

PRIVACY NOTICE

INTRODUCTION

This privacy notice explains how we process the personal information we collect from you and also informs you of your rights in terms of the Protection of Personal Information Act, Act No. 4 of 2013 (“POPIA”). You have the right to be notified that your personal information is being collected, which is why this privacy notice has been brought to your attention and is important to you.

Important: If you use our services and products, you agree that we may process your personal information as explained under this Privacy Statement. In the relevant agreement or terms and conditions pertaining to those services and products, you may provide us with your consent to process your personal information and agree that we may process it for the purposes as described in such agreement or terms and conditions (in addition to the purposes described in this privacy statement).

RESPONSIBLE PARTY

Our Representative that collected personal information from you or that determined the purpose for the processing of your personal information will be the responsible party for your personal information. We are responsible that your personal information is processed in compliance with the conditions for lawful processing set out in POPIA.

If you have any questions or wish to complain about the processing of your personal information, or if you wish to exercise any of your rights as a data subject, you can contact us at the contact details provided.

WHAT PERSONAL INFORMATION DO WE COLLECT?

Personal information is defined in POPIA and means information relating to an identifiable, living natural person, and where it is applicable, an identifiable, existing juristic person. We “process” your personal information if we collect, use, store, make available, destroy, update, disclose, receive or otherwise deal with your personal information.

Depending on the type of business we conduct with you or the relationship you have with us, we may process the following types of personal information:

- name
- race (for employment purposes or as otherwise required by applicable law)
- gender

- marital status
- nationality
- age
- language preference
- date of birth
- information relating to education, financial, criminal or employment history of a person
- identifying numbers such as identity or passport number, tax identification numbers or tax reference numbers
- e-mail address
- physical address
- telephone number

FOR WHAT PURPOSE DO WE COLLECT PERSONAL INFORMATION?

In order for us to provide clients with the products and services they have requested and to notify them of important changes to such products and services, we need to collect, use and disclose the personal information of clients, their representatives, controlling persons of entities, business contacts, staff of clients and service providers. We collect and use personal information in order to conclude a contract with clients and to carry out the obligations in terms of that contract and complying with instructions and requests. We also process contact information so that we can report to clients and keep clients informed of the status of any instruction.

We may use your personal information to pursue our legitimate interests such as to compile reports, to comply with requests for information from any internal or external auditor, or any regulatory or supervisory body, or to correspond with you.

You may refuse to provide us with your personal information in which case it is likely that we will not be able to provide you with a relevant service. The supply of certain items of personal information, especially those collected to comply with regulation, is legally mandatory.

We may further process your information if it is compatible with the purpose for which it was collected, for instance to:

- Evaluate your application for products and services;

- Evaluate your current and future needs and to suggest further products or services to you;
- Evaluate and improve the effectiveness of our business and products, services and offerings;
- Conduct market research and provide you with information about our products and services from time to time via email, telephone or other means (for example invite you to events);
- Process your marketing preferences (where you have unsubscribed from certain direct marketing communications, keeping a record of your information and request to ensure that we do not send such direct marketing to you again);
- For operational purposes;
- Verify your identity for security purposes;
- Meet legal and regulatory requirements or industry codes to which we may be subject, for example comply with a lawful request for information received from a local or foreign law enforcement agency, court, government or tax collection agency;
- Use in connection with legal proceedings;
- Conduct our internal audit (including security) functions which allow us to monitor our systems and processes. This protects us and you from fraud, identity theft and unauthorised access;
- Conduct statistical and any operational, marketing, auditing, legal and record-keeping requirements;
- Detect and prevent any fraud and money laundering and/or in the interest of security and crime prevention;
- Assess and resolve any complaint;
- Perform any risk analysis or for purposes of risk management to you or our business in general;
- Record and/or monitor and have access to your telephone calls (i.e. voice recordings), correspondence and electronic communications to/with us (or any of our employees, agents or contractors) in order to accurately carry out your instructions and requests, to use as evidence and in the interests of crime prevention;

- Trace your contact information through a tracing agent if you are uncontactable and/or to comply with any regulation; and
- Prevent or control the spread of any disease.

HOW DO WE COLLECT YOUR PERSONAL INFORMATION?

Directly from the data subject:

We will not collect your personal information without your consent, except where it is required or permitted by law. We collect most of the personal information we process directly from the data subject or an authorised representative of the data subject, for example when an application form or client take-on form is completed or any mandate is concluded.

From third party sources:

We also collect or process personal information we obtain from third party sources or sources in the public domain. This may include, but is not limited to:

- client due diligence tools, and through identity verification and bank verification processes;
- sanction screening tools (which may include any sanction list we may determine in our sole discretion);
- collection of personal information by requesting information on source of funds or source of wealth,
- credit and fraud checks;
- consumer credit information as defined in the National Credit Act, Act No. 34 of 2005 from registered credit bureaux;
- tracing agents;
- personal information as required for the purposes of forensic investigations of whatsoever nature.

WHO RECEIVES YOUR PERSONAL INFORMATION?

