

FRONEMAN ROUX & STREICHER ATTORNEYS INCORPORATED PRIVACY POLICY

Froneman Roux & Streicher Attorneys (FR&S) respects your right to the protection of your personal information. This Privacy Policy explains how we collect, manage, use, disclose and store this information. In this Privacy Policy, personal information, as defined in the Protection of Personal Information Act 4 of 2013 (POPI Act), means:

information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to—

- a) information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;
- b) information relating to the education or the medical, financial, criminal or employment history of the person;
- c) any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
- d) the biometric information of the person;
- e) the personal opinions, views or preferences of the person;
- f) correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
- g) the views or opinions of another individual about the person; and 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.

What we collect and how we collect it

We collect information, such as:

- **IF THE PROPERTY IS REGISTERED / IS TO BE REGISTERED IN YOUR OWN NAME:**
 1. Copy of your identity document
 2. If married in community of property – copy of your spouse's identity document as well
 3. Proof of income tax number for all owners
 4. Proof of residential address for all owners (not older than 2 months)
 5. Marriage certificate (if not married – please state a such)
 6. Ante nuptial contract (if married out of community of property)
 7. Please indicate for which purposes the property was/will be utilised?
 8. Home loan account number of existing bond over property

- **IF THE PROPERTY IS REGISTERED / IS TO BE REGISTERED IN THE NAME OF A COMPANY:**
 1. Copy of identity document of all directors
 2. Proof of residential address of all directors (not older than 3 months)
 3. Company documents (Memorandum of incorporation)
 4. Proof of income tax number of the company
 5. Proof of VAT number of Company (If not registered for VAT, please state as such)

6. Letter from auditor/accountant confirming the **postal** address and **registered** address and **business** address of the Company, as well as the full names of the directors and the full names of the Share Holders and their % of shareholding.
 7. Confirmation whether or not this property is or will be the only/major asset of the Company.
 8. Please indicate for which purposes the property was/will be utilised?
 9. Home loan account number of existing bond over property
- **IF THE PROPERTY IS REGISTERED / IS TO BE REGISTERED IN THE NAME OF A CC:**
 1. Copy of identity document of all members
 2. Proof of residential address of all members (not older than 3 months)
 3. CC document (CK1 and CK2)
 4. Proof of income tax number of the cc
 5. Proof of VAT number of CC. (If not registered for VAT, please state as such)
 6. Letter from auditor/accountant confirming the **postal** address and **registered** address and **business** address of the CC, as well as the full names of members and the % of membership held by each member.
 7. Confirmation whether or not this property is or will be the only/major asset of the CC.
 8. Please indicate for which purposes the property was/will be utilised?
 9. Home loan account number of existing bond over property
 - **IF THE PROPERTY IS REGISTERED / IS TO BE REGISTERED IN THE NAME OF A TRUST:**
 1. Copy of identity document of all Trustees
 2. Proof of residential address of all Trustees (not older than 3 months)
 3. Letter of Authority
 4. Trust Deed (complete document please)
 5. Proof of income tax number of the Trust
 6. Proof of VAT number of the Trust (If not registered for VAT, please state as such)
 7. Letter from auditor/accountant confirming the **postal** address and **registered** address and **business** address of the Trust, as well as the full names of the Trustees.
 8. Please indicate for which purposes the property is/will be utilised?
 9. Home loan account number of existing bond over property

The personal information we actually collect varies depending on the purposes for which it was collected. It is our usual practice to collect personal information directly from the individual. We collect data and process data when you:

- Appoint us as your Attorney to provide legal services;
- Apply for employment with FR&S;
- Use or view our website via your browser's cookies.

From time to time, we may also collect personal information from publicly available sources such as telephone directories or mailing lists, provided that the collection is conducted in a fair and lawful manner, the information is reasonably necessary for our functions or activities and it would be impracticable or unreasonable for us to collect the information from you. We may also collect anonymous traffic data on our website to improve our services and personalise our advertising.

