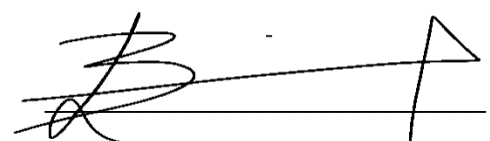
## 17 TRAINING AND COMMUNICATION

17.1 All existing Employees, contractors, vendors, Committee members and any person who may Process Personal Information for and on behalf of The Practice (i.e. Operators), shall be trained on an annual basis on this policy and underlying legal sources on which it is based. The training will also form part of new employee induction.

## 18 REVIEW AND AMENDMENT

18.1 This policy shall be reviewed every two years or more frequently as may be required and may be amended from time to time as may be required by law, for corrections of material errors, as the case may be.

Signed on this 30<sup>th</sup> day of June 2021 by:



**DC BISHOP**

Information Officer

**FORM 1**

**OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF SECTION 11 (3) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013) REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018**

**[Regulation 2.]**

Note:

1. Affidavits or other documentary evidence as applicable in support of the objection may be attached.
2. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.
3. Complete as is applicable.

<b>A</b>	<b>DETAILS OF DATA SUBJECT</b>
Name(s) and surname/ registered name of data subject:	
Unique Identifier/ Identity Number:	
Residential, postal or business address	
	Code (    )
Contact number(s):	
Fax number / E-mail address:	
<b>B</b>	<b>DETAILS OF RESPONSIBLE PARTY</b>
Name(s) and surname/ Registered name of responsible party:	
Residential, postal or business address:	

	Code (    )
Contact number(s):	
Fax number / E-mail address:	
<b>C</b>	<b>REASONS FOR OBJECTION IN TERMS OF SECTION 11 (1) (d) to ( f ) (Please provide detailed reasons for the objection)</b>

Signed on this \_\_\_\_\_ day of \_\_\_\_\_ 2021 by:

\_\_\_\_\_

**Signature of data subject / designated person**

**FORM 2**

**REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR  
DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF  
SECTION 24 (1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4  
OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018  
[Regulation 3]**

Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.

Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information

<b>A</b>	<b>DETAILS OF DATA SUBJECT</b>
Name(s) and surname/ registered name of data subject:	
Unique identifier/ Identity Number:	
Residential, postal or business address:	
	Code (    )
Contact number(s):	
Fax number/E-mail address:	
<b>B</b>	<b>DETAILS OF RESPONSIBLE PARTY</b>
Name(s) and surname / registered name of responsible party:	

Residential, postal or business address:	
	Code (    )
Contact number(s):	
Fax number/E-mail address:	
<b>C</b>	<b>INFORMATION TO BE CORRECTED / DELETED / DESTRUCTED / DESTROYED</b>
<b>D</b>	<b>REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24 (1) (a) WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY; and or REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATE SUBJECT IN TERMS OF SECTION 24(1)(b) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN (please provide detailed reasons for the request)</b>


Signed on this \_\_\_\_\_ day of \_\_\_\_\_ 2021 by:

\_\_\_\_\_

**Signature of data subject / designated person**



**FORM 4**

**APPLICATION FOR THE CONSENT OF A DATA SUBJECT FOR THE PROCESSING OF  
PERSONAL INFORMATION FOR THE PURPOSE OF DIRECT MARKETING IN TERMS OF  
SECTION 69 (2) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4  
OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018  
[Regulation 6]**

**PART A**

TO: \_\_\_\_\_

\_\_\_\_\_

(Name of data subject)

FROM: \_\_\_\_\_

\_\_\_\_\_

(Name, address and contact details of responsible party)

Contact number(s): \_\_\_\_\_

Fax number: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Full names and designation of person signing on behalf of responsible party:

\_\_\_\_\_

Date: \_\_\_\_\_

**PART B**

I, \_\_\_\_\_

(full names of data subject)

hereby:

Give my consent.

To receive direct marketing of goods or services to be marketed by means of electronic communication.

SPECIFY GOODS or SERVICES: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

SPECIFY METHOD OF COMMUNICATION:

FAX: \_\_\_\_\_

E - MAIL: \_\_\_\_\_

SMS: \_\_\_\_\_

OTHERS – SPECIFY: \_\_\_\_\_

Signed on this \_\_\_\_\_ day of \_\_\_\_\_ 2021 by:

\_\_\_\_\_

**Signature of data subject / designated person**