Protection of Personal Information 4 of 2013
EXTERNAL PRIVACY POLICY
FEBRUARY 2022

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1. DEFINITIONS

"biometrics": means a technique of personal identification that is based on physical, physiological or behavioural characterisation including blood typing, fingerprinting, DNA analysis, retinal scanning and voice recognition;
"**child**": means a natural person under the age of 18 years who is not legally competent, without the assistance of a competent person, to take any action or decision in respect of any matter concerning him- or herself;
"competent person": means any person who is legally competent to consent to any action or decision being taken in respect of any matter concerning a child;
"data subject": means the person to whom personal information relates and for the purposes of SA HOME BUYERS (PTY) LTD ("**SA HOME BUYERS**"), this will include – sellers, buyers, landlords, tenants, external service suppliers, employees, part time employees, contractors, sub-contractors and all associates of SA HOME BUYERS;
"SA HOME BUYERS PTY LTD": for purposes of this Policy document means the Real Estate business with registration number 2005/044211/07 that operates in Cape Town and with its operating office situated at Graphic Centre, 2nd Floor, 199 Loop Street, Cape Town, 8001;
"direct marketing": means to approach a data subject, either in person or by mail or electronic communication, for the direct or indirect purpose of – a) Promoting or offering to supply, in the ordinary course of business of SA HOME BUYERS, real estate service to the data subject; or b) Requesting the data subject to make a donation of any kind for any reason;
"electronic communication": means any text, voice, sound or image message sent over an electronic communications network which is stored in the network or in the recipient's terminal equipment until it is collected by the recipient;
"employee": means all administration staff employed by SA HOME BUYERS all property agents and independent contractors who operate within SA HOME BUYERS;
"filing system": means any structured set of personal information which in the case of SA HOME BUYERS consist of physical files kept in or at the offices of SA HOME BUYERS, Cloud based archives and offsite archives;
"Information officer": of SA HOME BUYERS will mean **MARCO GARUTI DE SOUSA COUTINHO** ;
"operator": means a person who processes personal information for a responsible party in terms of a contract or mandate, without coming under the direct authority of that party;
"person": means a natural person or a juristic person;
"Personal information": means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to: Information relating to the education or the medical, financial, criminal or employment history of the person; Any identifying number, symbol, e-mail address, telephone number, location information, online identifier or other particular assignment to the person; The biometric information of the person; The personal opinions, views or preferences of the person; Correspondence sent by the person that would reveal the contents of the original correspondence if the message is of a personal or confidential nature; The views or opinions of another individual about the person; and The name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person;
"processing": means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including – a) The collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use; b) Dissemination by means of transmission, distribution or making available in any other form; or c) Merging, linking, as well as restriction, degradation, erasure or destruction of information;
"Promotion of Access to Information Act": means the Promotion of Access to Information Act (PAIA), 2000 (Act No. 2 of 2000);
"public record": means a record that is accessible in the public domain and which is in the possession of or under the control of a public body, whether or not it was created by that public body;
''private body'' means—
(a) a natural person who carries or has carried on any trade, business or

profession, but only in such capacity;
(b) a partnership which carries or has carried on any trade, business or profession; or
(c) any former or existing juristic person, but excludes a public body**;**
"record": means any recorded information Regardless of form or medium, including any of the following: (I) Writing on any material; (II) Information produced, recorded or stored by means of any tape-recorder, computer equipment, whether hardware or software or both, or other device, and any material subsequently derived from information so produced, recorded or stored; (III) Label, marking or other writing that identifies or describes anything of which it forms part, or to which it is attached by any means; (IV) Book, map, plan, graph, or drawing; (V) Photograph, film, negative, tape or other device in which one or more visuals images are embodied so as to be capable, with or without the aid of some other equipment, of being reproduced; (VI) In the possession or under the control of a responsible party; and (VII) Regardless of when it came into existence;
"Regulator": – means the Information Regulator established in terms of Section 39 of the POPIA;
"responsible party": means a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means for processing personal information;
"restriction": means to withhold from circulation, use or publication any personal information that forms part of a filing system, but not to delete or destroy such information;
"special personal information": means personal information as referred to in Section 26 of the POPIA which includes Information relating to the race, gender, sex, pregnancy, marital status, nationality, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;
"this Act": means the Protection of Personal Information Act, No. 4 of 2013.
"unique identifier": means any identifier that is assigned to a data subject and is used by a responsible party for the purposes of the operations of that responsible party and that uniquely identifies that data subject in relation to that responsible party.

2. INTRODUCTION

SA HOME BUYERS is a Real Estate Agency which operates in the property market. It mostly assists buyers who wish to purchase a property and in such event, would approach mandated agencies/agents in order to make an introduction of the buyer to such agency/agent. In its operations, SA HOME BUYERS collect information from its clients (the buyers) and share such information with the mandated agencies/agents, conveyancing attorneys, mortgage originators, online property portals, council, SARS and the Deeds Office amongst others. It acknowledges that, in its business operations most of its communications are done electronically via the internet and that personal information is collected and processed electronically in compliance with the Electronic Communications and Transaction Act 25 of 2002 where applicable.

