



**Abacus DIVISIONS Property Management**

VAT 4900154263 REG 2008/177821/23

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# **Protection of Personal Information Policy Owner**

## *(POPI ACT)*

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**Statement of Confidentiality**

The recipient of this document must treat it as confidential and must not disclose it to any party other than the recipient's employees on a need to know basis, or other individuals authorised under a written Confidential Disclosure Agreement signed by both parties. If the recipient does not agree with these provisions, please return this document immediately.

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## 1. Introduction

POPIA was signed into law in November 2013 and the purpose of Act is to protect personal information, to strike a balance between the right to privacy and the need for the free flow of, and access to information, and to regulate how personal information is processed.

We respect your privacy and take it very seriously. We are Abacus DIVISIONS, and this is our plan of action for the protection of your personal information. It describes how we collect, use, disclose, and store your personal information.

These services include the following:

- Lease Agreements
- Sales Agreements
- Property Enquiries
- Property Listings

The purpose of this document is to inform the client of the manner in which Abacus DIVISIONS manages the collection, processing and or storage of Personal Information.

## 2. Definitions

In this document, unless the context indicates otherwise, the words and expressions used herein shall have the same meaning assigned to them in the Protection of Personal Information Act No. 4 of 2013 and related expressions shall have corresponding meanings. For ease of reference, some definitions are highlighted below.

**“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, 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;

**“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;

**“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;

**“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, organization, 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

**“Data Subject”** means the person to whom personal information relates;

### **3. Collection of Personal Information**

Generally, Abacus DIVISIONS collects Personal Information in the following ways:

- a. automatically when you visit our website or use our applications;
- b. accept on registration or submission to any of our systems;
- c. get through an inquiry; or
- d. you provide voluntarily.

It excludes anonymous, de-identified, statistical, and public information.

**Your obligations.** You may only send us your own personal information or someone else’s personal information if you have their permission to do so.

### **4. Purpose for the Collection of Personal Information**

Generally, Abacus DIVISIONS collects, processes and stores Personal Information for the following purposes:

- e. Opening or continuation of accounts/records on our system and providing clients with the products or services they have signed up for or requested information on
- f. To respond to complaints, queries and to provide assistance on any customer service related matters.
- g. To comply with company policies and procedures
- h. To facilitate the daily operation of the services offered by Abacus DIVISIONS
- i. Credit and internal risk management
- j. Processing of payment instructions, enforcement of repayment obligations, administering fee adjustments, refunds and waivers and any billing related matters
- k. Internal reporting and fulfilment of reporting requirements
- l. Continued administration of client portfolios and service management

- m. For purposes reasonably related to the aforementioned.

## **5. Processing of Personal Information**

By providing Personal Information to Abacus DIVISIONS through the above means, clients acknowledge that the necessary consent is granted to Abacus DIVISIONS to process such information.

In processing such information, the following principles are applied:

- a. All Personal Information provided by the Client to the Abacus DIVISIONS, or to which Abacus DIVISIONS may be exposed, shall constitute Confidential Information and will not disclose Personal Information unless prior written consent from the Client is obtained, or where Abacus DIVISIONS is required to do so by law.
- b. Abacus DIVISIONS shall at all times strictly comply with all applicable Data Protection Laws which may be in force from time to time;
- c. Abacus DIVISIONS shall not, at any time process Personal Information for any purpose other than with the express prior written consent of the Client, and to the extent necessary to provide the services for which the Client has signed up;
- d. Abacus DIVISIONS shall ensure that all its systems and operations which it uses to provide the necessary services including all systems on which Personal Information is processed as part of providing the services, shall at all times be of a minimum standard required by all applicable Data Protection Laws;
- e. Abacus DIVISIONS shall take appropriate and reasonable technical and organisational measures to prevent the loss of, damage to or unauthorised destruction of Data and the unlawful access to or Processing of Data. The measures taken must at all times be of a minimum standard required by all applicable Data Protection Laws;
- f. Abacus DIVISIONS shall take reasonable steps to identify all reasonably foreseeable internal and external risks posed to Data under Abacus DIVISIONS' possession or control and establish and maintain appropriate safeguards against any risks identified. Abacus DIVISIONS shall notify the Client as well as the Group Information Officer of any security compromises or suspected security compromises of which it becomes aware or suspects, immediately on becoming so aware or forming such a suspicion;
- g. Abacus DIVISIONS will only process and collect Personal Information for a purpose consistent with the purpose for which it is required in a manner that is adequate, relevant and not excessive in the context of the purpose for which it is processed and collected.

## **6. Retention of Personal Information**

Abacus DIVISIONS retains Personal Information no longer than necessary in relation to the purposes for which it was collected or otherwise processed. To the extent required by applicable law, Abacus DIVISIONS will erase or destroy Personal Information in the following circumstances:

- a. when the Data Subject withdraws consent to process Personal Information;
- b. when it is necessary to comply with any court order, statutory and/or regulatory obligations to which Abacus DIVISIONS is bound.

## 7. Queries Regarding Personal Information

Should a client like to withdraw consent to the use of Personal Information, or would like to access or make any amendments to their Personal Information they may contact Abacus DIVISIONS who will assist them in this process.

Should a client withdraw their consent to the use of Personal Information, depending on the nature of the Personal Information, Abacus DIVISIONS may not be in a position to continue to render products or services to such a client or may not be in a position to continue with the contractual relationship between the client and Abacus DIVISIONS, which may result in the termination of any and or all agreements between the client and Abacus DIVISIONS.

Updating or removing. You may update or remove your personal information:

- through our website or application; or
- by contacting us.

**Limitation.** We are not responsible for anyone else's privacy policies or practices.