Why we collect your personal information and how we use it

We only collect, use and disclose personal information where that information is reasonably necessary for purposes which are directly related to one or more of our functions or activities.

These include:

- Recruitment of staff;
- Provision of our services;
- Marketing activities

For the purposes of the Protection of Personal Information Act 4 of 2013, we collect, use and disclosure your personal information on the basis that it is necessary for:

- the provision of legal services to you; and
- the performance of a contract or intended contract which you are a party to; and
- our legitimate interest in processing employee information.

MARKETING

FR&S would like to send you information about our offerings and activities that we think you might like.

If you have agreed to receive marketing, you may always opt out at a later date, and we shall always provide you the option to unsubscribe.

You have the right at any time to stop us from contacting you for marketing purposes.

If you no longer wish to be contacted for marketing purposes, please contact us using the details below.

OTHER USES

We use your information to provide you legal services, to advise you on how your matter is progressing, and to keep you updated on your matter. We also use information provided to us to process employment applications. We may use your personal information to send you direct marketing materials. Where you no longer wish to receive direct marketing materials from us in future, you may contact us at any time using the contact details provided below. Where we have facilitated direct marketing to you from personal information, we have obtained from a third party, you may also request we disclose the original source of the information.

You may request at any time that you remain anonymous when dealing with us or use a pseudonym, and to the extent that it is lawful and practicable for us to enable you to do so, we will accommodate that request. However, if personal information is not provided in full where we have indicated that it is required or when it is otherwise requested, we may not be able to provide services to you, recruit you as an employee, and our employees, contractors and consultants may not be able to provide services to you, either in an effective manner or at all.

Disclosure

We only disclose personal information for the purposes for which it was given to us, or for purposes which are directly related to one of our functions or activities, unless required to disclose it by law, unless we have your consent, or unless one of the following situations apply:

TRANSFER WITHIN FR&S FOR THE RECRUITMENT OF STAFF

In the course of recruitment, personal information may be transferred between departments within the Company to facilitate the recruitment process. This personal information may also include your health information, which is sensitive information for the purposes of the POPI Act. We will not disclose your health information without your consent, unless the disclosure is directly related to the purpose of collection. Furthermore, we will take all reasonable steps to ensure that FR&S's various department and managers will comply with the POPI Act and this Privacy Policy when they handle your personal information and are only authorised to use your personal information for the purpose for which it was collected.

OUTSOURCING

We may also use external service providers to provide us with certain outsourced services, such as helping us with our Marketing, Internet Technology Services, Payroll and Courier Services. These service providers are required to sign confidentiality agreements to maintain the privacy of your information and we only disclose your personal information to them to the extent necessary for them to perform the services we have requested. Some of these external service providers may be based overseas.

Where we do provide your personal information to such external service providers, we will take all reasonable steps to ensure that those external service providers comply with the POPI Act and this Privacy Policy when they handle your personal information and are only authorised to use your personal information for the purpose for which it was collected.

We do not give information about you to government agencies, organisations or anyone else unless one of the following applies:

- you have consented;
- you would expect us to or we have told you we will;
- we are required to by law;
- we believe on reasonable grounds that disclosure is required to prevent or lessen significant risk to your life or physical, mental or emotional health or that of another person;
- we take appropriate action in relation to a reasonable suspicion of unlawful activity, or misconduct of a serious nature, that relates to our functions or activities;
- disclosure is required to assist any entity, body or person to locate a person who has been reported as missing;
- disclosure is made for the purpose of establishing, exercising or defending a legal or equitable claim; or
- disclosure is made for the purposes of a confidential alternative dispute resolution process.

We will never sell your personal information to a third party.

PROFILING

We (or our service providers on our behalf) may collate information about you and your preferences, and evaluate certain things about you, to create a profile to personalise our communication and interaction with you.

We (or our service providers on our behalf) may also use personal information to identify market segments and use that information for data analytics and direct marketing.

We do not engage in any automated profiling which may result in decisions having a legal or similar material impact on you.

