



Gatsheni Advisory (Proprietary) Limited

Privacy/POPIA Policy



1. Purpose

1.1 This is the Privacy of Personal Information Policy (Policy) of Gatsheni Advisory (Proprietary) Limited (GA) and is designed to inform organizational practices which will result in the protection of the personal information of its clients and/or customers, employees, director, contractors, suppliers, consultants, and all stakeholders.

1.2 GA is committed to protecting its Data Subjects' privacy of Personal Information and ensuring that their Personal Information is used appropriately, transparently, securely and in accordance with applicable laws.

2. Scope of Application

2.1 The Privacy of Personal Information Policy (Policy) is applicable to GA's clients and/or customers, employees, director, contractors, suppliers, consultants, and all stakeholders.

3. Objective

3.1 In conducting its business activities in various jurisdictions, GA processes (including collecting, using, storing, disseminating and disposing of) the Personal Information of clients, employees, contractors, suppliers, consultants, and/or other stakeholders. The objective of this Policy is to regulate GA's processing of the Personal Information of such clients, employees, contractors, suppliers, consultants, and/or other stakeholders to ensure that it is done in a manner that complies with POPIA.

4. Legal Framework and References

4.1 The following provides the legal framework and references to this policy:

Type	Title	Applicable Section
Act	Constitution of the Republic of South Africa, 1996	Section 14
Act	Protection of Personal Information Act, 2013	Various
Act	Promotion of Access to Information Act, 2000	Various



5. Definitions

Term / Abbreviation / Acronym	Definition
Data Subject	means the person to whom Personal Information applies, such as but not limited to, clients and/or customers, employees, director, contractors, suppliers, consultants, and all stakeholder's personal information.
Operator	means a person who processes Personal Information on behalf of GA in terms of a contract or mandate, without coming under the direct authority of GA. For all intents and purposes, most if not all service providers will fall within the scope of this definition.
PAIA	means the Promotion of Access to Information Act, 2000.
Person	means a natural person or a juristic person.
Personal Information	is information that identifies you as an individual, and includes: • Information relating to your 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; • Information relating to medical (including biometrics), financial, criminal or employment history; • Biometric information; • Correspondence sent by a person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence; • Any identifying number symbol, e-mail address, telephone number, location information, or online identifier; • The name of a 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.



Policy	means this Privacy of Personal Information Policy.
POPIA	means the Protection of Personal Information Act, 2013 read with the Regulations thereto.
Processing	means any activity concerning personal information including collection, receipt, recording, organisation, collation, storage, updating, modification, retrieval, alteration, consultation or use, dissemination by means of transmission, distribution, merging, linking, restriction, degradation, erasure, or destruction of information;
Regulator	means the Information Regulator established in terms of POPIA.
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.
Website	means the GA's website located at https://www.gatsheniadvisory.co.za

6. Policy

6.1 THE 8 CONDITIONS FOR THE LAWFUL PROCESSING OF PERSONAL INFORMATION

6.1.1 GA commits itself to aligning its processing activities with the POPIA 8 conditions for the lawful processing of personal information. These conditions are as follows:

- **Accountability:** all processing activities must align with the 8 conditions.
- **Processing limitation:** processing must be lawful, reasonable, and not excessive (where Personal Information is required by GA, but not used for any clear purpose, the request for that Personal Information becomes excessive).
- **Purpose specification:** processing must be for a specific and explicitly defined purpose.



- **Further processing limitation:** further processing of Personal Information (sharing amongst colleagues in different disciplines within GA), must be compatible with the purpose which the Personal Information was initially collected for.
- **Information quality:** Personal Information must be updated, complete, accurate and not misleading.
- **Openness:** GA must obtain documentation of all its processing Operations (evidenced by PAIA Manual).
- **Security safeguards:** GA must secure the confidentiality of personal information in its possession by taking reasonable technical and organizational measures to prevent loss of unauthorized destruction of personal information.
- **Data subject participation:** a Data Subject should at any time be able to make a request to GA for it to disclose the Personal Information that it has about that Data Subject, and if applicable, which third parties have had access to that information, for what purpose.

