

JARDIM BEKKER INC'S PRIVACY POLICY

This policy deals with how Jardim Bekker Inc (“we”, “us” or “our firm”) collects, process and stores any Personal Information which you give to us or which we may collect from third parties.

We are committed to process personal information and special personal information as defined in the Protection of Personal Information Act, 4 of 2013 (“the POPI Act”):

- fairly and lawfully, for specific lawful purposes; and
- in accordance with this Privacy Policy and the POPI Act.

Please do not submit any Personal Information to us if you do not agree to any of the provisions of this policy. If you do not consent to the provisions of this policy, or parts of the Policy, we may not be able to provide our services to you.

By submitting any Personal Information to us, you provide consent and authorises us and associated entities and/or related third parties (where applicable) to process your Personal Information as set out herein.

1. INFORMATION WE MAY COLLECT ABOUT YOU

- 1.1. The information about you which we require to hold and process will depend on the requested service as well as legislative requirements. The information will be collected as follows:
 - 1.1.1. You will be requested to provide it to us;
 - 1.1.2. We may receive information about you that is publicly or commercially available;
 - 1.1.3. Your personal information and contact information contained in your communication with us (i.e via electronic communication, telephone, post, fax, etc.); and
- 1.2. should you apply for employment at our firm, we will contact former employers, credit reference agencies or bureaus or other background check agencies with your consent.
- 1.3. We do not intentionally collect or use personal information of children (persons under the age of 18 years), unless with express consent of a parent or guardian, or if the law otherwise allows or requires us to process such personal information.
- 1.4. We do not process Special Personal Information about you unless:
 - 1.4.1. it is necessary to establish, exercise or defend a right or obligation in law (e.g. we have to process information relating to your health as part of our screening processes when you access our premises, in order to comply with Covid-19 regulations and protocols).
 - 1.4.2. we have obtained your consent to do so (e.g. should you apply for employment at our firm, we require your permission to do a criminal record check to process information which relates to your criminal record, if any).

2. HOW WE COLLECT INFORMATION

- 2.1. You may provide Personal Information to us either directly or indirectly.
- 2.2. We may sometimes collect additional information from third parties, including former employers, credit reference agencies or bureaus or other background check agencies.
- 2.3. We may collect information when you use our website by using cookies, web beacons and other technologies.
- 2.4. We may also collect your Personal Information from your appointed agent, any regulator, or other third party that may hold such information.
- 2.5. **NB:** Where you provide us with the Personal Information of third parties you should take steps to inform the Third Party that you need to disclose their details to us, identifying us. We will process their Personal Information in accordance with this Policy.

3. WHAT WE USE YOUR INFORMATION FOR

- 3.1. We will only use your Personal Information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose and/or applicable law. If we need to use your Personal Information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.
- 3.2. We use Personal Information for purposes required to operate and manage its normal business operations and these purposes include one or more of the following non-exhaustive purposes:
 - 3.2.1. to provide the requested services to you from time to time;
 - 3.2.2. to send newsletters to our clients and others who have elected to receive it from us. Please note that you can at any time opt-out from receiving these newsletters;
 - 3.2.3. for audit and record keeping purposes;
 - 3.2.4. to assess the suitability of job applicants for employment;
 - 3.2.5. where we need to comply with a legal obligation (i.e. for the detection and prevention of fraud, crime, money laundering or other malpractices, etc.);
 - 3.2.6. in connection with legal proceedings; and/or
 - 3.2.7. where it is necessary for a legitimate interests pursued by us or a third party and your interests and fundamental rights do not override those interests.

4. SHARING AND TRANSFER OF PERSONAL INFORMATION

- 4.1. We will share your Personal Information with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.
- 4.2. Third parties will only process your Personal Information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.
- 4.3. "Third parties" includes:
 - 4.3.1. Individuals / companies that provide services to us or act on our behalf; and
 - 4.3.2. parties where you provided consent.
- 4.4. South African legislation allows for the disclosure of Personal Information to law enforcement or other governmental agencies without your consent. In circumstances where we are required to disclose information because we are legally obliged to do so, we will first consider the legitimate interests of all concerned.
- 4.5. We may store your Personal Information in hardcopy format and/or in electronic format. Your Personal Information may also be stored by third parties, via cloud services or other technology, with whom we have contracted with, to support our business operations.
- 4.6. Your Personal Information may be processed in South Africa or another country where we, our affiliates and our third-party service providers maintain servers and facilities. This will be done only in limited circumstances and in strict adherence of the requirements of the POPI Act and other relevant legislation.