DATA ANALYTICS

We (or our service providers on our behalf) may use your name, street address, email address and phone number to conduct data analytics, including the creation of lookalike audiences.

We use the results of data analytics for a range of purposes, including marketing, product and service development, and policy development.

In conducting such data analytics, we will also collect personal information about others from our third party service providers.

We do not use sensitive information for data analytics.

OTHER CIRCUMSTANCES

In limited circumstances, our employees, consultants and contractors may collect personal information from you in relation to specific services that are being or will be provided by us. We will only collect this information with your consent and will provide an additional statement to you about our collection, use, storage and disclosure of such information.

INFORMATION QUALITY, ACCESS AND CORRECTION

We take reasonable steps to make sure that the personal information we collect is accurate, complete and up-to-date. These steps include maintaining and updating personal information when we are advised by individuals that their personal information has changed and at other times as necessary.

You are in control of any personal information you provide to us.

If at any time, you would like to correct the personal information we have about you or if you would like to change your preferences for contact from us, you can let us know by contacting us at the email or postal addresses listed below.

You can access the personal information we currently hold about you or request that we change that personal information at any time. We endeavour to respond to any such request within a reasonable period. We will allow access or make the changes unless we consider that there is a sound reason under the POPI Act or other relevant law to withhold the information. If we cannot agree to make requested changes to personal information, we will provide you a written notice which sets out the reasons for our refusal and the mechanisms available to complain about the refusal.

We will attach this statement to our records. You may also request access to personal information we hold about you in archive for legal and administrative reasons, which are not current records [but if you do, we may charge you a reasonable fee for the cost of providing access if it is relevant].

There is no cost associated with making a request for access to or correction of your personal information [but there may be a cost associated with accessing that personal information]. You can obtain further information about how to request access or changes to the information we hold about you by contacting us (see details below).

If you wish to allow another person to access your details (e.g. family member) you need to notify us in writing and it will be noted on your record.

You have the right to withdraw your consent to the processing of your personal information. By withdrawing consent, this will not affect the lawfulness of processing based on consent prior to it being withdrawn.

In some cases, you may have the right to access any data we used as input to create a profile about you, as well as the profile itself.

INFORMATION SECURITY

We take reasonable steps to protect the personal information we hold from misuse, interference, loss, unauthorised access, modification or disclosure.

These steps include a properly configured firewall, encrypted transmission of electronic data where required/appropriate, up-to-date anti-virus software, regular monitoring of all network traffic and strict access control policies on electronic data. There is also securing of paper files in locked cabinets and physical access restriction to these files.

When no longer required, personal information is destroyed in a secure manner or deleted.

SPECIFIC INFORMATION COLLECTION DETAILS

This section further details the specific methods of personal information collection we undertake and how that information is used.

CLIENT INFORMATION

We collect personal information from client's in order to provide services to them and to send out periodic mailings relating to our work.

This personal information may include:

- Name and address
- Your date of birth
- Identity number
- Telephone/e-mail contact details
- Credit card and/or bank account details
- Employment history
- Credit check information
- Company details
- Company address
- Company registration number

We also use the information to customise and send electronic communications as well as to draw reports on this communication.

STAFF INFORMATION

We collect personal information from applicants for work and referees to enable the recruitment/ongoing employment process, to contact relatives/friends in the case of a health/security incident and to send out periodic mailings relating to our work in the field and internal events. We only collect health information after the applicant consents to the collection as part of the application form for field work. In circumstances where the applicant refuses to provide such a consent, the applicant will not be considered for work in operations.

This information may include:

- Name, address, date of birth, telephone/e-mail contact details (including next of kin and emergency contacts)
- Bank account details
- Passport details
- Employment history
- Police reports
- Educational history
- Health information (only that which is relevant to field work)
- Contact log
- Information pertaining to your employment references
- Driver's licence or other secondary form of identification
- Professional registrations
- Travel history, where relevant to field work (e.g. for visas)
- Occasionally social media may be used to assist in assessing an application for field work.

Employment applications may be retained in the event that they are unsuccessful for the purpose of their consideration in future roles that may become available.

