



# Tate Nolan & Knight

ATTORNEYS ♦ NOTARIES ♦ CONVEYANCERS

PROTECTION OF PERSONAL INFORMATION ACT, 4 OF 2013 (POPI ACT)			
<b>Document:</b>	<b>A STANDARD POPI ACT PRIVACY POLICY STATEMENT</b>	<b>Version:</b>	14.06.2021
<b>Purpose:</b>	To advise Clients and operators of our Standard Privacy policy.		

## DATA PRIVACY POLICY STATEMENT

Respecting and protecting your Personal Information is very important to us. It is also a Constitutional right and good business practice requirement, which we take very seriously and intend to respect and uphold.

The Protection of Personal Information Act, 4 of 2013 (“the Act”) is a piece of legislation aimed at protecting your right to privacy and has created a set of 8 minimum requirements all businesses must adhere to in order to safeguard this right. It provides, amongst other things, various definitions crucial to note when considering this right and we would like to highlight the following definitions, as defined by the Act, to enable you to understand our Privacy Policy and what it aims to achieve and uphold.

➤ **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— (a) 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; (b) information relating to the education or the medical, financial, criminal or employment history of the person; (c) any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person; (d) the biometric information of the person; (e) the personal opinions, views or preferences of the person; (f) 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; (g) the views or opinions of another individual about the person; and (h) 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.”*

❖ In line with the 8 requirements imposed and set out in the Act, we will:-

- ✓ Accept joint responsibility and accountability with you to responsibly process, manage and protect your Personal Information when providing our services and solutions to you,
  - ✓ Undertake to receive from you, and process only the Personal Information that is necessary and required for the purpose to assist you with your required solutions, conclude the necessary related agreements and consider the legitimate legal interests of everyone concerned, as required by the Act and to respect your right to withdraw your consent for the processing of your Personal Information,
  - ✓ Undertake to use your Personal Information only for the purpose required to assist you or provide solutions to you,
  - ✓ Undertake not to share or further process your Personal Information with anyone if not required for assisting you with your solutions or by law,
  - ✓ Undertake to be open and transparent and notify you as and when required by law regarding what, why and how your Personal Information is processed or needs to be collected,
  - ✓ Undertake to safeguard and protect your Personal Information in our possession by taking the necessary steps to secure the integrity and confidentiality of the personal information and will also take the necessary and appropriate technical measures to prevent any loss, damage or unlawful access to the personal information,
  - ✓ Undertake to freely confirm what Personal Information we have, make sure it is complete, accurate, not deceptive and updated where necessary, and to keep it for no longer than legally required.
- ❖ We or the companies who provide or assist with the solutions you require need to collect, process, use, and keep your Personal Information as prescribed by relevant laws and regulations and for reasons such as:
- ✓ To share with and provide relevant products or services to you, to carry out the transaction you requested, and to maintain our relationship,
  - ✓ To respond to your queries,
  - ✓ To confirm and verify your identity or to verify that you are an authorised user for security purposes,
  - ✓ For insurance underwriting purposes,
  - ✓ To conduct credit reference searches or verification, only if you authorise this or if it is a requirement to provide your solutions to you,
  - ✓ For operational purposes required to assist you with the solutions you require,
  - ✓ For audit and record-keeping purposes,
  - ✓ In connection with possible requirements by the Information Regulator or other Government agencies allowed by law, legal proceedings, legislation or court rulings.

We may need to share your Personal Information and/or utilise software or online platforms to enter and process your information for an application or business management purposes. This will only be done in strict adherence to the requirements of the Act.

We, and the companies providing the solutions to you, may use “cookies” on our and their websites. They enable us and them to improve your future visits to the site as well as provide you with a more user-friendly experience.

We make use of social media platforms, you are not obliged to share your personal information via these platforms, but should you provide us with personal information using our website or when you communicate with us using our social media accounts, you provide this information with your consent and we only use it for the purpose for which you provide it.

For full access to the entire content of the Protection of Personal Information Act 4 of 2013, please see below.

Website: <https://www.gov.za>

Any additional information or concerns can be found and raised with the Information Regulator, who can be contacted as shared below, but please feel free to contact us first to discuss any questions or concerns you may have:

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

Tel: 012 406 4818

Email: [infoereg@justice.gov.za](mailto:infoereg@justice.gov.za)

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