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1. INTRODUCTION


- 1.1. Autus Private Clients (Pty) Ltd (“the Company”) is an authorised financial services provider whose business includes the collection of Personal Information from its clients, suppliers and employees. The Company endeavours to comply with all the relevant legislation and regulations relating to the protection of Personal Information.
- 1.2. This Personal Information Protection Policy (the “Policy”) documents and records the principles and policies the Company follows when collecting and Processing Personal Information, describes the required business activities relating to Personal Information Processing and specifies the responsibilities of the Company when complying with the relevant legislation and regulations.
- 1.3. The Company acknowledges that it must comply with South African legislation, in the form of the Protection of Personal Information Act, 2013 (Act no. 4 of 2013) (“POPIA”) as it Processes Personal Information in South Africa. In addition, the Company acknowledges that it has to comply with the European Union General Data Protection Regulation (“GDPR”) as GDPR impacts South African based companies that process Personal Information of EU residents, and since the convergence of these various data protection legislation and regulations are imminent.

2. DOCUMENTS OF REFERENCE

- 2.1. Protection of Personal Information Act, 2013 (Act no. 4 of 2013);
- 2.2. European Union General Data Protection Regulation (“GDPR”);
- 2.3. Data Retention Policy;
- 2.4. Privacy Policy.

3. DEFINITIONS

- 3.1. “Anonymisation” or “De-identify” means irreversibly De-identifying Personal Information such that the person cannot be identified by using reasonable time, cost and technology. Personal Information Processing principles do not apply to Anonymized data.
- 3.2. “Data Subject” means the person to whom the Personal Information relates.
- 3.3. “Encryption” means scrambling the entire contents of a set of information using mathematical techniques.

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- 3.4. “Operator” means a natural or juristic person, public authority or any other institution which Processes Personal Information on behalf of the Responsible Party.
- 3.5. “Personal Information” means any information relating to an identifiable natural person, or to the extent applicable, a juristic person. This includes, but is not limited to information relating to race, gender, sex, pregnancy, marital status, ethnic and social origin, colour, sexual orientation, age, physical or mental health, religion, disability, language, information relating to educational, medical, financial, criminal or employment history, any identifying number, email address, physical address, telephone number, location information, online identifier or biometric Personal Information.
- 3.6. “Processing” means any activity concerning Personal Information including the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use, dissemination by means of transmission, distribution or making available in any other form, or merging, linking, as well as restriction, degradation, erasure or destruction of information.
- 3.7. “Pseudonymisation” means the Processing of Personal Information in such a manner that the Personal Information can no longer be attributed to a specific Data Subject without the use of additional information, provided that such additional information is kept separately.
- 3.8. “Re-identify” means to resurrect any information that has been De-identified.
- 3.9. “Responsible Party” means a public or private body or any other person that, alone or in conjunction with others, determines the purpose and means for Processing Personal Information.

4. PRINCIPLES REGARDING PERSONAL INFORMATION PROCESSING

4.1. **Accountability**


The Company acknowledges that, as a Responsible Party, it must ensure compliance with the relevant regulations. Accordingly, the Information Officer has been designated with this responsibility.

4.2. **Lawful Processing of Personal Information**

The Company will ensure that Personal Information is Processed lawfully, fairly and transparently concerning the Data Subject. Personal information collected must not be excessive, must be legally justifiable and not collected from third parties without good reason.

4.3. **Purpose limitation**

Personal information collected is limited and relevant concerning the specific purpose for which it is processed. Accordingly, the Company will apply Anonymisation or Pseudonymisation to Personal Information, where possible, to reduce the risk to the Data Subject. Personal information will not be stored for any longer than necessary.

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4.4. Data minimisation

The Company will ensure that Personal Information is adequate and limited to what is necessary for the purpose for which it is processed.

4.5. Information quality

All Personal Information collected will be complete and accurate, and the Company will take reasonable steps to ensure that inaccurate data is corrected in a timely manner.

4.6. Lawful processing of personal information

The Company will ensure that Personal Information is processed lawfully, fairly and transparently. Personal information collected must not be excessive, must be legally justifiable and not collected from third parties without good reason.

4.7. Security safeguard relating to integrity and Personal Information confidentiality

The Company will ensure that Personal Information is Processed securely and will use appropriate information technology measures to protect Personal Information against accidental or unlawful destruction, loss, amendment or unauthorised access. Notification of any data breaches will occur timeously.

4.8. Restriction on further processing

Personal information may only be processed for the purpose for which it was collected under specific conditions.

4.9. Transparency


The Company will transparently process Personal Information.

