



POPI & PRIVACY POLICY

PROTECTION OF PERSONAL INFORMATION & PRIVACY

POLICY PREPARED IN TERMS OF THE [PROTECTION OF PERSONAL INFORMATION ACT \(ACT 4 OF 2013\)](#)

1. INTRODUCTION

- 1.1 Legal & Tax Services (Pty) Ltd (Hereinafter referred to as "Legal&Tax") is an authorised Financial Service Provider, FSP No. 28566. Legal&Tax is the direct marketer and non-mandated intermediary of life insurance benefits underwritten by the product supplier Centriq Life Insurance Company Limited, and non-life insurance benefits underwritten by Centriq Insurance Company Limited ("Centriq") a licensed insurer and authorised Financial Services Provider.
- 1.2 Benjy Porter is the CEO and Key Individual in respect of the Legal&Tax Life Insurance Subcategory A and B1-A and Assistance Policies (Category IV) and Non-life Personal Lines Products and Avron Urison is the CEO of HealthCare and an authorised Key Individual. In each other's absence the other will serve as acting Key Individual to participate in the decision-making and management of the organisation. Benjy Porter and Avron Urison are approved for all the sub-categories for which Legal&Tax is authorised to render advisory and intermediary services.
- 1.3 This Policy describes how we collect, use, disclose, retain and protect your personal information, in accordance with the Protection of Personal Information Act (POPIA) and other relevant laws to give effect to the constitutional right to privacy, by safeguarding personal information when processed by a responsible party like us.

2. DETAILS

- 2.1 **Postal Address:** P.O. Box 95275
Grant Park
2051
- 2.2 **Street Address:** 3rd Floor Acacia Grove
Houghton Estate Office Park
2 Osborn Road, Houghton
Johannesburg
2196
- 2.3 **Business number:** 0860 587 587
- 2.4 **Business fax:** 011 728 2046
- 2.5 **Business email:** info@legalandtax.co.za
- 2.6 **Chief Executive Officer**
Name: Benjy Frank Porter
Email: Benjy@legalandtax.co.za
- 2.7 **Information Officer:**
We have appointed an Information Officer and a Deputy Information Officer in terms of POPIA:
Name: Darren Cohen
Email: Darrenc@legalandtax.co.za
popi@legalandtax.co.za
- 2.8 **Deputy Information Officer**
Name: Lizl Finch
Email: lizlF@legalandtax.co.za
popi@legalandtax.co.za

3. DEFINITIONS

- 3.1 **Data subject:** A natural or juristic person;
- 3.2 **Direct Marketing:** Means to approach a data subject, either in person or by mail or electronic communication, for the direct or indirect purpose of:



- 3.2.1 promoting or offering to supply, in the ordinary course of business, any goods or services to the data subject; or requesting the data subject to make a donation of any kind for any reason.
- 3.3 **Operator:** The person, or party who processes personal information for the responsible party by contract or mandate without coming under his/her/its direct authority.
- 3.4 **Personal information:** Information about an identifiable natural living person / an identifiable existing juristic person, including, but not limited to:
 - 3.4.1 information relating to the race, gender, sex, pregnancy, marital status, national, 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;
 - 3.4.2 information relating to the education or the medical, financial, criminal or employment history of the person;
 - 3.4.3 any identifying number, symbol, email address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
 - 3.4.4 the biometric information of the person;
 - 3.4.5 the personal opinions, views or preferences of the person;
 - 3.4.6 correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
 - 3.4.7 the views or opinions of another individual about the person; and
 - 3.4.8 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.
- 3.5 **Processing:** Means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including:
 - 3.5.1 the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
 - 3.5.2 dissemination by means of transmission, distribution or making available in any other form; or
 - 3.5.3 merging, linking, as well as restriction, degradation, erasure or destruction of information.
- 3.5.4 **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.