5. SECURITY AND INDEMNITY

- 5.1. We take your privacy and the protection of your Personal Information very seriously and have implemented reasonable technical and operational measures to keep your personal information secure.
- 5.2. Should there be any incident in terms of which reasonable grounds exist to believe that the Personal Information of a person / entity has been accessed or acquired by any unauthorised person, we will:

- 5.2.1. address it in accordance with the terms of the POPI Act;
 - 5.2.2. notify the Information Regulator and the affected person / entity (unless applicable law requires that we delay notification to the person / entity) in writing.
 - 5.2.3. provide such notification as soon as reasonably possible after having become aware of any data breach.
- 5.3. You hereby indemnify and hold us harmless from any loss, damages or injury that you may incur as a result of any security compromise of your Personal Information to unauthorised persons or resulting from your acts or omissions during the provision of incorrect or incomplete personal information to us.

6. RETENTION OF PERSONAL INFORMATION

- 6.1. We will retain your Personal Information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.
- 6.2. We may keep records of Personal Information, correspondence and other information pertaining to our interaction with you and services provided to you in an electronic or hardcopy format.
- 6.3. We will not retain Personal Information for a period longer than is necessary to achieve the purpose for which it was collected or processed and will delete, destroy (in such a way that it cannot be reconstructed) or de-identify the information as soon as is reasonably practicable once the purpose has been achieved. This prohibition will not apply in the following circumstances
 - 6.3.1. where the retention of the record is required or authorised by law;
 - 6.3.2. we require the record to fulfil our lawful functions or activities;
 - 6.3.3. retention of the record is required by a contract between the parties thereto;
 - 6.3.4. the data subject (or competent person, where the data subject is a child) has consented to such longer retention; or
 - 6.3.5. the record is retained for historical, research or statistical purposes provided safeguards are put in place to prevent use for any other purpose.
- 6.4. Where we retain Personal Information for longer periods for statistical, historical or research purposes, we will ensure that appropriate safeguards have been put in place to ensure that all recorded Personal Information will continue to be processed in accordance with this Privacy Policy and the applicable laws.

7. ACCESS TO AND AMENDMENT OF PERSONAL INFORMATION HELD BY US

- 7.1. You may request details of Personal Information which we hold about you under PAIA (the Promotion of Access to Information Act, 2000). Fees to obtain a copy or a description of Personal Information held about you are prescribed in terms of PAIA. Confirmation of whether or not we hold Personal Information about you may be requested free of charge. If you would like to obtain a copy of your Personal Information held by us, please review our PAIA Manual.
- 7.2. It is important that the Personal Information we hold about you is accurate and current. Please keep us informed if your Personal Information changes during your working relationship with us.
- 7.3. Under certain circumstances, you have the right to:
 - 7.3.1. request access to your Personal Information as set out in our PAIA manual;
 - 7.3.2. request correction of the Personal Information that we hold about you;
 - 7.3.3. request erasure of your Personal Information;
 - 7.3.4. object to processing of your Personal Information;

- 7.3.5. request the restriction of processing of your Personal Information; and
- 7.3.6. request the transfer of your Personal Information to another party.
- 7.4. To exercise any of the above-mentioned rights, please contact our Information Officer (contact details below) in writing or consult our PAIA manual available on our website.
- 7.5. You will not have to pay a fee to access your Personal Information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.
- 7.6. We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that Personal Information is not disclosed to any person who has no right to receive it.
- 7.7. Right to withdraw consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your Personal Information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact our Information Officer. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

8. WEBSITE

- 8.1. We only store personal data in e-mail format when you contact us via our website.
- 8.2. Our website uses cookies, which are small text files sent by a web server to store on a web browser. They are used to ensure websites function properly, store user preferences when needed and collect anonymous statistics on website usage. You may refuse to accept cookies by activating the setting on your browser which allows you to refuse the setting of cookies. However, if you select this setting, you may be unable to access certain parts of our website. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you log on to the website. If you accept a "cookie" or fail to deny the use of "cookies", you agree that we may use your Personal Information collected using "cookies" (subject to the provisions of this Policy). Where you either reject or decline cookies, you are informed that you may not be able to fully experience the interactive features of our website.
- 8.3. Links to other websites
Our website may contain links to and from websites or services of third parties or affiliates. Please note that we are not responsible for the privacy practices of such other parties and advise you to read the privacy statements of each website you visit which collects Personal Information.

9. INFORMATION OFFICER

- 9.1. If you have any questions about this Privacy Policy, please contact the Information Officer.
- 9.2. Our information officer is Mr. Jaco Bekker, who can be contacted at:
Name: Jaco Bekker
Address: Unit 102 Hoheizen Park 1, Hoheizen Crescent, Hoheizen, 7530
Telephone: 021 913 8299
Email: jbekker@jblaw.co.za
- 9.3. You have the right to make a complaint at any time to the Information Regulator:
Website: <https://www.justice.gov.za/inforeg/index.html>
Address: JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001

Email: infoereg@justice.gov.za.

10. CHANGES TO THIS POLICY

We may amend this policy from time to time. Any such amendment will come into effect and become part of any agreement you have with us when notice is given to you of the change by publication on our website. It is your responsibility to check the website often.

Last updated: 2 September 2021