



The Protection of Personal Information Act, No. 4 of 2013 (**POPIA**) Policy

Etambo Equity (Pty) Ltd

(Registration Number: 2015/150541/07)

Implementation Date: 1 June 2021

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ATTACHMENTS

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Schedule 3: Part I of Form 5 attached to the POPIA Regulations

1. DEFINITIONS / ACRONYMS

Unless clearly inconsistent with or otherwise indicated by the context:

- 1.1 **Client** means a client of the Company;
- 1.2 **Constitution** means the Constitution of the Republic of South Africa, No. 108 of 1996;
- 1.3 **Data Subject** means the person to whom Personal Information relates as defined in section 1 of POPIA;
- 1.4 **Deputy Information Officer** means the person designated as the deputy information officer of the Company from time to time;
- 1.5 **EEA** means Employment Equity Act, No. 55 of 1998 (as amended);
- 1.6 **Employee** means an employee of the Company who has access to and/or is responsible for Processing the Personal Information of Data Subjects;
- 1.7 **FICA** means the Financial Intelligence Centre Act, No. 38 of 2001 (as amended);
- 1.8 **Company** means Etambo Equity (Pty) Ltd (registration number: 2015/15054/07), a private company with limited liability incorporated in accordance with the laws of the Republic;
- 1.9 **GDPR** means the European Union's General Data Protection Regulation 2016/679;
- 1.10 **Information Officer** means the person designated as the information officer of the Company from time to time;
- 1.11 **LPA** means the Legal Practice Act, No. 28 of 2014 (as amended);
- 1.12 **LPC** means the South African Legal Practice Council established in terms of section 4 of the LPA;
- 1.13 **LRA** means Labour Relations Act, No. 66 of 1995 (as amended);
- 1.14 **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;
- 1.15 **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:
 - 1.15.1 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;

- 1.15.2 information relating to the education or the medical, financial, criminal or employment history of the person;
 - 1.15.3 any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
 - 1.15.4 the biometric information of the person;
 - 1.15.5 the personal opinions, views or preferences of the person;
 - 1.15.6 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;
 - 1.15.7 the views or opinions of another individual about the person; and
 - 1.15.8 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 about the person;
- 1.16 **Policy** means this Policy, as amended from time to time;
- 1.17 **POPIA** means the Protection of Personal Information Act, No. 4 of 2013;
- 1.18 **POPIA Regulations** means the Regulations relating to the Protection of Personal Information promulgated in terms of section 112(2) of POPIA;
- 1.19 **Processing** means any operation or activity or any set of operations, whether or not by automatic means, concerning Personal Information, including:
- 1.19.1 the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
 - 1.19.2 dissemination by means of transmission, distribution or making available in any other form; or
 - 1.19.3 merging, linking, as well as restriction, degradation, erasure or destruction of information,
- and **Process**, **Processes** and **Processed** will be construed accordingly;
- 1.20 **Regulator** means the Information Regulator established in terms of section 39 of POPIA;
- 1.21 **Republic** means the Republic of South Africa;

- 1.22 **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; and
- 1.23 **Special Personal Information** means Personal Information as referred to in section 26 of POPIA, being Personal Information concerning:
- 1.23.1 the 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
 - 1.23.2 the criminal behaviour of a data subject to the extent that such information relates to:
 - 1.23.2.1 the alleged commission by a Data Subject of any offence; or
 - 1.23.2.2 any proceedings in respect of any offence allegedly committed by a Data Subject or the disposal of such proceedings.

2. INTRODUCTION

- 2.1 The Company is a commercial advisory firm operating within the Republic.
- 2.2 Section 14 of the Constitution enshrines the right of privacy for every individual.
- 2.3 POPIA was enacted to give further effect to this constitutional right to privacy and, as such, the purpose of POPIA is to, amongst other things, ensure that Data Subjects' Personal Information is safeguarded when it is Processed by a Responsible Party, subject to justifiable limitations that are aimed at:
- 2.3.1 balancing the right to privacy against other rights, particularly the right of access to information; and
 - 2.3.2 protecting important interests, including the free flow of information within the Republic and across international borders.

