

PROTECTION OF PERSONAL INFORMATION ACT, 4 OF 2013 POLICY

1. INTRODUCTION

- 1.1 Stan Fanaroff & Associates (hereinafter referred to as “SFA”) is a law firm, providing various professional legal services to its clients.
- 1.2 In compliance with the Protection of Personal Information Act, 4 of 2013 (hereinafter referred to as “POPI”), SFA is obliged to inform clients, *inter alia*, how the client’s personal information is used, disclosed and/or destroyed. SFA is committed to protect its client’s privacy and ensuring that their Personal Information is used appropriately, transparently, securely and in accordance with legislation.
- 1.3 In compliance with Section 9 of POPI, SFA confirms that it will only process its client’s Personal Information if, given the purpose for which it is processed, it is adequate, relevant and not excessive.
- 1.4 The purpose of this document is to record how SFA deals with its client’s Personal Information and, in addition, to record how such Personal Information is used.

2. THE PERSONAL INFORMATION COLLECTED

- 2.1 SFA collects and processes client’s Personal Information relative to the provision of the legal services it provides to its clients, for purposes of billing its clients, as well as personal details and information required in terms of legislation.
- 2.2 The type of information collected by SFA will depend on the need for which it is collected and will be processed for that purpose only.
- 2.3 SFA collects, *inter alia*, the following Personal Information of its client’s: names, surnames, identity numbers, residential and business/work addresses, postal codes, telephone and mobile numbers, fax numbers, email addresses, marital statuses, income tax reference numbers and bankers.
- 2.4 The Personal Information is obtained by SFA, *inter alia*, by receiving same:
 - 2.4.1 Directly from its clients; and
 - 2.4.2 From third parties, only in the event of the Personal Information collected from Third Parties are publicly available.

3. THE USE OF PERSONAL INFORMATION

- 3.1 SFA will only use client’s Personal Information for the purpose for which it was collected and/or intended, including, *inter alia*, for purposes of providing professional legal services to our clients, to render accounts to clients in respect of the aforesaid professional legal services rendered and to engage the services of third party service providers on behalf of clients to render professional legal services.
- 3.2 In terms of Section 10 of POPI, Personal Information may only be processed if certain requirements are met. These requirements are:
 - 3.2.1 Clients consent to their Personal Information being used. This consent is received from clients upon signature of a take-on sheet, as well as the signature of a Fee and Mandate Agreement;
 - 3.2.2 Processing of Personal Information is necessary – the Personal Information is necessary to facilitate the rendering of professional legal services;
 - 3.2.3 The processing of Personal Information complies with an obligation imposed on SFA by law, alternatively to discharge SFA’s mandate to its clients; and
 - 3.2.4 The processing of Personal Information protects a legitimate interest of the client.

- 3.3 The Personal Information of SFA's clients will only be shared/disclosed to third parties for purposes of rendering professional legal services to its clients. In addition to the aforesaid, Personal Information will be shared/disclosed in the event where it is required by law to do so.
- 3.4 SFA will only share/discard clients Personal Information where it is necessary to do so and only to the extent that the Personal Information shared is needed for such third parties to perform its services and/or obligations.
- 3.5 No Personal Information of clients will be sent trans-border by SFA.

4. SAFEGUARDING CLIENTS' INFORMATION

- 4.1 SFA will take all reasonable steps to ensure that clients' Personal Information is protected adequately and to avoid unauthorized access and use of clients' Personal Information.
- 4.2 SFA will continuously review its security controls and processes to ensure that its clients' Personal Information is secure.
- 4.3 The Personal Information being held by SFA is safeguarded with firewalls, physical and electronic access control to our premises. In addition, we only authorise access to Personal Information to employees who require it to fulfil their responsibilities.
- 4.4 All employees of SFA are required to sign Confidentiality Agreements to ensure that clients' Personal Information are not used for purposes other than what it is intended.
- 4.5 Archived client information is kept at the secured office premises. Hard copy files are stored and destroyed after 5 years;
- 4.6 SFA's internal server hard drives are protected by firewalls;
- 4.7 A Security Incident Management Register will be kept to log any security incidents and to report on and manage incidents. This register will be maintained by the Information Officer.

5. ACCESS AND CORRECTION OF PERSONAL INFORMATION

- 5.1 Clients have the right to request access to the Personal Information which SFA holds;
- 5.2 Clients have the right to object to SFA using their Personal Information. In the event of a client objecting to his/her/its Personal Information being used, SFA will refrain from processing the information except where SFA is obliged to by law.
- 5.3 In addition to the aforesaid, client's have the right to request that SFA update, correct or delete their Personal Information on reasonable grounds.

6. THE INFORMATION OFFICER

- 6.1 In the event of a client believing that SFA uses his/hers/its Personal Information unlawfully, the information officer may be informed:

Name: Debbie Jones
Telephone number: 011 880 2091
Email address: debbiej@fanlaw.co.za
Physical Address: Law Chambers, 107 Oxford Road, Rosebank

7. AMENDMENTS TO THIS POLICY

- 7.1 Amendments to this Policy will take place as and when required.
- 7.2 Clients are advised to check SFA's website periodically to familiarise themselves with any amendments made to the policy. Any queries may be directed to the Information Officer in writing.