SA HOME BUYERS accept that all its South African based data subjects' Constitutional Right to Privacy is important and apply due care when dealing with such data subjects in a respectful and reasonable manner.

SA HOME BUYERS often engage with foreign property investors and in recognizing the international risk of data breaches and to ensure that lawful conditions exist surrounding its data subjects' information, SA HOME BUYERS accept that its data subjects based in other parts of the world are entitled to equal rights to privacy in terms of Regulations applicable to such data subjects in the countries in which they are based. As such, SA HOME BUYERS is committed to comply with South Africa's POPIA. SA HOME BUYERS is further committed to the education of its data subjects in respect of their rights to privacy and will make all operational amendments necessary.

3. OBJECTIVE

The objective of this Policy is to ensure adherence by SA HOME BUYERS to the provisions within POPIA together with its Regulations aimed at protecting all SA HOME BUYERS' data subjects from harm by protecting their personal information, to stop identity fraud and generally to protect privacy. This Policy is the EXTERNAL SET OF PRIVACY RULES and sets out the standard for suitable protection of personal information as required by POPIA.

4. POPIA CORE PRINCIPLES

In its quest to ensure the protection of data subjects' privacy, SA HOME BUYERS fully commits as follows:

4.1. To continue developing and maintaining reasonable protective measures against the possibility of risks such as loss, unauthorised access, destruction, use, alteration or revelation of personal information.

4.2. To regulate the manner in which personal information may be processed, by establishing conditions, in harmony with international standards, that prescribe the minimum threshold requirements for the lawful processing of personal information;

4.3. To ensure that the requirements of the POPIA legislation are upheld within the organisation. In terms of sections 8, 17 and 18 of POPIA, SA HOME BUYERS confirm that it adheres to an approach of transparency of operational procedures that controls collection and processing of personal information and subscribes to a process of accountability and openness throughout its operations.

4.4. In terms of the requirements set out within sections 9, 10, 11, 12, 13 14 and 15 of POPI, to collect personal information in a legal and reasonable way, for a specific reason and only if it is necessary for operations and to process the personal information obtained from clients only for the purpose for which it was obtained in the first place.

4.5. To desist from obtaining and collecting personal information from clients in an insensitive, derogative discriminatory or wrongful way that can intrude on the privacy of the client.

4.6. In terms of the provisions contained within sections 23 to 25 of POPIA, to ensure that data subjects of SA HOME BUYERS will be allowed to request access to certain personal information and may also request correction or deletion of personal information within the specifications of the POPIA. Data subjects are referred to FORMS 1 & 2 attached hereto for these purposes.

4.7. To not request or process information related to race, religion, medical situation, political preference, trade union membership, sexual certitude or criminal record unless this is lawfully required and unless the data subject has expressly consented. SA HOME BUYERS will also not process information of juveniles.

4.8. In terms of the provisions contained within section 16 of POPIA**,** to ensure that SA HOME BUYERS remain committed that data subjects' information is recorded and retained accurately.

4.9. To not provide any documentation to a third party or service provider without the express consent of the data subject except where it is necessary for the proper execution of the service as expected by the data subject.

4.10. To keep effective record of personal information and undertakes not to retain information for a period longer than specified in the property industry's Code of Conduct or any other direction issued by the Estate Agency Affairs Board.

4.11. In terms of sections 19 to 22 of POPIA, to secure the integrity and confidentiality of personal information in its possession. SA HOME BUYERS will provide the necessary security of data and keep it in accordance with prescribed legislation.

5. CONSENT

If data subjects' information is collected, processed or shared for any other reason than the original reason of it being collected, the specific Consent for such purpose must be obtained from the data subject. If SPECIAL PERSONAL INFORMATION is collected, processed and stored for any reason from any of SA HOME BUYERS' data subjects, specific Consent for such collection must first be obtained.

The prohibition against collection and processing of special personal information does not apply if:-

5.1. Processing is carried out with the consent of the data subject;
5.2. Processing is necessary for the establishment, exercise or defense of a right or obligation in law;
5.3. Processing is for historical, statistical or research purposes.

SA HOME BUYERS have amended the standard client questionnaires in terms of which personal information is collected with the addition of the required CONSENT therein.

6. COLLECTION, PROCESSING and SHARING OF INFORMATION

SA HOME BUYERS collect and process personal information from its data subjects for a variety of reasons and in a variety of ways. The most pertinent reason for data collection and processing relates to the property transaction being

facilitated by SA HOME BUYERS and the integrated nature of operation between SA HOME BUYERS and the other primary role players in the transaction. In addition to the facilitation of the specific property transaction in which the data subject is involved, SA HOME BUYERS use data subjects' contact information to distribute bulk emails from time to time containing newsletters, listings or other offerings and have inserted the required OPT OUT/UNSUBSCRIBE options onto such mails in order to allow recipients the opportunity to request a removal of their details for purposes of such emails.