3. POLICY

- 3.1 This Policy has been prepared in accordance with POPIA (and the POPIA Regulations) for the Company and its purpose is to regulate the manner in which the Company, as a Responsible Party and, in certain limited instances, as an Operator, Processes the Personal Information and Special Personal Information of Data Subjects.
- 3.2 This Policy will be updated on a regular basis and will be made available:

- 3.2.1 on the Company's website;
- 3.2.2 at the Company's principal place of business for public inspection during normal business hours; and
- 3.2.3 to the Regulator upon request.

4. EFFECTIVE DATE AND APPLICABILITY OF POLICY

- 4.1 This Policy will be effective from 7 June 2021 and will be reviewed on a regular basis.
- 4.2 This Policy applies to:
 - 4.2.1 all Data Subjects whose Personal Information is Processed by the Company;
 - 4.2.2 to the Company and all Employees of the Company who are responsible for Processing the Personal Information of Data Subjects; and
 - 4.2.3 to all Operators engaged by the Company.

5. PERSONAL INFORMATION COLLECTED

The Personal Information which the Company Processes can be broadly divided into the following categories:

Category of records	Description of records
Financial records	Financial statements, financial, accounting and taxation records
Company secretarial	Incorporation documents, company register, company records
FICA records	Customer due diligence records and all other FICA-related records
Client data	Client-related records
Human Resources	Employee-related records, employment equity data, payroll data

Marketing	Marketing-related records, client mailing list
Administration	Supplier-related records, insurance-related records, LPC-related records, internal policies and procedures, health and safety-related documents, information technology-related records

6. SPECIAL PERSONAL INFORMATION

6.1 The Company may be required to Process Special Personal Information and is permitted to do so in the following circumstances:

- 6.1.1 the Processing is carried out with the consent of a Data Subject;
- 6.1.2 the Processing is necessary for the establishment, exercise or defence of a right or obligation in law;
- 6.1.3 the Processing is necessary to comply with an obligation of international public law;
- 6.1.4 the Processing is for historical, statistical or research purposes to the extent that:
 - 6.1.4.1 the purpose serves a public interest and the Processing is necessary for the purpose concerned; or
 - 6.1.4.2 it appears to be impossible or would involve a disproportionate effort to ask for consent,

and sufficient guarantees are provided for to ensure that the Processing does not adversely affect the individual privacy of the Data Subject to a disproportionate extent; or

- 6.1.5 information has deliberately been made public by the Data Subject.

6.2 To the extent that the Company is required to Process any Special Personal Information in any other circumstances other than those listed above, the Company will obtain consent of Data Subjects to process the Special Personal Information. If any Employee is uncertain whether consent of the Data Subject is required, such Employee must seek guidance from the Information Officer or Deputy Information Officer.

7. PERSONAL INFORMATION OF CHILDREN

7.1 The Company does not intend to Process any Personal Information relating to children. The Company will only Process the Personal Information of children where the Processing is:

- 7.1.1 carried out with the prior consent of a competent person;
- 7.1.2 necessary for the establishment, exercise or defence of a right or obligation in law;
- 7.1.3 necessary to comply with an obligation of international public law;
- 7.1.4 for historical, statistical or research purposes to the extent that:
 - 7.1.4.1 the purpose serves a public interest and the Processing is necessary for the purpose concerned; or
 - 7.1.4.2 it appears to be impossible or would involve a disproportionate effort to ask for consent,and sufficient guarantees are provided for to ensure that the Processing does not adversely affect the individual privacy of the child to a disproportionate extent; or
- 7.1.5 of Personal Information which has deliberately been made public by the child with the consent of a competent person.

8. CONSENT, JUSTIFICATION AND OBJECTION

8.1 Personal Information of a Data Subject may only be Processed if the Data Subject consents to the Processing or if one of the following justifiable circumstances apply:

- 8.1.1 the Processing is necessary to carry out actions for the conclusion or performance of a contract to which the Data Subject is party;
- 8.1.2 the Processing complies with an obligation imposed by law on the Company;
- 8.1.3 the Processing protects a legitimate interest of the Data Subject;
- 8.1.4 the Processing is necessary for the proper performance of a public law duty by a public body; or
- 8.1.5 the Processing is necessary for pursuing the legitimate interests of the Company or of a third party to whom the information is supplied.

