

## **PRIVACY POLICY:**

### **SCHEDULE**

#### **1.1. The Organisation**

Van Staden Terblanche Incorporated

#### **1.2. Registration number**

2023/67752/21

#### **1.3. VAT registration number**

TBA

#### **1.4. Physical address**

3 Sunninghill Park, Westering, Gqeberha

#### **1.5. Email address**

marli@vstlaw.co.za

#### **1.6. Website address**

TBA

### **2. BACKGROUND**

Van Staden Terblanche Inc. is dedicated to safeguarding your personal information and will process it in strict accordance with the Protection of Personal Information Act 4 of 2013 (POPIA).

### **3. DEFINING PERSONAL INFORMATION**

**3.1** For the purposes of this notice, "personal information" refers to any data that can identify an individual or a legal entity (such as a registered company).

**3.2** In accordance with the Protection of Personal Information Act (POPIA), "Personal Information" means all information which may be considered to be personal in nature or information about an identifiable natural and / or existing juristic person (where applicable) in terms of the Electronic Communications and Transactions Act 25 of 2002 ("ECTA"), the Consumer Protection Act 68 of 2008 ("CPA") and the Protection of Personal Information Act 4 of 2013 ("POPIA")

**3.3** Examples of personal information encompass, but are not confined to contact information, financial information, gender, age, religion, information relating to race, sexual orientation, physical or mental health, well-being, disability, culture, conscience, belief, language and birth of the person.

### **4. DEDICATION TO YOUR CONFIDENTIALITY**

**4.1.** We are committed to safeguarding your privacy and ensuring that your personal information is handled with the utmost care. Recognising the importance of your trust, we strive to be transparent and accountable in our data practices. This Privacy Policy ("Policy") forms an integral part of our standard terms and conditions and governs your use of the Website.

**4.2.** In the course of providing its services, Van Staden Terblanche Inc. may collect, utilise, and disclose Personal Information. Individuals from whom Van Staden Terblanche Inc collects such information can expect that it will be handled in a lawful and responsible manner. Van Staden Terblanche Inc. is committed to ensuring that any processing of Personal Information is conducted with the necessary consent, where required by applicable law, and in accordance with Van Staden Terblanche Inc. general privacy practices.

**4.3.** This Policy outlines Van Staden Terblanche Inc. approach to collecting, using, disclosing, and protecting Personal Information during the course of its business activities

### **5. OBTAINING CONSENT**

Van Staden Terblanche Inc. refrains from collecting, utilizing, or sharing your Personal Information without your explicit consent, unless permitted by applicable law.

## **6. WHICH PERSONAL DATA DOES THE ORGANISATION GATHER, AND FOR WHAT PURPOSES?**

In the course of its regular business activities, including through the use of its Website, Van Staden Terblanche Inc. may collect, utilise, and disclose Personal Information. Van Staden Terblanche Inc. ensures that such processing complies with the Protection of Personal Information Act, 2013 (POPIA) and is conducted for legitimate business purposes.

## **7. USE OF PERSONAL INFORMATION**

**7.1** We will utilize a client's personal information solely for the specific purpose for which it was collected. This includes delivering legal services to our clients until the agreed-upon mandate has been fulfilled.

**7.2** In accordance with Section 10 of the Protection of Personal Information Act (POPIA), personal information may only be processed under certain conditions. These conditions are as follows:

### **7.2.1 Client Consent:**

Processing of personal information is lawful when the client has provided explicit consent. Such consent may be obtained during the client's onboarding process and can be expressed in various forms, including verbal, written, tacit, or implied.

### **7.2.2 Necessity of Processing:**

The collection of personal information is essential for delivering legal services to clients and for marketing our legal services to them through emails and brochures.

### **7.2.3 Legal Obligation:**

Processing is conducted in compliance with legal obligations imposed on Van Staden Terblanche Inc. or is necessary to fulfill its mandate to clients.

### **7.2.4 Legitimate Interest of the Client:**

Processing serves to protect a legitimate interest of the client, such as ensuring access to comprehensive and appropriate legal services.

### **7.2.5 Provision of Quality Legal Services:**

Processing is necessary to provide clients with high-quality and suitable legal services. To achieve this, certain personal information from clients is required.