Various South African laws apply to the collection and processing of information by SA HOME BUYERS:

- In terms of the Financial Intelligence Centre Act 2001, SA HOME BUYERS is defined as an Accountable Institution and as such, is subject to the Regulatory obligations to assess the Money Laundering and Terrorism risk in dealing with its clients. As such, the identities of all clients are to be confirmed and verified and clients' details are screened against lists published by the Financial Intelligence Centre;
- The Deeds Registry Act 1937 require full descriptions of the parties and property related to the transaction and all information lodged at the Deeds Office becomes public record. Clients' marital status, dates of birth and full names are to be verified for purposes of the property transaction;
- In terms of the National Credit Act 2005, parties in a property transaction who intend taking a bank loan to fund a portion or all of the purchase price are obliged to supply all relevant and requested financial information to a variety of role players in the transaction, including SA HOME BUYERS.

The primary way of collection and processing of personal information is electronically. By submitting personal and special personal information details to SA HOME BUYERS, all data subjects acknowledge the following terms:

6.1. Personal information collected by SA HOME BUYERS will be collected directly from the data subject, unless –

6.1.1. The information is contained or derived from a public record or has deliberately been made public by the data subject;

6.1.2. Collection of the information from another source would not prejudice a legitimate interest of the data subject;

6.1.3. Collection of the information from another source is necessary -

6.1.3.1. To avoid prejudice to the maintenance of the law by any public body, including the prevention, detection, investigation, prosecution and punishment of offences;

6.1.3.2. To comply with an obligation imposed by law or to enforce legislation concerning the collection of revenue;

6.1.3.3. For the conduct of proceedings in any court or tribunal that have commenced or are reasonably contemplated;

6.1.3.4. In the interest of national security;

6.1.3.5. To maintain the legitimate interests of SA HOME BUYERS or of a third party to whom the information is supplied;

6.1.3.6. Where compliance would prejudice a lawful purpose of the collection;

6.1.3.7. Where compliance is not reasonably practicable in the circumstances of the particular case.

6.1.4. Personal information is collected for a specific, explicitly defined and lawful purpose related to a function or activity of SA HOME BUYERS;

6.2. Steps will be taken to ensure that the data subject is aware of the purpose of the collection of the information.

6.3. SA HOME BUYERS will take reasonably practicable steps to ensure that the personal information is complete, accurate, not misleading and updated where necessary, having regard to the purpose for which the personal information is collected and further processed.

6.4. Where personal information is collected from a data subject directly, SA HOME BUYERS will take reasonably practicable steps to ensure that the data subject is aware of: -

6.4.1. The nature of the information being collected and where the information is not collected from the data subject, the source from which it is collected;

6.4.2. The name and address of SA HOME BUYERS;

6.4.3. The purpose for which the information is being collected;

6.4.4. Whether or not the supply of the information by the data subject is voluntary or mandatory;

6.4.5. The consequences of failure to provide the information;

6.4.6. Any particular law authorising or requiring the collection of the information.

6.5. Personal information will only be processed lawfully and in a reasonable manner that does not infringe the privacy of the data subject.

6.6. Personal information may only be processed if – a) given the purpose for which it was processed, it is adequate, relevant and not excessive; b) the data subject or a competent person where the data subject is a child consents to the processing; c) processing is necessary to carry out actions for the conclusion or performance of a contract to which the data subject is a party; d) processing complies with an obligation imposed by law on SA HOME

BUYERS; e) processing protects a legitimate interest of the data subject; f) processing is necessary for the proper performance of a public law duty by a public body.

6.7. In the event that SA HOME BUYERS appoint or authorise an operator to process any personal information on its behalf or for any reason, it will implement necessary agreements to ensure that the operator or anyone processing personal information on behalf of SA HOME BUYERS or an operator, must – a) Process such information only with the knowledge or authorisation of SA HOME BUYERS; and b) Treat personal information which comes to his/her/its knowledge as confidential and must not disclose it, unless required by law or in the course of the proper performance of his/her/its duties.

6.8. SA HOME BUYERS must maintain the documentation of all processing operations under its responsibility.

6.9. SA HOME BUYERS must ensure that the further processing of personal information be compatible with the purpose for which it was collected.

6.10. In order to assess whether further processing is compatible with the purpose of collection, SA HOME BUYERS will take account of – a) The relationship between the purpose of the intended further processing and the purpose for which the information was collected; b) The nature of the information concerned; c) The consequences of the intended further processing for the data subject; d) The manner in which the information has been collected; and e) Any contractual rights and obligations between the parties.

