

PROTECTION OF PERSONAL INFORMATION AND PRIVACY POLICY

Prepared by:

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Legal and Tax Services (Pty) Ltd is an Authorised Financial Services Provider, FSP No. 28566

Legal Expense Insurance products are underwritten by Centriq Insurance Company Limited ("Centriq"), a licensed non-life insurer and authorised financial services provider, FSP No. 3417

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Definitions

Data subject: A natural or juristic person

Personal information: Everything about an identifiable natural living person / an identifiable existing juristic person

Lawful processing: Processing of a data subjects' personal information subject to:

- Accountability
- Processing limitation
- Purpose specification
- Further processing limitation
- Information quality
- Openness
- Security safeguards
- Data subject participation

Responsible party: People who determine the purpose of processing personal information and the manner (means) of processing it

Operator: The person who processes personal information for the responsible party by contract or mandate without coming under his/her/its direct authority

Information officer: The person appointed in terms of the Protection of Personal Information Act, 2013 and the Promotion of Access to Information Act, 2000.

Information Regulator: The body responsible for the enforcement of POPI across tasks such as

- Education
- Monitoring and compliance enforcement
- Duty to consult widely
- Handle complaints
- Research
- Codes of conduct
- Facilitate cross-border cooperation
- Matters incidental and conducive to POPI
- Reports

1 Introduction and objective

- 1.1 Legal and Tax Services (Pty) Ltd (hereinafter referred to as "Legal&Tax") is a financial services provider and intermediary who is obliged to comply with the Protection of Personal Information Act 4 of 2013 ("POPI").
- 1.2 This policy and framework establish measures and standards for the suitable protection of personal information of data subjects (prospective clients, clients and employees) as required by POPI, as well as the lawful processing of personal information within our organisation and provides principles regarding the right of data subjects to privacy and to reasonable safeguarding of their personal information.
- 1.3 POPI requires Legal&Tax to inform our data subjects as to how their personal information is collected, processed, updated, transmitted, used, archived, disclosed and destroyed.



- 1.4 Legal&Tax makes every effort to ensure protecting your privacy and ensuring your personal information is used appropriately, transparently, securely and in accordance with this policy and applicable laws.

2 Information Officer

Legal&Tax has appointed an Information Officer and Deputy Information Officer in terms of the Act and their responsibilities are as follows:

- 2.1 The encouragement of compliance with the conditions for the lawful processing of personal information.
- 2.2 Managing requests made to Legal&Tax pursuant to the POPI Act.
- 2.3 Working with the Information Regulator in relation to investigations conducted pursuant to prior authorisation required to process certain information of this Act in relation to the business.
- 2.4 Ensuring compliance by Legal&Tax with the provisions of the POPI Act. This is an ongoing responsibility that will include training of new staff and to update internal policies.
- 2.5 Any deviations from this policy or breach thereof or incidents that may relate to such a possibility must be reported to the Information Officer and Deputy Information Officer.

Name	Position	Role / Responsibility
Darren Cohen (DC)	General Manager	Information Officer
Lizl Finch (LF)	National Head of Sales	Deputy Information Officer
Shivani Nair (SN)	Legal, Compliance and Risk Manager	Compliance

All requests to be submitted to popi@legalandtax.co.za.

3 The personal information that may be collected

- 3.1 Legal&Tax collects and processes data subject's personal information pertaining to data subject's insurance needs. The type of information will depend on the need for which it is collected and will be processed for that purpose only. Whenever possible, we will inform the client what information they are required to provide us with and what information is optional. Examples of the personal information we collect includes but is not limited to:
 - 3.1.1 Identity number, name, surname, physical address, postal code, marital status and how many dependants they have;
 - 3.1.2 Employment details;
 - 3.1.3 Details of beneficiaries and next of kin;
 - 3.1.4 Description of residence, business and assets;
 - 3.1.5 Bank details;
 - 3.1.6 Any other information required by us, suppliers and insurers.
- 3.2 Legal&Tax may from time to time collect personal information of a client in order to maintain the legitimate interests of the client.
- 3.3 Legal&Tax also collects and processes data subject's personal information for direct marketing purposes to ensure that our products and services remain applicable to our clients' and potential



clients. Legal&Tax ensures that it obtains consent from each data subject to collect and process their personal information and we inform clients that it will be used for direct marketing purposes. In the case of potential clients, it is possible we would receive personal information through for example, referrals from existing clients, and prior to the potential client's opt-in consent. In this case we will make every effort to confirm consent prior to any ongoing direct marketing efforts.