The services we provide are of such a nature that it is often necessary that personal information needs to be shared with or transferred to third parties in order to perform our services to clients. This may be implicit in the service or because you requested us to transfer the personal information to the third party. We also need to transfer personal information to third parties from time to time for legal or regulatory reasons. We may disclose your personal information to

third parties for reasons set out in this privacy statement or where it is not unlawful to do so.

We may, depending on the type of service, transfer personal information to: an auditor, a compliance officer, a tax administrator, a legal advisor, a service provider providing administrative support services or accounting services to you or us.

MARKETING

We may contact you from time to time to inform you of similar services or products to the ones you are contracted for and that we think you may be interested in. We may also provide you with newsletters and market insights as part of our value-added client experience.

You may object to us processing your information for marketing purposes. You can unsubscribe from direct marketing by following the steps set out in the direct marketing you received or contacting the relevant contact person.

YOUR RIGHTS AS A DATA SUBJECT

You have the right to have your personal information processed in accordance with the conditions for the lawful processing of personal information as set out in POPIA. You also have the rights as set out below which we need to make you aware of.

Right of access

In terms of section 23 of POPIA, you are entitled to request us to:

- confirm, free of charge, whether or not we hold personal information about you.
- provide a record or a description of the personal information we hold, including information about the identity of all the third parties, or categories of third parties who have, or have had, access to the personal information.

You will need to provide us with adequate proof of identity before we respond to a request. If you request a record, we will respond within a reasonable time. We may charge a fee under applicable law for providing copies of records to you.

Right to request correction or deletion

You may request us, in terms of section 24 of POPIA, to correct or delete personal information in our possession or under our control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully.

You may also request us to destroy or delete a record of personal information about you that we are no longer authorised to retain.

We will as soon as reasonably practicable correct, destroy or delete, as the case may be – unless we are required or entitled under applicable laws to keep the information and inform you that we have done so.

If we do not believe that the information requires correction, we will provide you with credible evidence in support of the information. If we cannot reach agreement with you, you may request us to attach to the information we hold the request for correction so that it can be read together.

Right to object to processing

Where we process your information to protect your legitimate interest or to pursue the legitimate interest of a third party to whom the information is supplied or our own legitimate interest, you may object at any time to the processing of your personal information for these purposes, on reasonable grounds relating to your situation, unless applicable law provides for such processing.

You may also object at any time to the processing of your personal information for purposes of direct marketing or the receipt of direct marketing through unsolicited electronic communication.

Remedies for data subjects

You have the right to complain to the Information Regulator as set out below.

HOW LONG DO WE RETAIN YOUR PERSONAL INFORMATION?

We generally only keep your personal information on our records for as long as we need it to provide you with services and to meet legal requirements related to record-keeping.

We will keep your personal information for as long as:

- the law requires us to keep it;
- a contract we have with you requires us to keep it;
- you have consented to us keeping it;
- we reasonably require it to achieve purposes set out in our contract with you or this policy;
- we require it for our lawful business purposes.

We may also keep your personal information for historical, statistical or research purposes if appropriate safeguards are in place. We may keep your personal information for longer if there is litigation or an investigation, or any tax or regulatory query.

If we have to keep information for longer periods than set out above (for example if it cannot be safely destructed), we will only process it for purposes of storage or for purposes of proof. We will also restrict access and processing of such information.

SECURITY BREACHES

In the event of a security compromise where your personal information has been accessed or acquired by an unauthorised person, we will notify you directly as soon possible as provided for in POPIA.

AUTOMATED DECISION MAKING

An automated decision is when your personal information is analysed to form a profile of a person or category of persons to make a decision without human intervention. We do not make automated decisions.

USE OF WEBSITE (WHERE APPLICABLE)

Log files

When you visit our website, even if you do not create an account, we may collect information. This information is aggregated and anonymous data and does not identify you specifically. However, you acknowledge that this data may be able to be used to identify you if it is aggregated with other personal information that you supply to us. This information is not shared with third parties. Any individually identifiable information related to this data will never be used in any way different to that stated above, without your explicit permission.

THE INFORMATION REGULATOR

You may complain to the Information Regulator. Any person may submit a complaint to the Information Regulatory in the prescribed manner and form alleging interference with the protection of the personal information of a data subject. A data subject may also submit a complaint in respect of a determination of an adjudicator.

The address of the Information Regulator is as follows:

The Information Regulator (South Africa)

33 Hoofd Street

Forum III, 3rd Floor Braampark

PO Box 31533

Braamfontein, Johannesburg, 2017

Complaints email: complaints.IR@justice.gov.za

General enquiries email: inforeg@justice.gov.za

UPDATES TO THIS PRIVACY STATEMENT

This privacy statement is dated as of 1 July 2021. We may update the privacy statement from time to time. The current privacy statement will be available upon request from our office.

AASYS PTY LTD

Name of Information Officer:

Susan Walunda

Contact details of Information Officer:

011 781 2293/4

susan@aasys.co.za