6.11. SA HOME BUYERS will restrict the processing of personal information if – a) Its accuracy is contested by the data subject, for a period enabling SA HOME BUYERS to verify the accuracy of the information; b) SA HOME BUYERS no longer need the personal information for achieving the purpose for which it was collected or subsequently processed, but it has to be maintained for purposes of proof; c) The processing is unlawful and the data subject opposes its destruction or deletion and requests the restriction of its use instead; or d) The data subject requests to transmit the personal data into another automated processing system.

7. STORAGE OF INFORMATION

SA HOME BUYERS acknowledge the risks facing data subjects with the storage of personal and special personal information on the SA HOME BUYERS' software systems as well as filing copies of the physical information sheets containing personal information physically in an office. To ensure that its best attempts are made to minimize data subjects from suffering loss of personal information, misuse or unauthorised alteration of information, unauthorized access or disclosure of personal information generally, it will:

7.1. Store personal information in databases that have built-in safeguards and firewalls to ensure the privacy and confidentiality of information.

7.2. Constantly monitor the latest internet developments to ensure that the systems evolve as required. SA HOME BUYERS test its systems regularly to ensure that security mechanisms are up to date.

7.3. Continue to review its internal policies and third party agreements where necessary to ensure that these are also complying with the POPIA and Regulations in line with SA HOME BUYERS' Policy rules.

7.4. Records of personal information must not be retained any longer than is necessary for achieving the purpose for which the information was collected or subsequently processed, unless – a) The retention of a record is required or authorised by law; b) SA HOME BUYERS reasonably requires a record for lawful purposes related to its functions or activities; c) Retention of a record is required by a contract between the parties thereto; or d) The data subject or a competent person where the data subject is a child has consented to the retention of a record.

7.5. Information collected or processed initially for the purposes of historical, statistical or research value, may be retained for a longer period providing SA HOME BUYERS have appropriate measures in place to safeguard these records against uses other than what it was intended for initially.

9. DISPOSAL OF DATA SUBJECTS' INFORMATION

SA HOME BUYERS are responsible to ensure that necessary records and documents of their data subjects are adequately protected and maintained to ensure that records that are no longer needed or are of no value are disposed of at the proper time. These rules apply to all documents which are collected, processed or stored by SA HOME BUYERS and include but are not limited to documents in paper and electronic format, for example, e-mail, web and text files, PDF documents etc.

9.1. SA HOME BUYERS adhere to the Guidelines issued by the Estate Agency Affairs Board and retain documents containing data subjects' personal information for a minimum period of 5 years.

9.2. SA HOME BUYERS do not discard or dispose of the telephone numbers and email addresses of data subjects with whom it has previously dealt but will do so on request by the data subject. Data subjects are referred to FORM 3 hereto attached for such purpose. SA HOME BUYERS recognize that most of the information which it collects, processes and shares with other role players in the transaction is personal of nature and will dispose of

information securely when no longer required. Secure disposal maintains data security and supports compliance with this SA HOME BUYERS policy. SA HOME BUYERS acknowledge that electronic devices and media can hold vast amounts of information, some of which can linger indefinitely;

9.3. Under no circumstances will paper documents or removable media (CD's, DVD's, discs, etc.) containing personal or confidential information be simply binned or deposited in refuse tips.

9.4. SA HOME BUYERS undertake to ensure that all electrical waste, electronic equipment and data on disk drives be physically removed and destroyed in such a way that the data will by no means be able to be virtually retrievable.

9.5. SA HOME BUYERS will ensure that all paper documents that should be disposed of, be shredded locally and then be recycled.

9.6. In the event that a third party is used for data destruction purposes, the Information Officer will ensure that such third party will also comply with this policy and any other applicable legislation.

9.7. SA HOME BUYERS may suspend the destruction of any record or document due to pending or reasonably foreseeable litigation, audits, government investigations or similar proceedings. SA HOME BUYERS undertake to notify employees of applicable documents where the destruction has been suspended to which they have access to.

9.8. In the event that a document and/or information is no longer required to be stored in accordance with this policy and relevant legislation, it should be deleted and destroyed.

9.9. The Information Officer should be consulted where there is uncertainty regarding the retention and destruction of a document and/or information.

10. INTERNET AND CYBER TECHNOLOGY

The following clauses constitute a summary of the terms contained in the INTERNAL IT/EMAIL/CYBER SECURITY POLICY which applies to all employees when using the SA HOME BUYERS' internet and email services.

SA HOME BUYERS understand and accept that the repercussions of the misuse of its IT systems can be severe. Potential damage includes, but is not limited to, malware infection (e.g. computer viruses), legal and financial penalties for data leakage and lost productivity resulting from network downtime.

