

THE PROTECTION OF PERSONAL INFORMATION ACT:

OUR DUTY TO YOU

Dear Client

The Protection of Personal Information Act (POPI) is now in operation and we need to comply. POPI regulates how we handle your personal information while we do our work.

POPI is intended to balance 2 competing interests, these are:

- Your constitutional right to privacy (which requires your personal information to be protected); and
- The needs of our society to have access to and to use your personal information for legitimate purposes, for example, to enable us to do our work for you.

POPI obliges us to inform you of our process, and that is the main purpose of this correspondence. If you wish to have greater insight into the way in which we implement POPI, you may click on this [LINK](#) to read our company's internal POPI Compliance Framework. So, without further ado, here is what you need to know:

THE COLLECTION AND PROCESSING OF PERSONAL INFORMATION

1. We will collect the majority of your personal information from yourself. Please cooperate with us when we do so. We will also collect your personal information from any intermediary that you might have used, for example, an estate agent or a bank, and from public records.
2. We will be collecting your personal information to enable us to fulfil the mandate that we have been given. This might be the transfer of a property; the registration of a mortgage bond; the drafting of a will or a contract; for litigation or for some other type of matter.
3. You are legally obliged to supply the information that we need to comply with the Financial Intelligence Centre Act (FICA). This information is required to combat money laundering and the financing of terrorism. Any other information that we ask for will be required to enable us to do our work. You have a choice as to whether you will supply us with this other information. Please note that if you fail to supply the information we ask for, we will not be able to do our work properly. In addition, this might place you in breach of contract.
4. We will be passing your personal information on to all the necessary authorities that require it for the purposes of doing their work which is related to what we are doing for you. For example, if you are buying a property, we will share your details with the deeds office, SARS, the municipality and the body corporate or home owners association (if your new property falls under such a community scheme).
5. You can rest assured that unless we are legally obliged to share your personal information, we will only share so much of your personal information as is needed by the authority that requires it, and we will only do so when it is necessary for us to do our work. In addition, all of our staff are bound by confidentiality clauses in their letters of employment.
6. If there is an international component to the work which we are doing for you, and if we are required to share your personal information with an overseas recipient, you are entitled to ask us how your personal information will be protected in this foreign country, and we will endeavor to assist you.
7. You have the right of access to your personal information and the right to correct any errors relating to the information that we have on record. In addition, you have the right to object to us continuing to process your personal information. In this regard, please note that if you do exercise this right, we will not be able to do our work properly. In addition, this might place you in breach of contract.
8. We are obliged by law to retain our records for a period of time after we have completed our work. During this period, your personal information will also remain protected. After this period has expired, your personal information will be destroyed in a way that de-identifies you.

THE SECURITY OF OUR SYSTEMS

9. On the issue of the transfer of personal information overseas, kindly note that our email server runs on Outlook 365 and the data is therefore stored in the "cloud", wherever that might be. This email infrastructure does however comply with rigorous security safeguards, including the General Data Protection Regulation (GDPR), which is standard in the European Union.
10. We are also using an internationally recognised Sophos Firewall to protect the data on our local servers, and we run antivirus protection every 8 minutes. This ensures our systems are kept updated with the latest patches. Once again, the security of this system complies with the GDPR of the European Union.

Should you have any issues with the way in which we are processing your personal information, you are entitled to lodge a complaint with the Information Regulator, whose contact details are:

33 Hoofd Street, Forum III, 3rd Floor Braampark, P.O Box 31533, Braamfontein, Johannesburg, 2017.

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

General enquiries email: inforeg@justice.gov.za

We trust however that our processing of your personal information will be handled in a way that complies with all the relevant laws and that your rights to privacy will be protected as required by law.