- 3.4 We have agreements in place with all our product suppliers, insurers and third-party service providers to ensure that there is a mutual understanding with regard to the protection of data subject personal information. Our suppliers are subject to the same data protection legislation as we are subjected to.
- 3.5 We may also supplement the information provided with information we receive from other providers in order to offer a more consistent and personalised experience in data subject interaction with us.

4 How personal information is used

- 4.1 Data subject personal information will only be used for the purpose for which it was collected and agreed. This may include:
 - 4.1.1 Providing products or services to clients and to carry out the transactions requested;
 - 4.1.2 For underwriting purposes;
 - 4.1.3 Assessing and processing claims;
 - 4.1.4 Conducting credit reference searches or verification;
 - 4.1.5 Confirming, verifying and updating clients' details;
 - 4.1.6 For purposes of claims history;
 - 4.1.7 For the detection and prevention of fraud, crime, money laundering or other malpractice;
 - 4.1.8 Conducting market or customer satisfaction research;
 - 4.1.9 For audit and record keeping purposes;
 - 4.1.10 In connection with legal proceedings;
 - 4.1.11 Providing our services to carry out the services requested and to maintain and constantly improve the relationship;
 - 4.1.12 Providing communications in respect of Legal&Tax and regulatory matters that may affect clients;
 - 4.1.13 In connection with and to comply with legal and regulatory requirements or when it is otherwise allowed by law.
- 4.2 In terms of the provisions of POPI, personal information may only be processed if certain conditions are met which are listed below along with supporting information for Legal&Tax processing personal information:
 - 4.2.1 Client consents to the processing – consent is obtained from clients during the client take-on stage of our relationship;
 - 4.2.2 The processing is necessary – in order to conduct an accurate analysis of clients' insurance needs, certain personal information is required;
 - 4.2.3 Processing complies with an obligation imposed by law on Legal&Tax – The Financial Advisory and Intermediary Services (FAIS) Act requires financial services providers to conduct a needs analysis and obtain information from clients about their insurance needs in order to provide them with appropriate and beneficial products;
 - 4.2.4 Processing protects the legitimate interest of the data subject;



4.2.5 Processing is necessary for pursuing the legitimate interest of Legal&Tax or of a third party to whom information is supplied.

5 Obtaining consent from data subjects

5.1 Legal&Tax has procedures in place to ensure that prospective clients' expressly consent to the collection and processing of their personal information, and we ensure that they are aware of the purpose for which their information is collected.

5.1.1 Where this is done telephonically, we maintain call recordings as evidence of compliance.

5.1.2 SMS or email reply is also stored.

5.2 Existing clients have provided consent for the collection and processing of their personal information, and the purposes thereof, as confirmed in our statutory disclosure notices which are sent to clients after conclusion of a sale.

5.3 In the event that a prospective client does not consent to the collection and processing of his/her personal information, no further contact may be made with the individual. But the data will be stored to prevent additional consent requests in a short space of time.

5.4 Where we obtain information from third parties, we will request confirmation from the third party that the data subject has provided consent for his/her personal information to be shared.

5.5 Where existing clients wish to no longer receive email communication from us, they may choose to opt-out by unsubscribing to our mailing list. For this reason, each non-operational (this includes communication we have to send to clients in terms of product updates and with regards to services that the client has taken out with Legal&Tax) email/SMS must contain an unsubscribe option, and sales scripts should include this too. This will only prevent direct marketing and not operationally required communication.