In order to minimize the risks associated with its IT systems, SA HOME BUYERS have developed and implemented an INTERNAL INTERNET AND CYBER TECHNOLOGY Policy which has been circulated amongst all its employees and agents and consists of rules related to:

1. Acceptable use of SA HOME BUYERS' Internet Facilities

The repercussions of misuse of SA HOME BUYERS' systems can be severe. Potential damage includes, but is not limited to, malware infection (e.g. computer viruses), legal and financial penalties for data leakage and lost productivity resulting from network downtime.

Every user of SA HOME BUYERS' IT systems is responsible for exercising good judgment regarding reasonable personal use.

2. IT Access Control

SA HOME BUYERS undertake to ensure that logging into the IT system and software packages is password controlled and shall exercise all caution in allowing unauthorized access to the password. It is a further undertaking that the password/s shall be reviewable from time to time but in particular where GOOGLE based products are used and linked (such as Facebook, Whatsapp and GMAIL based domains).

3. SA HOME BUYERS' Email Rules

SA HOME BUYERS acknowledge that most of its communications are conducted via email and instant messaging (IM). Given that email and IM may contain extremely sensitive and confidential SA HOME BUYERS information, the information involved must be appropriately protected and SA HOME BUYERS have implemented rules related to email and IM with the being to ensure that information sent or received via the SA HOME BUYERS' IT systems are appropriately protected, that the systems do not introduce undue security risks to SA HOME BUYERS and that users are made aware of what SA HOME BUYERS deem as acceptable and unacceptable use of its email and IM.

4. SA HOME BUYERS' Rules related to handheld devices

Many users do not recognize that mobile devices represent a threat to IT and data security. As a result, they often do not apply the same level of security and data protection as they would on other devices such as desktop or laptop computers. The rules related to handheld devices used by SA HOME BUYERS' employees and agents outline the requirements for safeguarding the physical and data security of mobile devices such as smartphones, tablets, and other mobile devices that PC's and Notebooks.

4.1. SA HOME BUYERS' users of handheld devices are expected to diligently protect their devices from loss and disclosure of private information belonging to or maintained by SA HOME BUYERS.

4.2. In the event of a security incident or if suspicion exists that the security of SA HOME BUYERS' systems has been breached, the particular individual employee of SA HOME BUYERS shall be obliged to notify the IT support immediately together with the Information Officer should the Information Officer not be available especially when a mobile device may have been lost or stolen.

5. Anti-virus rules

SA HOME BUYERS are responsible for creating procedures that ensure anti-virus software is run at regular intervals, and computers are verified as virus-free. Any activities with the intention to create and/or distribute malicious programs into SA HOME BUYERS' programs (e.g., viruses, worms, Trojan horses, e-mail bombs, etc.) are prohibited.

6. Physical access control

All of SA HOME BUYERS' premises that include computers and other types of information technology resources will be safeguarded against unlawful and unauthorized physical intrusion, as well as fire, flood and other physical threats. This includes but is not limited to; security doors, key entry areas, external doors that are locked from closing until opening of the building, locked and/or barred windows, security cameras, registration of visitors at entrances, security guards, and fire protection.

7. Usage Data

Usage Data is collected automatically when using the internet services of SA HOME BUYERS. Usage Data may include information such as data subjects' device's internet protocol address (e.g. IP address), browser type, browser version, details of the pages of SA HOME BUYERS' website that are visited by data subjects, the time and date of the website visit, the time spent on those pages, unique device identifiers and other diagnostic data. When data subjects access the website services of SA HOME BUYERS by or through a mobile device, SA HOME BUYERS may collect certain information automatically, including, but not limited to, the type of mobile device used by the data subject, unique ID, the IP address of the mobile device, the mobile operating system, the type of mobile Internet browser used, unique device identifiers and other diagnostic data. SA HOME BUYERS may also collect information that the user's browser sends whenever SA HOME BUYERS's website is visited.

8. Tracking Technologies and Cookies

Cookies and similar tracking technologies are used to track the activity on SA HOME BUYERS' website and store certain information. Tracking technologies used are beacons, tags, and scripts to collect and track information and to improve and analyze the efficiency of the website. The technologies which may be used to track may include:

8.1. Cookies or Browser Cookies. A cookie is a small file which may be placed on a data subject's device. Data subjects can instruct their browser to refuse all Cookies or to indicate when a Cookie is being sent. However, if this function of SA HOME BUYERS' website is not accepted, data subjects may not be able to use some parts of the website. Unless the browser settings have been adjusted SA HOME BUYERS' website may use Cookies.

8.2. Flash Cookies. Certain features of the website may use local stored objects (or Flash Cookies) to collect and store information about data subjects' preferences or activity on the website. Flash Cookies are not managed by the same browser settings as those used for Browser Cookies. For more information on how Flash Cookies can be deleted the following process can be followed: "Where can I change the settings for disabling, or deleting local shared objects?" available at https://helpx.adobe.com/flashplayer/kb/disable-local-shared-objects;

8.3. Web Beacons. Certain sections of the website and emails may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs) that permit SA HOME BUYERS for

example, to count users who have visited those pages or opened an email and for other related website statistics (for example, recording the popularity of a certain section and verifying system and server integrity).