4. HOW WE COLLECT INFORMATION

- 4.1 Our operators collect and process personal information about you and any other person whose details you provide to us in accordance with the relevant laws, either:
 - 4.1.1 through direct marketing from you when you complete a product or service application form electronically, telephonically or by way of a hard copy;
 - 4.1.2 from employers and other contracted entities in the context of group insurance policies; and
 - 4.1.3 where relevant, from third-party sources, such as other entities and or divisions within Legal&Tax, public databases, data aggregators, other financial institutions, credit bureaus, and fraud prevention agencies.
- 4.2 You passively provide us information through technology. Some of this information may be linked to you personally and helps our websites and mobile services work correctly and supports our marketing and analytics efforts to the extent permissible under applicable laws through:
 - 4.2.1 Device Information: We collect technical information when you visit our websites or use our mobile applications or services. This includes information such as Internet Protocol (IP) address, the type of mobile device you use, your device operating system and browser type, a unique device identifier, the address of referring websites, the path you take through our websites, and other information about your session on our websites.
 - 4.2.2 Browsing Information: We use our own and third-party technologies such as cookies, web beacons, and mobile device identifiers to collect information about the use of our websites and mobile services. We use these tools to provide an integrated and more personalized experience for you.

5. COLLECTION OF INFORMATION FROM THIRD PARTIES

- 5.1 We receive information about you from other sources to help us correct or supplement our records, improve the quality or personalization of our services and marketing to you, and prevent or detect fraud. We collect personal information from consumer reporting agencies in conjunction with products or services that involve risk to us.



- 5.2 We do not control the collection or use of personal information by third parties and this Policy does not apply to third parties. We do not accept any responsibility or liability for third-party policies or your use of a third-party software application, platform or service.

- 5.3 We will only provide data to third-party information exchange services with your consent.

6. CORRECTNESS OF INFORMATION

- 6.1 We require information in order to provide you with our products and services. Failure to provide us with the necessary information, will result in us being unable to provide you with fair and correct products and services. Where such services include product or professional advice, the appropriateness of the advice may be compromised if you do not provide complete and accurate information.
- 6.2 You are responsible for informing us if your information changes.

7. HOW WE USE INFORMATION

- 7.1 We are required by various laws to maintain service records and we need to collect, use and disclose information to the extent permissible under applicable laws to:
- 7.1.1 provide you with our financial products and services, and maintain our relationship with you;
 - 7.1.2 provide you with intermediary services;
 - 7.1.3 conclude and administer your application, which may include underwriting;
 - 7.1.4 assess, check, and process claims;
 - 7.1.5 comply with legislative and regulatory requirements, including codes of conduct and requirements of our regulators (including the Financial Sector Conduct Authority and Prudential Authority);
 - 7.1.6 undertake credit reference searches and/or verification;
 - 7.1.7 detect and prevent unlawful activities, fraud, money-laundering and loss, including as part of party due diligence required under applicable laws and in terms of our policies;
 - 7.1.8 assist with debt recovery or debt tracing;
 - 7.1.9 record and/or monitor and have access to your telephone calls (i.e. voice recordings), correspondence and electronic communications to/with us (or any of our employees, agents or contractors) in order to accurately carry out your instructions and requests, to use as evidence and in the interests of crime prevention;
 - 7.1.10 conduct statistical analysis and for research purposes;
 - 7.1.11 conduct audits and for record-keeping purposes;
 - 7.1.12 use for purposes of proof and legal proceedings;
 - 7.1.13 enhance your experience when interacting with us and to help us improve our offerings to you;
 - 7.1.14 share with other entities in the Legal&Tax group, so that we can market our financial products and services which we deem similar, with the aim of offering you the opportunity to take up some of the financial products to fulfil your needs, provided that you have not objected to receiving such marketing;
 - 7.1.15 conduct market research and provide you with information about our products and services from time to time via email, telephone or other means;
 - 7.1.16 process your marketing preferences (where you have unsubscribed from certain direct marketing communications, keeping a record of your information and request to ensure that we do not send such direct marketing to you again);
- 7.2 Information which you provide will be used and/or retained only for the purposes for which it is collected, where after it will be permanently destroyed. We will only retain personal information for longer than the purpose for which it was collected if it is required by law or where you have given consent for us to retain such information for an extended period.