- 8.2 Save where the Processing of Personal Information falls within one or more of the aforementioned justifiable circumstances, Data Subjects may withdraw the consent given to the Company to Process Personal Information at any time. Any withdrawal should be in writing and addressed to the Information Officer and/or the Deputy Information Officer at the contact details set out in paragraph 20. Withdrawn consent is not retroactive and will not affect use of the Personal Information already made.
- 8.3 Data Subjects may object, at any time, to the Processing of Personal Information:
- 8.3.1 in the circumstances referred to in paragraphs 8.1.3 to 8.1.5 above, in the prescribed manner, on reasonable grounds relating to the Data Subject's particular situation, unless legislation provides for such Processing. In this regard, and in terms of Regulation 2 of the POPIA Regulations, Data Subjects must complete and submit Form 1 attached to the POPIA Regulations to the Company by e-mail to the Information Officer and/or the Deputy Information Officer at the contact details set out in paragraph 20. A copy of Form 1 is attached to this Policy as **Schedule 1**; or
 - 8.3.2 for purposes of direct marketing other than direct marketing by means of unsolicited electronic communications as referred to in section 69 of POPIA.
- 8.4 If a Data Subject has objected to the Processing of Personal Information, as per paragraph 8.3 above, the Company will no longer Process the Personal Information.

9. PURPOSE FOR WHICH THE PERSONAL INFORMATION IS COLLECTED

- 9.1 The Processing of Personal Information will be limited to lawful Processing. In this regard, the eight conditions of lawful Processing are as follows:
- 9.1.1 Accountability, as referred to in section 8 of POPIA;
 - 9.1.2 Processing limitation, as referred to in sections 9 to 12 of POPIA;
 - 9.1.3 Purpose specification, as referred to in sections 13 and 14 of POPIA;
 - 9.1.4 Further Processing limitation, as referred to in section 15 of POPIA;
 - 9.1.5 Information quality, as referred to in section 16 of POPIA;
 - 9.1.6 Openness, as referred to in sections 17 and 18 of POPIA;
 - 9.1.7 Security safeguards, as referred to in sections 19 to 22 of POPIA; and
 - 9.1.8 Data subject participation, as referred to in sections 23 to 25 of POPIA.

9.2 Personal Information must be collected for a specific, explicitly defined and lawful purpose related to a function or activity of the Responsible Party.

9.3 The purpose for which the Personal Information is collected by the Company is set out in the table below:

Category of Personal Information	Category of Data Subject	Purpose of Processing	Consent / Justification (s11(1) of POPIA)
Financial Records	Company	Financial reporting and tax compliance	Obligation imposed by law (section 11(1)(c) of POPIA)
	Company, Clients and correspondents	Provision of legal services	Necessary for performance of contract (section 11(1)(b) of POPIA)
	Company and creditors	Receipt of business services	Necessary for performance of contract (section 11(1)(b) of POPIA)
Company Secretarial	Company, shareholders, Employees, auditors	Maintenance of Company records and financial reporting	Obligation imposed by law (section 11(1)(c) of POPIA)
FICA Records	Clients, prospective clients and connected persons (including ultimate beneficial owner(s))	Compliance with FICA as an Accountable Institution	Obligation imposed by law (section 11(1)(c) of POPIA and section 27(1)(b) of POPIA for Special Personal Information)
Client Data	Clients and other relevant third parties	Provision of legal services	<p>Necessary for performance of contract (section 11(1)(b) of POPIA)</p> <p>For protection of legitimate interest of Data Subject (section 11(1)(d) of POPIA)</p> <p>Necessary for establishment, exercise or defence of a right or obligation in law (section</p>