8.4. Cookies can be "Persistent" or "Session" Cookies. Persistent Cookies remain on data subjects' personal computer or mobile device even when offline, while Session Cookies are deleted as soon as data subjects' web browsers are closed.

11. THIRD PARTY OPERATORS

SA HOME BUYERS recognize that, in fulfilling its service offering to its client base and in order to operate efficiently, it is necessary at times to share data subjects' personal and special personal information with third parties for specific reasons related to SA HOME BUYERS's service delivery. As referenced in clauses 5 and 6 above, SA HOME BUYERS will obtain the necessary Consent where required from the particular data subject.

SA HOME BUYERS shall moreover and where possible enter into an OPERATORS' AGREEMENT with the relevant third party with which SA HOME BUYERS share data subjects' information in order to ensure that the third party operator treats the personal information of SA HOME BUYERS's data subjects responsibly and in accordance with the provisions contained in the Act and Regulations thereto. SA HOME BUYERS shall, where possible request copies of the third party operators' POPIA Policy, rules, internet rules and details of the third party's Information Officer.

12. BANKING DETAILS

It is a known fact that the real estate role players are particular targets for email interceptions and in particular the interception of banking details for purposes of payment in respect of the transaction. SA HOME BUYERS' data subjects are open to large amounts of damages and losses if emails are intercepted and banking details are fraudulently amended without the data subject's knowledge.

12.1. In respect of the sale or purchase of property and where possible, payments will be made to the attorneys' trust account;
12.2. In respect of rental funds, payments are often made to the trust account of SA HOME BUYERS and in such events, the processes set out in 21.4 below will be followed;
12.3. SA HOME BUYERS will communicate with attorneys involved in transactions from time to time to ensure that the attorneys ensure they communicate their banking details in more ways than an email (such as for instance a phone call *and* a whatsapp in addition to the email);
12.4. SA HOME BUYERS undertake to refrain from sending the banking details of third parties to any of the data subjects involved in a transaction without also phoning such data subject *and* sending a whatsapp to confirm the details.

13. DIRECT MARKETING

In the event that SA HOME BUYERS utilize data subjects' personal contact particulars as stored on SA HOME BUYERS' existing database or obtained from a third party, SA HOME BUYERS shall ensure that it engages with the data subject responsibly and with respect.

SA HOME BUYERS will develop a specific narrative that will need to be used when data subjects are telephoned and which narrative will include a series of questions to establish whether the data subject wishes to discuss an offering by SA HOME BUYERS, wishes to remain on the database for future offering or whether the data subject wishes to be deleted from the SA HOME BUYERS' database. Record of the telephone conversation is required.

In the event that SA HOME BUYERS send emails to data subjects of a marketing nature, such emails shall clearly display the options of OPTING OUT of the email sender list. The requests for OPTING OUT must be recorded.

14. DATA CLASSIFICATION

All of SA HOME BUYERS' employees share in the responsibility for ensuring that SA HOME BUYERS' information assets receive an appropriate level of protection by observing these Information Classification rules:
14.1. Managers of SA HOME BUYERS or information 'owners' shall be responsible for assigning classifications to information assets according to the standard information classification system presented below. ('Owners" have approved management responsibility. 'Owners' do not have property rights.)
14.2. Where practicable, the information category shall be embedded in the information itself.

14.3. All employees of SA HOME BUYERS shall be guided by the information category in their security-related handling of SA HOME BUYERS' information. All information of SA HOME BUYERS and all information entrusted to SA HOME BUYERS from third parties fall into one of three classifications in the table below, presented in order of increasing sensitivity.

Information Description	Examples	Category
Unclassified Public	Information is not confidential and can be made public without any implications for SA HOME BUYERS	Product brochures widely distributed Information widely available in the public domain, including publicly available web site areas of SA HOME BUYERS. Sample downloads of SA HOME BUYERS' software that is for Sale Financial reports required by regulatory authorities Newsletters for external transmission
Proprietary	Information is restricted to management approved internal access and protected from external access. Unauthorized access could influence SA HOME BUYERS operational effectiveness, cause an important financial loss, provide a significant gain to a competitor, or cause a major drop in customer confidence. Information integrity is vital.	Passwords and information on corporate security procedures Know-how used to process client information Standard Operating Procedures used in all parts of SA HOME BUYERS' activities All software codes developed by SA HOME BUYERS, whether used internally or sold to clients
Client Confidential Data	Information collected and used by SA HOME BUYERS in the conduct of its business to employ people, to log and fulfil client mandates, and to manage all aspects of corporate finance. Access to this information is very restricted within SA HOME BUYERS. The highest possible levels of integrity, confidentiality, and restricted availability are vital.	Salaries and other personnel data Accounting data and internal financial reports Confidential customer business data and confidential contracts Non-disclosure agreements with clients\vendors Company business plans

15. RIGHTS OF THE DATA SUBJECT

15.1. The data subject or competent person where the data subject is a child, may withdraw his, her or its consent to procure and process his, her or its personal information, at any time, providing that the lawfulness of the processing of the personal information before such withdrawal or the processing of personal information is not affected.