6.2 **PERSONAL INFORMATION COLLECTED**

6.2.1 GA may process personal information:

- to provide services to clients and/or customers;
- to comply with legal or regulatory obligations;
- if a Data Subject has provided their consent; or
- if the processing is allowed by law.

6.2.2 The purposes for which GA processes personal information include, but are not limited to:

- marketing and promotion of the GA's services;
- providing and improving services to clients and/or customers;



- improving users' experience when using GA's websites;
- communicating with persons for GA internal purposes;
- enabling the GA's internal operations.

6.3 USAGE OF PERSONAL INFORMATION

6.3.1 The Data Subject's personal information will only be used for the purpose for which it was collected and as agreed. As a rule, GA only processes Personal Information of Data Subjects to facilitate the rendering of services in the case of clients and/or customers.

6.3.2 In the case of Data Subjects who are employees of GA, Personal Information is only collected pursuant to operating and managing an organization of the nature and scope of GA.

6.4 DISCLOSURE OF PERSONAL INFORMATION

6.4.1 GA will not share the personal information of a Data Subject with other organisations (including service providers or Operators), or anyone else unless that disclosure:

6.4.1.1 has been consented to by the Data Subject; or

6.4.1.2 is for a purpose(s) consistent with the purpose for which the personal information was initially collected; or

6.4.1.3 is pursuant to an obligation in terms of the law; or

6.4.1.4 may be deemed necessary to protect GA's rights at law.

6.4.2 GA will not be responsible for the security of Personal Information shared by Data Subject's on GA's social media channels. GA will only utilise the information in accordance with this Policy but cannot be responsible for other users collecting and utilising Personal Information made available on these platforms.

6.5 SAFEGUARDING OF PERSONAL INFORMATION



- 6.5.1 It is a requirement in terms of POPIA for GA to adequately protect Personal Information that GA collects. GA takes all reasonable steps to protect and avoid unauthorised access to personal information. It has implemented various policies, procedures and software to safeguard personal information and routinely reviews its operations to ensure that personal information is adequately protected.
- 6.5.2 Security controls have been implemented to minimise the risk of loss, unauthorised access, disclosure, interference, modification or destruction of personal information.
- 6.5.3 Further GA employs appropriate, reasonable technical and organisational measures to prevent loss of, damage to or unauthorised destruction of personal information and unlawful access to or processing of personal information. These information security measures include but are not limited to access control, firewalls, Anti-virus and Anti-malware Solutions, data backups, and others.
- 6.5.4 GA continuously reviews and tests the security controls to mitigate the risk of cyber-attacks.

6.6 **THIRD PARTY OPERATORS**

- 6.6.1 GA ensures that the following standards are met by all its Operators:
- a) Personal information can only be processed by way of a written agreement entered into by the Operator and GA.
 - b) Operators must treat personal information that comes to their knowledge as confidential and must not disclose it to anybody unless required by law and GA has provided prior written consent thereto.
 - c) A written undertaking must be given by the Operator, to the effect that it has systems, processes, and policies in place to ensure that it prevents the unlawful accessing, loss of and/or damage to Personal Information.



- d) A warranty must be provided by the Operator that it has the safety and security measures referred to in section 19 (Security measures on integrity and confidentiality of personal information) of POPIA.
- e) If there are reasonable grounds to believe that the Personal Information in the control of the Operator has been accessed without authorisation, the Operator must immediately notify GA.

6.7 ACCESS AND CORRECTION OF PERSONAL INFORMATION

- 6.7.1 Data Subjects have a right to access the Personal Information GA holds about them, and have the right to ask GA to update, correct or delete their Personal Information on reasonable grounds. Once a Data Subject objects to the processing of their Personal Information, GA may no longer process said Personal Information. GA will take all reasonable steps to confirm the Data Subject's identity before providing details of their Personal Information or making changes to their Personal Information.
- 6.7.2 The rights of Data Subjects to access their Personal Information held by GA shall always be subject to compliance with PAIA.