			27(1)(b) of POPIA for Special Personal Information and section 35(1)(b) of POPIA for Personal Information of children)
Human Resources	Company and Employees	Business operations and compliance with labour laws	Obligation imposed by law (section 11(1)(c) and section 33(2) and (3) of POPIA)
Marketing	Company, Employees and Clients	Marketing	Consent of Data Subject required (section 11(1)(a) of POPIA)
Administration	Company, Employees, Clients and suppliers	Business operations	<p>Obligation imposed by law (section 11(1)(c) of POPIA)</p> <p>Necessary for performance of contract (section 11(1)(b) of POPIA)</p> <p>Necessary for pursuing legitimate interests of Responsible Party (section 11(1)(f) of POPIA)</p> <p>If no justification applicable, then consent of Data Subject required (section 11(1)(a) of POPIA)</p>

10. INFORMATION PROCESSED BY THE COMPANY AS AN OPERATOR

10.1 In the circumstances where the Company Processes Personal Information or Special Personal Information as an Operator, the Company will:

10.1.1 Process such Personal Information or Special Personal Information only with the knowledge or authorisation of the Responsible Party; and

10.1.2 treat the Personal Information or Special Personal Information which comes to its knowledge as confidential and will not disclose it,

unless it is required by law to do so or in the course of the proper performance of its duties as an Operator.

10.2 Where the Company acts as an Operator it is entitled to assume that the Responsible Party has complied with POPIA in obtaining and Processing the Personal Information or Special Personal Information.

11. RECIPIENT/S OF THE PERSONAL INFORMATION

11.1 One of the categories of recipients of the Personal Information will be Employees of the Company. All Employees of the Company who have access to and/or are responsible for Processing the Personal Information and Special Personal Information are required to:

11.1.1 Process the Personal Information or Special Personal Information only with the consent of the Data Subject or under one of the justifiable circumstances referred to in paragraph 8.1 read together with paragraph 9.3;

11.1.2 ensure that the Personal Information is only used for the purpose for which it was obtained;

11.1.3 ensure that the integrity and confidentiality of the Personal Information collected is maintained by taking appropriate, reasonable, technical and organisational measures to prevent loss, damage, unauthorised destruction and unlawful access to the Personal Information;

11.1.4 maintain the security and integrity of the Personal Information, whether such Personal Information is stored on the Company's internal server and/or in physical files;

11.1.5 notify the Information Officer and/or Deputy Information Officer immediately if there is reason to believe that the Personal Information has been accessed or acquired by an unauthorised person; and

11.1.6 ensure that the Personal Information is not retained by the Company for any longer than is necessary for achieving the purpose for which the Personal Information was collected or subsequently Processed.

11.2 The Company may be required to share the Personal Information with third party vendors or Operators who will Process data on behalf of the Company. Such third party vendors or Operators will be required to treat the Personal Information which comes to their knowledge as confidential and will not be permitted to disclose it, unless required by law or in the course of the proper performance

of their duties. To the extent that the Personal Information is transferred to a third party all Employees of the Company must ensure that:

- 11.2.1 the Data Subject has consented to this transfer of Personal Information or the transfer is justifiable under the circumstances referred to in paragraph 8.1 read together with paragraph 9.3;
 - 11.2.2 the third party establishes and maintains adequate security measures and maintains the security and integrity of the Personal Information; and
 - 11.2.3 the third party notifies the Company immediately if there is reason to believe that the Personal Information has been accessed or acquired by an unauthorised person.
- 11.3 The Company may, in certain circumstances, be required to transfer the Personal Information to such locations outside of South Africa, and to Process the Personal Information in such locations. Should any Employee of the Company be required to transfer the Personal Information to such locations outside of South Africa, and to Process the Personal Information in such locations, the Employee is required to ensure that the third party who will be the recipient of the Personal Information will be subject to a law, binding corporate rules or binding agreement which provides an adequate level of protection that effectively upholds principles for reasonable Processing of the Personal Information that are substantially similar to the conditions for the lawful Processing of the Personal Information as prescribed by POPIA, as summarised in paragraph 9.1.
- 11.4 In the circumstances, only the following parties will have access to the Personal Information:
- 11.4.1 the Company's directors, shareholders and Employees whom the Company has appointed and/or authorised to access the Personal Information;
 - 11.4.2 third party vendors or Operators who Process data on behalf of the Company, such as:
 - 11.4.2.1 accountants and auditors;
 - 11.4.2.2 correspondents;
 - 11.4.2.3 suppliers;
 - 11.4.2.4 financial institutions;
 - 11.4.2.5 counsel;
 - 11.4.3 regulatory authorities (including without limitation, South African Revenue Services, LPC, Companies and Intellectual Property Commission, Financial Intelligence Centre, Director-General of Labour Department and Department of Health); and