15.2. A data subject may object, at any time, to the processing of personal information– a) In writing, on reasonable grounds relating to his, her or its particular situation, unless legislation provides for such processing; or b) For purposes of direct marketing other than direct marketing by means of unsolicited electronic communications.

15.3. A data subject, having provided adequate proof of identity, has the right to – a) Request SA HOME BUYERS to confirm, free of charge, whether or not SA HOME BUYERS hold personal information about the data subject; and b) Request from SA HOME BUYERS a record or a description of the personal information about the data subject held by SA HOME BUYERS, including information about the identity of all third parties, or categories of third parties, who have, or have had, access to the information – within a reasonable time; at a prescribed fee as determined by the Information Officer; in a reasonable manner and format; and in a form that is generally understandable.

15.4. A data subject may, in the prescribed manner, request SA HOME BUYERS to – a) correct or delete personal information about the data subject in its possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully; or b) destroy or delete a record of personal information about the data subject that SA HOME BUYERS is no longer authorised to retain.

15.5. Upon receipt of a request referred to in clause 15.4, SA HOME BUYERS will, as soon as reasonably practicable – a) correct the information; b) destroy or delete the information; c) provide the data subject, to his, her or its

satisfaction, with credible evidence in support of the information; or d) where an agreement cannot be reached between SA HOME BUYERS and the data subject, and if the data subject so requests, take such steps as are reasonable in the circumstances, to attach to the information in such a manner that it will always be read with the information, an indication that a correction of the information has been requested but has not been made.

15.6. SA HOME BUYERS will inform the data subject, who made a request as set out in clause 14.5, of the action taken as a result of the request.

16. INFORMATION OFFICER

16.1. Appointed Information Officer:

MARCO GARUTI DE SOUSA COUTINHO

Postal Address:	Graphic Centre, 2nd Floor, 199 Loop Street, Cape Town, 8001
Street Address:	Graphic Centre, 2nd Floor, 199 Loop Street, Cape Town, 8001
Tel./Mobile:	+27(0)83 265 8800
E-Mail:	marco@sahomebuyers.co.za

16.2. The general responsibilities of SA HOME BUYERS' Information Officer include the following:

16.2.1. The encouragement of compliance, by SA HOME BUYERS, with the conditions for the lawful processing of personal information;
16.2.2. Managing requests made to SA HOME BUYERS pursuant to POPIA;
16.2.3. Working with the Regulator in relation to investigations conducted pursuant to prior authorisation required to process certain information of POPIA in relation to the business.
16.2.4. Continuously perform data backups, store at least weekly backup offsite, and test those backups regularly for data integrity and reliability.
16.2.5. Review policy rules regularly, document the results, and update the policy as needed.
16.2.6. Continuously update information security policies and network diagrams.
16.2.7. Secure critical applications and data by patching known vulnerabilities with the latest fixes or software updates.
16.2.8. Perform continuous computer vulnerability assessments and audits.
16.2.9. The Information Officer may appoint any number of Deputy Information Officers as is necessary to perform the duties of the Information Officer as set out above. The Information Officer has control over every Deputy Information Officer(s) appointed.
16.2.10. The Information Officer may delegate, in writing, his/her power of duty conferred or imposed by this Act, to a Deputy Information Officer(s). In his/her decision to delegate power of duty, the Information Officer must give due consideration to the need to render SA HOME BUYERS as accessible as reasonably possible for requests of its records.
16.2.11. The Deputy Information Officer's duties must only be exercised or performed subject to any conditions set by the Information Officer. The delegation of power does not prohibit the Information Officer from performing these duties himself/herself. The Information Officer may at any time withdraw or amend, in writing, the delegation of power of duty.
16.2.12. Any right or privilege acquired, or any obligation or liability incurred as a result of the delegation of power, is not affected by any subsequent withdrawal or amendment of that delegation.

16.3. The data breach responsibilities of SA HOME BUYERS' Information Officer include the following:

16.3.1. Ascertain whether personal data was breached;

16.3.2. Assess the scope and impact by referring to the following:

16.3.2.1. Estimated number of data subjects whose personal data was possibly breached

16.3.2.2. Determine the possible types of personal data that were breached

16.3.2.3. List security measures that were already in place to prevent the breach from happening.

16.3.3. Once the risk of the breach is determined, the following parties need to be notified within 72 hours after being discovered:

16.3.3.1. The Information Regulator;

16.3.3.2. Any data subjects who have been affected by such data breach;

16.3.3.3. SA HOME BUYERS will only delay notification of the data subject if a public body responsible for the prevention, detection or investigation of offences or the Regulator determines that notification will impede a criminal investigation by the public body concerned.

