

3. EXTERNAL PRIVACY STATEMENT

1. INTRODUCTION

1.1. For purposes of this Statement:

- 1.1.1. "**Applicable Laws**" means all laws, regulations that Riding & Watt is required to comply with;
- 1.1.2. "**Client**", "**Customer**" or "**you**" means any prospective, new or existing client of Riding & Watt;
- 1.1.3. "**Data subjects**" for the purpose of this policy include all living individuals and juristic persons about whom Riding & Watt holds personal information. All data subjects have legal rights in relation to their personal information;
- 1.1.4. "**Operators**" include any person who processes personal information on behalf of a responsible party. Employees of responsible parties are excluded from this definition, but it could include suppliers which handle personal information on Riding & Watt's behalf;
- 1.1.5. "**Personal information**" means information relating to an identifiable, living, natural person, and (where applicable) an identifiable, existing juristic person, including the name, race, gender, marital status, address and identifying number of a person, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
- 1.1.6. "**Processing**" is any activity that involves use of personal information. It includes any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including—
 - 1.1.6.1. the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
 - 1.1.6.2. dissemination by means of transmission, distribution or making available in any other form; or
 - 1.1.6.3. merging, linking, as well as restriction, degradation, erasure or destruction of information;
- 1.1.7. "**Services**" means any supply of products or rendering of services by the Operator for the Responsible Party in terms of the contract and in terms of which the Operator *inter alia* Processes Personal Information of Data Subjects; and

- 1.1.8. "I" or "**we**" or "**us**" means Riding & Watt.
- 1.2. This Statement sets out how your personal information will be used by Riding & Watt and applies to any information, including personal and special personal information, you give to by Riding & Watt or which by Riding & Watt may collect from third parties.
- 1.3. It is important that you read this Statement carefully before submitting any personal information to by Riding & Watt.
- 1.4. By submitting any personal information to by Riding & Watt you provide consent to the processing of your personal information as set out in this Statement.
- 1.5. The provisions of this Statement are subject to mandatory, unalterable provisions of Applicable Laws;
- 1.6. Please do not submit any personal information to by Riding & Watt if you do not agree to any of the provisions of this Statement. If you do not consent to the provisions of this Statement, or parts of the Statement, by Riding & Watt may not be able to provide its products and services to you.

2. **HOW TO CONTACT US**

If you have any comments or questions about this Statement please contact the Information Officer, Claus Riding (claus@riding.co.za, 082 554 4695).

3. **AMENDMENT OF THIS STATEMENT**

- 3.1. We may amend this Statement from time to time for any of the following reasons:
 - 3.1.1. to provide for the introduction of new systems, methods of operation, services, products or facilities;
 - 3.1.2. to comply with changes to any legal or regulatory requirement;
 - 3.1.3. to ensure that our Statement is clearer and more favourable to you;
 - 3.1.4. to rectify any mistake that may be discovered from time to time; and/or
 - 3.1.5. for any other reason which by Riding & Watt, in its sole discretion, may deem reasonable or necessary.
- 3.2. Any such amendment will come into effect and become part of any agreement you have with by Riding & Watt when notice is given to you of the change by publication on our website. It is your responsibility to check the website often.

4. **PRIVACY AND INDEMNITY**

- 4.1. Riding & Watt takes your privacy and the protection of your personal information very seriously, and we will only use your personal information in accordance with this Statement and applicable data protection legislation. It is important that you take all necessary and appropriate steps to protect your personal information yourself (for example, by ensuring that all passwords and access codes are kept secure).
- 4.2. We have implemented reasonable technical and operational measures to keep your personal information secure.
- 4.3. You hereby indemnify and hold Riding & Watt harmless from any loss, damages or injury that you may incur as a result of any unintentional disclosures of your personal information to unauthorised persons or the provision of incorrect or incomplete personal information to Riding & Watt.

5. **PROCESSING OF PERSONAL INFORMATION BY OPERATORS**

- 5.1. The Responsible Party shall comply and ensure that it lawfully Processes Personal Information in accordance with its obligations as set out in POPIA. The Responsible Party warrants that all the Personal Information provided to the Operator complies with the conditions for lawful Processing of Personal Information as set out in POPIA. Without limiting the Responsible Party's obligations under this letter of agreement, the Responsible Party shall comply with applicable industry or professional rules and regulations, in relation to the safeguarding of Personal Information, which may apply to it.
- 5.2. The Operator shall Process Personal Information of Data Subjects with the knowledge and authorisation of the Responsible Party. Unless required by law, the Operator shall Process the Personal Information only (i) in compliance with this policy; and (ii) for the purposes connected with the provision of the Services or as specifically otherwise instructed or authorised by the Responsible Party in writing.
- 5.3. The Operator shall treat the Personal Information that comes to its knowledge or into its possession as confidential and shall not disclose it without the prior written consent of the Responsible Party, unless required to do so by law
- 5.4. The Operator shall use reasonable efforts secure the integrity and confidentiality of the Personal Information in by taking appropriate, reasonable technical and organisational measures to prevent (i) loss of, damage to or unauthorised destruction of the Personal Information; and (ii) unlawful access to or Processing of the Personal Information.

- 5.5. The Operator shall notify the Responsible Party as soon as reasonably possible, if any Personal Information under the control of the Operator has been or may reasonably believe to have been accessed or acquired by an unauthorised person.
- 5.6. The Responsible Party indemnifies and holds the Operator harmless from any and all losses arising from any claim or action arising from the Processing of the Personal Information in terms of this contract or this policy by any party, including by any Data Subject or any regulator in South Africa or anywhere.