11.4.4 Clients' nominated recipients.

11.5 All Employees must ensure that they have read and understood the contents of this Policy as failure to adhere to the contents of this Policy may result in disciplinary action being taken against offending Employees and, in certain circumstances, lead to dismissal. Ignorance of this Policy will not constitute a defence to any breach of this Policy by any Employee.

12. RIGHTS OF DATA SUBJECTS

12.1 A Data Subject has the right to have his, her or its Personal Information processed in accordance with the conditions for the lawful Processing of Personal Information (as referred to in paragraph 9.1 above), including the right:

12.1.1 to be notified that:

12.1.1.1 Personal information about him, her or it is being collected as provided for in terms of section 18 of POPIA; or

12.1.1.2 His, her or its Personal Information has been accessed or acquired by an unauthorised person as provided for in terms of section 22 of POPIA;

12.1.2 to establish whether a Responsible Party holds Personal Information of that Data Subject and to request access to his, her or its Personal Information as provided for in terms of section 23 of POPIA;

12.1.3 to request, where necessary, the correction, destruction or deletion of his, her or its Personal Information as provided for in terms of section 24 of POPIA. In this regard, and in terms of Regulation 3 of the POPIA Regulations, Data Subjects must complete and submit Form 2 attached to the POPIA Regulations to the Company by e-mail to the Information Officer and/or the Deputy Information Officer at the contact details set out in paragraph 20. A copy of Form 2 is attached to this Policy as **Schedule 2**;

12.1.4 to object, on reasonable grounds relating to his, her or its particular situation to the Processing of his, her or its Personal Information as provided for in terms of section 11(3)(a) of POPIA;

12.1.5 to object to the Processing of his, her or its Personal Information:

12.1.5.1 at any time for purposes of direct marketing in terms of section 11(3)(b) of POPIA; or

12.1.5.2 in terms of section 69(3)(c) of POPIA;

- 12.1.6 not to have his, her or its Personal Information Processed for purposes of direct marketing by means of unsolicited electronic communications except as referred to in section 69(1) of POPIA;
- 12.1.7 not to be subject, under certain circumstances, to a decision which is based solely on the basis of the automated processing of his, her or its Personal Information intended to provide a profile of such person as provided for in terms of section 71 of POPIA;
- 12.1.8 to submit a complaint to the Regulator regarding the alleged interference with the protection of the Personal Information of any Data Subject or to submit a complaint to the Regulator in respect of a determination of an adjudicator as provided for in terms of section 74 of POPIA; and
- 12.1.9 to institute civil proceedings regarding the alleged interference with the protection of his, her or its Personal Information as provided for in section 99 of POPIA.

12.2 Some of the above rights are dealt with in greater detail below.

13. RIGHT TO RECTIFY PERSONAL INFORMATION COLLECTED

- 13.1 Data Subjects have the right to access the Personal Information provided to the Company and/or to its recipients to rectify and/or delete the information collected where that information is inaccurate, irrelevant, excessive, out of order, incomplete, misleading, obtained unlawfully or where the Company is no longer authorized to retain the Personal Information as contemplated in paragraph **Error! Reference source not found.** below.
- 13.2 Data Subjects undertake to report changes to the Personal Information in order to keep the data accurate. The Company is not responsible for the accuracy, completeness, or currency of the Personal Information.