6 Disclosure of personal information

6.1 We may disclose clients' personal information to our providers whose services or products clients elect to use. We have agreements in place to ensure that they comply with confidentiality and privacy conditions.

6.2 We may also share client's personal information with, and obtain information about clients from third parties for the reasons already discussed in the section above detailing which personal information may be collected.

6.3 We may also disclose clients' information where we have a duty or a right to disclose in terms of applicable legislation or where it may be necessary to protect our rights.

7 Leads generation

7.1 Legal&Tax generates leads for prospective clients via various media and mechanisms including referral programmes and lead aggregators, digital platforms such as (but not limited to) our website, WhatsApp and social media.

7.2 When a lead is generated from a referral we will include an opt-in on the first contact point to ensure the prospect is aware we have their personal information and will attempt to deliver direct marketing to them.



- 7.3 When a lead has proactively contacted Legal&Tax via a call in, digital platforms etc. the opt-in will be considered to be part of the data-subject initiated contact and we will add them to our opt-in list.

Safeguarding data subjects' information

- 7.4 It is a requirement of POPI to adequately protect the personal information we hold and to avoid unauthorised access and use of clients' personal information. We will continuously review our security controls and processes to ensure that clients' personal information is secure.
- 7.5 As part of our controls, staff are not allowed to store any client's personal information on their mobile devices or remove any client personal information from the office in any form whatsoever.
- 7.6 When we contract with third parties, we impose appropriate security, privacy and confidentiality obligations on them to ensure that data subject's personal information is kept secure.
- 7.7 We may need to transfer clients' personal information to another country for processing or storage. We will ensure that anyone to whom we pass clients' personal information agrees to treat that information with a similar level of protection as afforded to clients by ourselves.

8 Bring your own device Policy

- 8.1 Legal&Tax has an IT policy in place which regulates the use and control of staff members' personal mobile and computer devices. In terms of this policy, staff will only be granted access to company information on their personal devices once management has given written consent in this regard. The IT policy forms part of the employment contract which each staff member has to sign upon appointment, and in which they agree:
- 8.1.1 Not to download or transfer business or personal sensitive information to their device. Sensitive information includes Legal&Tax intellectual property, employee details etc.
- 8.1.2 To make every reasonable effort to ensure that Legal&Tax's data is not compromised through the use of mobile equipment in a public place. Screens displaying sensitive or critical information should not be seen by unauthorised persons and all registered devices should be password protected.
- 8.1.3 Not to share the device with other individuals so as to protect the company's data from being accessed through the device.

9 Staff access and controls

- 9.1 Where staff access data subject information, the access to information is controlled via limited views (specific to that person's tasks) and through password protection to ensure only valid users can access data subject information.

10 Cloud storage and servers

- 10.1 Legal&Tax utilises locally hosted servers. Access to these servers is limited to specific users that would require this access and our servers are password protected and connected to firewall protection which is managed by our external IT service provider.
- 10.2 Call recordings related to sales and client queries are stored as required by law
- 10.2.1 Access to these call recordings is restricted based on user rights



11 Access and correction of personal information

- 11.1 Data subjects have the right to access the personal information we hold about them. Clients also have the right to request us to update or correct their personal information on reasonable grounds. Once a client objects to the processing of their personal information, Legal&Tax may no longer process said information, provided that we still comply with our regulatory obligations. We will take all reasonable steps to confirm our clients' identity before providing details of their personal information or making changes to their personal information.
- 11.2 Legal&Tax has a PAIA Policy in place which sets out the procedure to follow when information is requested as prescribed by the Promotion of Access to Information Act. This policy is published on our website.

12 Breach

- 12.1 Legal&Tax will notify the Information Regulator and data subjects as soon as reasonable possible of a security breach that compromises their personal information.

13 Amendments to this Policy

- 13.1 Amendments to this policy will take place on an ad hoc basis or at least once a year. Data subjects are advised to check our website periodically to inform themselves of any changes. Where material changes take place, clients will be notified directly.