## **8. DISCLOSURE OF CLIENT PERSONAL INFORMATION**

**8.1.** Van Staden Terblanche Inc. operates its Website and conducts its business in full compliance with South African legislation, including the Protection of Personal Information Act, 2013 (POPIA). Recognising the constitutional right to privacy enshrined in Section 14 of the Constitution of the Republic of South Africa, Van Staden Terblanche Inc. is committed to safeguarding the privacy interests of data subjects in all aspects of its operations.

**8.2.** Should Van Staden Terblanche Inc. transfer Personal Information outside South Africa, including instances where such information is hosted offshore, it will take all reasonable steps to ensure compliance with applicable laws, including the Protection of Personal Information Act, 2013 (POPIA)

**8.3** Van Staden Terblanche Inc. may share clients' personal information with third parties and obtain information about clients from third parties, as necessary, to fulfill the purposes outlined in Sections 7.1 and 7.2 above.

**8.4** In property transactions where clients are buyers or sellers, clients authorize Van Staden Terblanche Inc. to disclose details of the property transaction, including the buyer's bond approval, to relevant parties involved in the transaction. These parties may include, but are not limited to, the other party to the transaction, their attorneys, bond originators, financial institutions, bond attorneys, cancellation attorneys, and, where applicable, any other parties related to the property transaction, to comply with any agreed-upon conditions in the deed of sale.

**8.5** Additionally, Van Staden Terblanche Inc. may share clients' personal information when legally required or permitted, or when necessary to protect its rights, fulfil its obligations, or effectively carry out its responsibilities to clients.

## **9. RETENTION OF PERSONAL INFORMATION**

All Personal Information stored in Van Staden Terblanche Inc. database, including data collected via the Website, is retained in compliance with applicable South African laws and regulations, notably the Protection of Personal Information Act, 2013 (POPIA). In accordance with Section 14 of POPIA, records of personal information must not be kept longer than necessary to achieve the purpose for which they were collected, unless retention is required or authorised by law, necessary for lawful purposes related to Van Staden Terblanche Inc. functions, required by contract, or consented to by the data subject. Once the retention period expires, Van Staden Terblanche Inc will take reasonable steps to destroy, delete, or de-identify the information in a manner that prevents its reconstruction in an intelligible form.

## **8. YOUR RIGHTS PERTAINING TO YOUR PERSONAL DATA**

**8.1.** You possess specific rights concerning your Personal Information, as outlined in POPIA.

**8.2.** You may contact Van Staden Terblanche Inc. at any time to request to review all personal information held by Van Staden Terblanche Inc. at any time to correct or update the information.

**8.3.** There may be circumstances where Van Staden Terblanche Inc. cannot grant access to your Personal Information, such as when:

- Granting access would interfere with the privacy of others; or
- It would result in a breach of confidentiality.

In such cases, Van Staden Terblanche Inc. will provide you with reasons for the denial.

**8.4** Please be aware that withdrawing your consent for Van Staden Terblanche Inc. to use certain Personal Information may impact the quality and level of service Van Staden Terblanche Inc. can provide to you.

## **9. SECURITY**

**9.1** Van Staden Terblanche Inc. has established a comprehensive security framework to protect your personal information, aligning with widely accepted information security standards and protocols. This framework encompasses both technical and organisational measures to ensure the confidentiality, integrity, and availability of your data.

**9.2** As part of our security infrastructure, we have implemented various protective technologies, including firewall systems, password authentication mechanisms, encryption protocols, and antivirus software. These measures are complemented by physical security controls to safeguard against unauthorised access, loss, or damage to personal information.

**9.3** Van Staden Terblanche Inc. enforces a strict security policy that mandates compliance from all employees, contractors, and third-party service providers. This policy ensures that all individuals handling personal information do so in a manner that upholds the highest standards of security and confidentiality.

## **10. EXTERNAL WEBSITES**

- Our Website may include links to external sites operated by third parties. Please be aware that these linked websites have their own terms of use and privacy policies, and we are not responsible for their content or practices. If you choose to visit any of these third-party websites, you do so at your own risk.

## **11. PRIVACY POLICY REVISIONS**

Van Staden Terblanche Inc. retains the exclusive right to revise, update, or modify this Policy at any time, with or without prior notice. We encourage you to review this Policy periodically to stay informed about any changes. Unless explicitly stated otherwise, any updated version of this Policy will supersede and replace all prior versions.

## **12. CONTACT INFORMATION**

Should you have any inquiries, concerns, or complaints regarding this Policy or the management of your personal information by Van Staden Terblanche Inc., please direct them to the email address specified in item 1.5 of the Schedule.