14. RETENTION OF PERSONAL INFORMATION

- 14.1 Records of the Personal Information will not be retained by the Company for any longer than is necessary for achieving the purpose for which the Personal Information was collected or subsequently Processed (as contemplated above), unless:
 - 14.1.1 retention of the record is required or authorised by law;
 - 14.1.2 the Company reasonably requires the record for lawful purposes related to its functions or activities;
 - 14.1.3 retention of the record is required in terms of the contract concluded between the Company and the Data Subject; or

14.1.4 the Data Subject has consented to the retention of the record.

14.2 Save as aforesaid, the Company will destroy or delete all records containing the Personal Information or de-identify such Personal Information as soon as reasonably practicable after the Company is no longer authorised to retain such Personal Information.

15. DUTIES OF INFORMATION OFFICER AND DEPUTY INFORMATION OFFICER

The Information Officer, and the Deputy Information Officer, as the case may be, will be responsible for:

15.1 ensuring compliance with the provisions of POPIA;

15.2 working with the Regulator; and

15.3 dealing with requests from Data Subjects relating to their Personal Information.

16. SECURITY SAFEGUARDS

16.1 The Company will ensure that the integrity and confidentiality of the Personal Information collected is maintained by taking appropriate, reasonable, technical and organisational measures to prevent loss, damage, unauthorised destruction and unlawful access to or processing of the Personal Information.

16.2 The Company will:

16.2.1 limit the number of persons who have access to the Personal Information;

16.2.2 maintain the security and integrity of the Personal Information, whether such Personal Information is stored on the Company's internal server and/or in physical files;

16.2.3 notify the Regulator and the Data Subject, in writing and as soon as reasonably possible, if the Company has reason to believe that the Personal Information has been accessed or acquired by an unauthorised person;

16.2.4 ensure that, to the extent that the Personal Information is transferred to a third party, the third party establishes and maintains adequate security measures and maintains the security and integrity of the Personal Information; and

16.2.5 require any third party to whom the Personal Information is transferred to notify the Company immediately if there is reason to believe that the Personal Information has been accessed or acquired by an unauthorised person.

17. CONSEQUENCES OF FAILURE TO PROVIDE PERSONAL INFORMATION

- 17.1 Insofar as the Company requires the Personal Information to comply with its obligations set out in paragraph 9.3 above, it is mandatory for the Data Subjects to furnish the Personal Information.
- 17.2 Should the Personal Information not be provided, and should the Data Subject fail to furnish consent to the Processing of the Personal Information, the Company will be unable to carry out the mandate provided to it by the Data Subject where such Data Subject is a Client.

18. COMPLAINTS ABOUT THE PROCESSING OF PERSONAL INFORMATION

- 18.1 Without derogating from the Data Subjects' rights to lodge a complaint with the Regulator directly at any stage, the process of which is set out in paragraph 18.6 below, Data Subjects may raise any complaints and/or reasonable requests relating to the Processing of Personal Information with the Information Officer, alternatively with the Deputy Information Officer, at the contact details set out in paragraph 20.
- 18.2 The complaints and/or requests procedure ought to be invoked as soon as, and no later than five working days after, the occurrence which gives rise to the complaint and/or request occurs or becomes known to the Data Subject.
- 18.3 Records will be kept of all complaints and/or requests relating to the Processing of Personal Information, as well as any feedback/resolutions provided by the Information Officer and/or the Deputy Information Officer to the Data Subject in terms of the procedure set out below.
- 18.4 Where the Data Subject feels that his/her complaint and/or request relating to the Processing of Personal Information has not been adequately addressed, he, she or it may escalate the complaint or request to the Regulator.
- 18.5 Complaints to the Company
 - 18.5.1 The Data Subject must address his/her complaint and/or request relating to the Processing of Personal Information in writing to the Information Officer and/or the Deputy Information Officer as soon as, and no later than five working days after, the occurrence which gives rise to the complaint and/or request occurs or becomes known to the Data Subject.
 - 18.5.2 The Information Officer and/or the Deputy Information Officer must endeavour to resolve the complaint and/or request within five working days of receipt of the complaint and/or request and inform the Data Subject of the proposed solution.

- 18.5.3 If the complaint and/or request is not resolved within five working days, or the complaint and/or request is not satisfied with the proposed solution of the Information Officer and/or the Deputy Information Officer, then the Data Subject may lodge a complaint with the Regulator.