COOKIES

What are cookies?

Cookies are text files placed on your computer to collect standard internet log information and visitor behaviour information. When you visit our websites, we may collect information from you automatically through cookies or similar technology.

For further information, visit allaboutcookies.org.

How do we use cookies?

FR&S may use cookies in a range of ways to improve your experience on our website, including:

- To collect non-identifying statistical information on how many people visit our website, what country/city/region they are from, which browser/operating system they are using and pages viewed on the website
- To allow functionality for the user within our website
- Keeping you signed in
- For use of third party advertising or social media services to enable tracking and retargeting for online marketing material. We have Google and Facebook tags that collect cookies for our digital advertising activity. We then show remarketing ads to people that have visited our website.

By using this site, you agree that we may place these types of cookies on your device.

What types of cookies do we use?

There are a number of different types of cookies, however, our website may use:

- **Functionality** - FR&S may use these cookies so that we recognize you on our website and remember your previously selected preferences. These could include what language you prefer and location you are in. A mix of first-party and third-party cookies are used.
- **Advertising** - FR&S may use these cookies to collect information about your visit to our website, the content you viewed, the links you followed and information about your browser, device, and your IP address. FR&S sometimes shares some limited aspects of this data with third parties for advertising purposes. We may also share online data collected through cookies with our advertising partners. This means that when you visit another website, you may be shown advertising based on your browsing patterns on our website.

How to manage cookies

You can set your browser not to accept cookies, and the above website tells you how to remove cookies from your browser. However, in a few cases, some of our website features may not function as a result.

WHAT RIGHTS DO YOU HAVE?

In addition to any other rights identified in this Policy, you have the right to ask us to delete or restrict (stop any active) processing of your personal data; and to obtain the personal data you provide to us for a contract or with your consent in a structured, machine readable format, and to ask us to share (port) this data to another controller.

We would like to make sure that you are aware of the following rights that you have:

- **The right to access** - You have the right to request FR&S for copies of your personal data. We may charge you a small fee for this service.
- **The right to rectification** - You have the right to request that FR&S correct any information you believe is inaccurate. You also have the right to request FR&S to complete information you believe is incomplete.
- **The right to erasure** - You have the right to request that FR&S erase your personal data, under certain conditions.
- **The right to restrict processing** - You have the right to request that FR&S restrict the processing of your personal data, under certain conditions.
- **The right to data portability** - You have the right to request that R FR&S transfer the data that we have collected to another organization, or directly to you, under certain conditions.

In addition, you can object to the processing of your personal data in some circumstances (in particular, where we don't have to process the data to meet a contractual or other legal requirement, or where we are using the data for profiling, data analytics, or direct marketing).

These rights may be limited, for example if fulfilling your request would reveal personal data about another person, or if you ask us to delete information which we are required by law to keep or have compelling legitimate interests in keeping.

To exercise any of these rights, you can get in touch with us using the details set out below. If you have unresolved concerns, you have the right to complain to the Information Regulator (South Africa).

To the extent that there is no conflict and that the level of protection of the individual is higher under European law, we will look to apply the higher standard because of the importance we place on protecting individuals' right to privacy, regardless of nationality or location.

CONTACT US

Questions/complaints about privacy:

- Call 012 667 6158
- By e-mail to Elizca Roux [-elizca@frands.co.za](mailto:elizca@frands.co.za)
- Mail us at Privacy Officer, Froneman, Roux and Streicher Attorneys - Postnet Suite 74, Private Bag X 1028, Lyttleton, 0140
- We will endeavour to respond to complaints within 14 days of their receipt. If you are dissatisfied with our response, you may refer the matter to the Information Regulator (South Africa) (see justice.gov.za/inforeg).

For more information please contact our office:

Street address

Froneman, Roux and Streicher Attorneys
Cnr. Lupin St.& Protea Ave,
Soetdoring Building, 2nd Floor, Suite 207, Doringkloof

This Privacy Policy may change from time to time.

This policy was last updated on 16/04/2021