4.10. Data Subject participation

Data Subjects will be allowed to access their Personal Information and request that it is corrected or deleted if inaccurate. The Company acknowledges that Personal Information that is inaccurate, irrelevant, inappropriate, ambiguous or unlawfully obtained is to be corrected or deleted.

4.11. Storage period limitation

Personal information must be stored for no longer than necessary for the purposes for which it is processed.

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5. INFORMATION PROTECTION PROCESSES

5.1. Communication to Data Subjects

The Company is responsible for communicating to Data Subjects which types of Personal Information is collected, the purposes of processing the Personal Information, the Processing methods, the Data Subjects' rights, and the retention periods. In addition, the Information Officer will ensure that the Data Subjects are notified when Personal Information is shared with third parties.

The Information Officer will authorise which Personal Information is processed. In addition, the Company will perform a Data Protection Impact Assessment for each Personal Information Processing activity.

5.2. Data Subject's consents

The Information Officer will be responsible for retaining the records of the Data Subject's consents regarding the Processing of Personal Information. In addition, the Information Officer will ensure that any request to correct, change or destroy Personal Information is dealt with within a reasonable time frame and keep records thereof. The Company will ensure that any consents given by the Data Subjects are voluntary, specific, and an informed expression of will.

5.3. Personal Information collection

The Company will attempt to collect the minimum amount of Personal Information possible. If any Personal Information is collected from a third party, the Information Officer will ensure that the information is collected lawfully.

5.4. Personal Information use, retention and deletion


All Personal Information will be used, retained and deleted or destroyed in a manner consistent with the purpose described in the Company's Privacy Policy. In addition, the Company will ensure that Personal Information remains accurate and confidential when being Processed.

5.5. Data Subject's access rights

The Company's Information Officer will ensure that Data Subjects are provided with reasonable access to their Personal Information. The Company will further ensure that its Data Subjects can update, correct, delete or transfer their Personal Information if required.

5.6. Personal Information transferability

Data Subjects have the right to receive a copy of their Personal Information provided to the Company. The Information Officer will ensure that the Data Subject's Personal Information can be transmitted to another party if required and ensure that such requests are processed timeously.

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5.7. Third-party disclosures

In instances where the Company utilises third parties to Process Personal Information, the Information Officer will ensure that the third parties have adequate security measures to safeguard Personal Information.

5.8. Right to delete or destroy Personal Information

The Company will ensure that Personal Information of the Data Subject can be deleted or destroyed upon the Data Subject’s request. Personal Information destruction will occur as soon as reasonably practical after the request has been made.

5.9. Privacy Policy

A Privacy Policy will be available to Data Subjects of the Company and will be written in clear, plain language. The Privacy Policy will be made available through the Company’s website and will include details of how Personal Information is Processed.


The Privacy Policy will also include the name and contact details of the Company’s Information Officer, the nature of Personal Information collected, the purpose for its collection and the rights of the Data Subject.

5.10. Security measures

The storage and transfer of Personal Information will occur in a secure environment. The Company will ensure that a risk assessment is completed to identify all reasonably foreseeable internal and external risks to Personal Information under its control. Technical measures will be utilised to secure Personal Information, and such measures may consist of De-identification (anonymisation) or Encryption. The Company will ensure that the Information Regulator is notified of any data breaches as soon as reasonably possible and notify all Data Subjects affected by such breaches.

6. RESPONSIBILITIES OF THE COMPANY

- 6.1. As the Responsible Party, the Company is committed to accountability, transparency and consensual and responsible Processing of Personal Information.
- 6.2. The Company intends that this Policy will protect a Data Subject’s Personal Information from being compromised in any way, and this Policy is consistent with the privacy laws applicable in South Africa.
- 6.3. The board of directors of the Company is responsible for approving this Policy, and the Information Officer is responsible for managing and implementing the Personal Information protection processes.
- 6.4. The Company’s Compliance Officer will monitor Personal Information protection regulation to ensure that all developments are incorporated into the Company’s business activities.

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6.5. The Information Officer of the Company will ensure that employees' awareness of Personal Information protection is raised and will further ensure that employee Personal Information protection occurs.

7. INFORMATION OFFICER/CONTACT DETAILS

Any questions relating to the Company's Privacy Policy or the treatment of an individual's Personal Information should be addressed to the Information Officer, whose contact details are:

Information Officer : Hester Mostert
 Telephone number : 071 505 1489
 Postal address : PO Box 7025, Welgemoed, 7538
 Physical Address : Unit D4, Polo Village Offices, Val de Vie Estate, Paarl, 7646
 E-mail address : hester@autus.co.za
 Website : n/a