6. **INFORMATION WHICH WE MAY COLLECT ABOUT YOU**

- 6.1. We may collect the following information about you:
 - 6.1.1. this information may include your name, address, contact details, date of birth, place of birth, identity number, passport number, bank details, details about your employment, tax number and financial information;
 - 6.1.2. records of correspondence or enquiries from you or anyone acting on your behalf;
 - 6.1.3. details of transactions you carry out with us;
 - 6.1.4. details of contracts & sales you carry out with us;
- 6.2. 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 Statement.

7. **HOW WE COLLECT INFORMATION**

- 7.1. You may provide personal information to us either directly or indirectly (through an agent acting on your behalf, or an introducer), by completing an application for our products and services or requesting further information about our products and services, whether in writing, through our website, over the telephone or any other means.
- 7.2. We may also collect your personal information from your appointed agent, any regulator, or other third party that may hold such information.

8. **USE OF INFORMATION COLLECTED**

- 8.1. We may use, transfer and disclose your personal information for the purposes of:
 - 8.1.1. providing you with the services, products or offerings you have requested, and notifying you about important changes to these services, products or offerings;

- 8.1.2. managing your account or relationship and complying with your instructions or requests;
- 8.1.3. detecting and preventing fraud and money laundering and/or in the interest of security and crime prevention;
- 8.1.4. assessing and dealing with complaints and requests;
- 8.1.5. operational, marketing, auditing, legal and record keeping requirements;
- 8.1.6. verifying your identity or the identify of your beneficial owner;
- 8.1.7. complying with Applicable Laws, including lawful requests for information received from local or foreign law enforcement, government and tax collection agencies;
- 8.1.8. recording and/or monitoring your telephone calls and electronic communications to/with Riding & Watt in order to accurately carry out your instructions and requests, to use as evidence and in the interests of crime prevention;
- 8.1.9. disclosing your personal information to third parties for reasons set out in this Statement or where it is not unlawful to do so;
- 8.1.10. monitoring, keeping record of and having access to all forms of correspondence or communications received by or sent from Riding & Watt or any of its employees, agents or contractors, including monitoring, recording and using as evidence all telephone communications between you and Riding & Watt; and
- 8.1.11. improving or evaluating the effectiveness of our business or products, services or offerings.

9. **DISCLOSURE OF YOUR INFORMATION**

- 9.1. Your personal information may be shared with our subsidiaries, our agents and sub-contractors, and selected third parties who process the information on our behalf.
- 9.2. We may also disclose your personal information to third parties in the following circumstances:
 - 9.2.1. to assess and monitor any of your applications for our products or services;
 - 9.2.2. to determine which products and services may be of interest to you and/or to send you information about such products and services, unless you object or choose not to receive such communications;

- 9.2.3. to have a better understanding of your circumstances and needs to provide and improve our products and services;
 - 9.2.4. to any relevant person and/or entity for purposes of prevention, detection and reporting of fraud and criminal activities, the identification of the proceeds of unlawful activities and the combatting of crime;
 - 9.2.5. to any regulator or supervisory authority, including those in foreign jurisdictions, if Riding & Watt is required to do so in terms of Applicable Laws;
 - 9.2.6. to any person if we are under a duty to disclose or share your personal information in order to comply with any Applicable Laws, or to protect the rights, property or safety of Riding & Watt, Clients or other third parties; and/or
 - 9.2.7. to your agent or any other person acting on your behalf, an or an introducer.
- 9.3. If you do not wish us to disclose this information to third parties, please contact us at the contact details set out above. We may, however, not be able to provide products or services to you if such disclosure is necessary.

10. **RETENTION OF YOUR INFORMATION**

We may retain your personal information indefinitely, unless you object, in which case we will only retain it if we are permitted or required to do so in terms of Applicable Laws. However, as a general rule, we will retain your information in accordance with retention periods set out in Applicable Laws, unless we need to retain it for longer for a lawful purpose. (For example, for the purposes of complaints handling, legal processes and proceedings.)

11. **ACCESS TO, CORRECTION AND DELETION OF YOUR PERSONAL INFORMATION**

- 11.1. You may request details of personal information which we hold about you under the Promotion of Access to Information Act, 2000 (“**PAIA**”). 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 Riding & Watt, please review our PAIA Manual below.
- 11.2. You may request the correction of personal information Riding & Watt holds about you. Please ensure that the information we hold about you is complete, accurate and up to date. If you fail to keep your information updated, or if your information is incorrect, Riding & Watt may limit the products and services offered to you or elect not to open the account.

- 11.3. You have a right in certain circumstances to request the destruction or deletion of and, where applicable, to obtain restriction on the processing of personal information held about you. If you wish to exercise this right, please contact us using the contact details set out above.
- 11.4. You have a right to object on reasonable grounds to the processing of your personal information where the processing is carried out in order to protect our legitimate interests or your legitimate interests, unless the law provides for such processing.

12. **COMPLAINTS**

- 12.1. Should you believe that Riding & Watt has utilised your personal information contrary to Applicable Laws, you undertake to first attempt to resolve any concerns with us.
- 12.2. If you are not satisfied with such process, you may have the right to lodge a complaint with the Information Regulator, using the contact details listed below:
 - 12.2.1. Tel: 012 406 4818
 - 12.2.2. Fax: 086 500 3351
 - 12.2.3. Email: complaints.IR@justice.gov.za