6.8 ARCHIVING AND DESTRUCTION OF RECORDS

- 6.8.1 All archiving and destruction of records containing Personal Information shall be subject to GA's operational requirements, applicable legislation, POPIA, PAIA, and the relevant guidance contained in the SAICA Retention Guide. As a rule, records containing Personal Information must not be kept for longer than what is necessary for use.
- 6.8.2 All records which require destruction must be sought via the Information Officer who will facilitate the approval process.
- 6.8.3 Records may be destroyed after the termination of the retention periods prescribed by legislation. Each employee within the GA is responsible for initiating the



procedure for the destruction of records containing personal information, which are no-longer required.

6.8.4 Files containing Personal Information must be checked to ensure they may be destroyed.

6.8.5 Subject to being authorized, records containing Personal Information may also be stored off site, in storage facilities approved by the Director of GA.

6.9 TRANSFER OF PERSONAL INFORMATION

6.9.1 GA may from time to time, in the execution of its mandate, need to transfer personal information of data subjects with third parties in other countries. GA shall ensure that it complies with POPIA in the dissemination of such information. Such transfer will only be done if one of the following requirements are met:

- a) the foreign recipients of personal information are subject to a law, binding corporate rule, or a binding agreement which contains provisions substantially similar to POPIA concerning the processing and transfer of personal information.
- b) the data subject consents to the transfer; or
- c) The transfer is necessary for the performance of a contract between the data subject and the responsible party; or
- d) The transfer is necessary for the performance of a contract concluded in the interest of the data subject between the responsible party and the third party; or
- e) The transfer is for the benefit of the data subject, and it is not practical to obtain the consent of the data subject.

6.10 USE OF COOKIES

6.10.1 GA website uses “cookies” to help Data Subjects personalize their online experiences. A cookie is a text file that is placed on your hard drive by a web page



server. Cookies cannot be used to run programs or deliver viruses to Data Subjects' computers. Cookies are uniquely assigned to each Data Subject and can only be read by a web server in the domain that issued the cookie to that Data Subject.

6.10.2 One of the primary purposes of cookies is to provide a convenience feature to save each Data Subject time. Furthermore, the purpose of a cookie is to tell the web server that you have returned to a specific page. For example, if you personalize GA pages, or register with GA sites or services, a cookie helps GA recall your specific information on subsequent visits. This simplifies the process of recording personal information. When a Data Subject returns to the same GA's website, the information previously provided by the Data Subject can be retrieved without the Data Subject having to complete that same information anew.

6.10.3 Data Subjects may accept or decline the use of cookies, using the relevant prompts appearing on the website.

6.11 COMPLAINTS PROCEDURE

6.11.1 A Data Subject may complain about a suspected breach of its Personal Information in terms of POPIA, by submitting the complaint in writing to GA's Deputy Information Officer, using the contact details provided below. Any complaint must set out in as much detail as possible all the relevant particulars relating to the complaint.

6.11.2 GA will revert as soon as reasonably possible on whether it will investigate the complaint, and if applicable, any further particulars that the complainant is required to submit to GA, to aid the investigation process. GA will also provide an estimate on the number of days that it may require to complete the investigation.

6.11.3 If the Data Subject is not satisfied with the outcomes, the Data Subject has the right to lodge a complaint with the Information Regulator, using the contact details below:

Email address: complaints.IR@justice.gov.za



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

6.12 ***GA DEPUTY INFORMATION OFFICER'S CONTACT DETAILS***

6.12.1 The Managing Director is GA's Information whose details are as follows:

Email address: stevenn@gatsheniadvisory.co.za

Telephone number: 074 854 3354

Fax number:

Office Address: 44 Morris Avenue,
Blairgowrie, Randburg,
Johannesburg,
2194

Website: www.gatsheniadvisory.co.za