16.3.3.4. The notification to a data subject will be in writing and communicated to the data subject in at least one of the following ways: a) Posted to the data subject's last known physical or postal address; or b) Sent by e-mail to the data subject's last known e-mail address; or c) Placed in a prominent position on the website of MERIDAN; or d) Published in the news media.

16.3.3.5. Communication should include the following:

- Contact details of Information Officer

- Details of the breach,
- Likely impact,
- Actions already in place, and those being initiated to minimise the impact of the data breach.
- Any further impact is being investigated (if required), and necessary actions to mitigate the impact are being taken.
- A description of the possible consequences of the security compromise;
- A description of the measures that MERIDAN intends to take or has taken to address the security compromise;
- A recommendation with regard to the measures to be taken by the data subject to mitigate the possible adverse effects of the security compromise; and
- If known to SA HOME BUYERS, the identity of the unauthorised person who may have accessed or acquired the personal information.

16.3.4. Review and monitor

16.3.4.1. Once the personal data breach has been contained, SA HOME BUYERS will conduct a review of existing measures in place, and explore the possible ways in which these measures can be strengthened to prevent a similar breach from reoccurring.

16.3.4.2. All such identified measures should be monitored to ensure that the measures are satisfactorily implemented.

17. AVAILABILITY AND REVISION

A link to this Policy is made available on the SA HOME BUYERS company website www.sahomebuyers.co.za

This policy will continually be updated to comply with legislation, thereby ensuring that personal information will be secure.

FORM 1

OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF SECTION 11(3) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013) REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018

[Regulation 2]

Note:

1. *Affidavits or other documentary evidence as applicable in support of the objection may be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*
3. *Complete as is applicable.*

A	**DETAILS OF DATA SUBJECT**
Name(s) and surname/ registered name of data subject:	
Unique Identifier/ Identity Number	
Residential, postal or business address:	
	Code ( )
Contact number(s):	
Fax number/E-mail address:	
B	**DETAILS OF RESPONSIBLE PARTY**
Name(s) and surname/ Registered name of responsible party:	
Residential, postal or business address:	
	Code ( )
Contact number(s):	
Fax number/ E-mail address:	
C	**REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f)** *(Please provide detailed reasons for the objection)*

Signed at ..... this ..... day of .....20……..

..... *Signature of data subject/designated person*

FORM 2

REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYINGORDELETIONOFRECORDOF PERSONALINFORMATIONINTERMSOF SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACTNO. 4 OF 2013) REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018

[Regulation 3]

Note:

1. *Affidavits or other documentary evidence as applicable in support of the request may be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*
3. *Complete as is applicable.*

Mark the appropriate box with an "x".

Request for:

☐ Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.

☐ Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information.

A	DETAILS OF THE DATA SUBJECT
Name(s) and surname / registered name of data subject:	
Unique identifier/ Identity Number:	
Residential, postal or business address:	
	Code ( )
Contact number(s):	
Fax number/E-mail address:	
B	**DETAILS OF RESPONSIBLE PARTY**
Name(s)andsurname/ registered name of responsible party:	
Residential, postal or business address:	
	Code ( )
Contact number(s):	
Fax number/ E-mail address:	
C	**INFORMATION TO BE CORRECTED/DELETED/ DESTRUCTED/ DESTROYED**

D	**REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(a) WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY ; and or** **REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(b) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN.** *(Please provide detailed reasons for the request)*

Signed at ..... this ..... day of .....20……..

.....
Signature of data subject/ designated person

FORM 3

APPLICATION FOR THE CONSENT OF A DATA SUBJECT FOR THE PROCESSING OF PERSONAL INFORMATION FOR THE PURPOSE OF DIRECT MARKETING IN TERMS OF SECTION 69(2) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013) REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018

[Regulation 6]

TO: _____

_____

FROM: *(Name of data subject)*

_____

_____

_____

Contact number(s): _____

Fax number: _____

E-mail address: _____

(Name, address and contact details of responsible party)

Full names and designation of person signing on behalf of responsible party:

_____

.....

Signature of designated person

Date: _____

PART B

I,_____*(full names of data subject)* hereby:

☐ Give my consent.

To receive direct marketing of goods or services to be marketed by means of electronic communication.

SPECIFY GOODS or SERVICES:

SPECIFY METHOD OF COMMUNICATION: FAX:

E - MAIL:

SMS:

OTHERS – SPECIFY:

Signed at ..... this ..... day of .....20.....

……*Signature of data subject*