8. SHARING INFORMATION

- 8.1 All of the categories of information that we collect may be shared with third parties, including those within our corporate family and its divisions, for a business purpose. We will not sell or rent your information for financial gain. We will only share your information with third parties if there is a legitimate reason to do so. We may share and disclose the information you provide to us to the following entities:
- 8.1.1 Our third-party service providers and other entities or divisions who are involved in the delivery and/or administration of financial products and services;



- 8.1.2 Other third parties in relation to the purposes set out under the previous section (How we use information);
- 8.1.3 Other insurers, public bodies and law enforcement (either directly or through shared databases) for fraud detection and prevention.
- 8.2 We will share and disclose the information when lawfully required to do so:
 - 8.2.1 to comply with any relevant legislation;
 - 8.2.2 to comply with any legal process;
 - 8.2.3 by any regulatory authority (for example, the Financial Sector Conduct Authority or Prudential Authority); and
 - 8.2.4 on occasion, we may, for legitimate purposes, share aggregated information with its stakeholders and business partners in a manner that does not identify the persons to whom the information applies. However, we will not disclose your information to third parties unless there is valid processing ground as set out in section 11 of POPIA.

9. TRANSFER OF INFORMATION ACROSS BORDERS

Where we need to transfer your information outside the borders of South Africa, we will ensure that we only transfer the information to countries that have similar privacy laws to those applicable in South Africa or to a party who is contractually bound to comply with data protections obligations which impose no lesser legal requirements than those imposed by POPIA.

10. SECURING INFORMATION

- 10.1 The security and confidentiality of your information is important to us. We have implemented technical, administrative, and physical security measures to protect your personal information from unauthorised access or disclosure and improper use. Access to your information is restricted to only those operators and employees who need the information to perform a specific job and task. All employees with access to information are kept up-to-date on our security and privacy practices. After a new policy is added, these employees are notified and reminded about the importance we place on privacy, and what they can do to enhance protection of information. We are committed to ensuring that our security measures which protect information are continuously reviewed and updated where necessary.
- 10.2 Whilst we will do all things reasonably necessary to protect information, we cannot guarantee nor do we accept any liability of whatsoever nature for any unauthorised or unlawful disclosure and/or use of information, either by employees and/or made by any third parties (including third party service providers) who are not subject to our control, unless such disclosure and/or use is as a result of our gross negligence.

11. YOUR RIGHTS

- 11.1 The [Promotion of Access to Information Act](#) (PAIA) coupled with POPIA offer you the right to access information held by a public or private body in certain instances. This right can be exercised in accordance with our PAIA Policy. Should you wish to make a request please click on the following link: <https://www.legalandtax.co.za/uploads/Compliance/Promotion-of-Access-to-Information-PAIA-Policy.pdf>
- 11.2 In accordance with POPIA, you may object to our processing of your information on reasonable grounds relating to your particular situation, unless legislation provides for such processing.
- 11.3 You may also object to receiving direct marketing from us at any time.

12. COMPLAINTS

- 12.1 If at any time, you feel that your information has been processed by us without your consent or that your rights in terms of the POPIA and PAIA have been violated in any way, you may send a complaint through to our Information Officer.
- 12.2 Although we would appreciate the opportunity to first address any complaints regarding our processing of your, you have the right to complain to the [Information Regulator](#), whose contact details are:
Postal address: P.O. Box 31533
Braamfontein
Johannesburg
2017



Street address: JD House 27 Stiemens Street
Braamfontein
Johannesburg
2001

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

General enquiries email: infoereg@justice.gov.za

Website: <https://www.justice.gov.za/infoereg/contact.html>

13. TRAINING AND EMPLOYEES

- 13.1 All employees and Representatives are required to read this policy and a record thereof is maintained which confirms that they fully understand the provisions and applications thereof.
- 13.2 Comprehensive training on POPIA and PAIA is provided bi-annually to all employees as part of general FAIS training and training is incorporated as part of all new appointees' induction and refresher training provided on an annual basis.
- 13.3 Legal&Tax conducts ad hoc checks to ensure the policy has been complied with through various internal controls.
- 13.4 Non-compliance is subject to disciplinary procedures in terms of the FAIS Act and employment conditions which can ultimately result in debarment or dismissal as applicable of an employee.

Signature of Key Individual

Benjy Porter
CEO

Please contact compliance for further information on any aspect/s of this policy document. Copies of associated policies can be requested from compliance@legalandtax.co.za.