18.6 Complaints to the Regulator

- 18.6.1 Data Subjects may, at any stage, lodge a complaint with the Regulator in relation to the Processing of and/or interference with the Personal Information. In this regard, and in terms of Regulation 7 of the POPIA Regulations, Data Subjects must complete Part I of Form 5 attached to the POPIA Regulations and submit the completed form to the Regulator. A copy of Part I of Form 5 is attached to this Policy as **Schedule 3**. The Regulator's contact details are as follows:

18.6.1.1 General enquiries e-mail address: enquiries@inforegulator.org.za;

18.6.1.2 E-mail address in respect of complaints: POPIAComplaints@inforegulator.org.za

18.6.1.3 Tel: 010 023 5200; and

18.6.1.4 Physical address: JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001.

19. GDPR

- 19.1 The GDPR, which effectively came into force on 25 May 2018, seeks to protect data belonging to European Union (**EU**) citizens and residents and it, therefore, applies to organisations that handle such data whether they are EU-based organisations or not. Accordingly, the GDPR has extra-territorial application and may apply to a South African organisation who processes the data of EU citizens and residents, where such processing activities are related to:

19.1.1 the offering of goods or services, irrespective of whether a payment of the data subject is required, to such data subjects in the EU; or

19.1.2 the monitoring of their behaviour as far as their behaviour takes place within the EU.

- 19.2 To the extent applicable, the Company will ensure compliance with the provisions of the GDPR and any other data privacy and protection laws which may be applicable in the circumstances.

20. CONTACT DETAILS

Information Officer	Bradley Scop bradley@steinscop.com
Deputy Information Officer(s)	Glenn Stein glenn@steinscop.com
Postal Address	Postnet Suite 274 Private Bag X1 Melrose Arch 2076
Physical Address	6 Benmore Road, Morningside, Sandton
Telephone Number	(011) 380 8080
Email Address	info@etambo.co.za
Website	https://www.etambo.co.za/

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.*

A	DETAILS OF DATA SUBJECT
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	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname/ Registered name of Responsible Party:	
Residential, postal or business address	
	Code ()
Contact number(s):	
Fax number / E-mail address	
C	REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) TO (f) (Please provide detailed reasons for the objection)

Signed at _____ this _____ day of _____ 20_____

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]

Note:

1. *Affidavits or other documentary evidence as applicable in support of the request 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.*

Mark the appropriate box with an "x"

Request for:

- ☐ 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.

A	DETAILS OF THE DATA SUBJECT
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	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname / registered name of responsible party:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number/E-mail address:	
C	INFORMATION TO BE CORRECTED/DELETED/DESTRUCTED/DESTROYED

D	<p>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 DATA SUBJECT IN TERMS OF SECTION 24(1)(b) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN.</p> <p><i>(Please provide detailed reasons for the request)</i></p>

Signed at _____ this _____ day of _____ 20_____

Signature of data subject/designated person

FORM 5

**COMPLAINT REGARDING INTERFERENCE WITH THE PROTECTION OF PERSONAL
INFORMATION/COMPLAINT REGARDING DETERMINATION OF AN ADJUDICATOR IN
TERMS OF SECTION 74 OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013
(ACT NO. 4 OF 2013)**

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018

[Regulation 7]

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.*

Mark the appropriate box with an "x".

Complaint regarding:

☐

Alleged interference with the protection of personal information

☐

Determination of an adjudicator

PART I	ALLEGED INTERFERENCE WITH THE PROTECTION OF THE PERSONAL INFORMATION IN TERMS OF SECTION 74(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (Act No. 4 of 2013)
A	PARTICULARS OF COMPLAINANT
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	PARTICULARS OF RESPONSIBLE PARTY INTEFERING WITH PERSONAL INFORMATION
Name(s) and surname / registered name of Responsible Party:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number / E-mail address:	

C	REASONS FOR COMPALINT <i>(Please provide detailed reasons for the complaint)</i>

Signed at _____ this _____ day of _____ 20_____

Signature of data subject/designated person