

SEC 5.1 OF POPI COMPLIANCE MANUAL

REVISION POPI-25/06 1 JULY 2021

PINNACLE POINT HOMEOWNERS ASSOCIATION NPC (“PPHOA”)

PRIVACY POLICY

Note:

This policy is supported or expanded on by way of other policies recorded in the PPHOA’s POPI Compliance Manual.

1. PRIVACY POLICY STATEMENT

- 1.1. PPHOA is committed, in line with the Protection of Personal Information Act, No 4 of 2013 (“POPI Act”), to protecting the privacy of all its data subjects (such as you), and which in particular include all members, customers, employees, service providers or members of the public with whom PPHOA interacts.
- 1.2. Personal information is information that personally identifies you (e.g. telephone number, name, address, transaction history etc.) (“Personal Information”), but, depending on the purpose for which it is required, may include more sensitive information, such as biometrical information and financial information. This policy describes how and why we collect, store, use, share or otherwise process your Personal Information. It also explains your rights in relation to your Personal Information and how to contact us if you have a question or complaint.
- 1.3. Any information that is freely available or accessible in the public domain or furnished under the PAIA or any other law shall not be regarded as sensitive Personal Information.
- 1.4. This Policy is applicable to Personal Information collected by PPHOA directly from data subjects or through the PPHOA’s website, online portals, electronic communications and information collected by PPHOA’s server from the data subject’s browser.

- 1.5. This Privacy Statement only applies to Pinnacle Point Homeowners Association. It does not apply to other online or offline websites, products or services. Please read the complete Privacy Policy.
- 1.6. You may be required as a pre-condition for access to the PPHOA website or for any other type of interaction with PPHOA, to accept the terms of this Privacy Policy or any other policy or procedure enforced to safeguard Personal Information.
- 1.7. This Privacy Policy is subject to the POPI Act and the eight conditions described therein for the protection of Personal Information.

2. COLLECTION OF YOUR PERSONAL INFORMATION

- 2.1. Personal Information collected by PPHOA may include a wide range of information, depending on the requirements of a function, service, or product provided directly, or in relation you.
- 2.2. **Depending on the circumstances**, PPHOA may typically collect and process, but not necessarily limited to, the following Personal Information about you:
 - 2.2.1. Your name and contact information, including your email address, telephone number, physical address, postal address and other location information;
 - 2.2.2. Your date of birth, age, gender, race, nationality, title and language preferences;
 - 2.2.3. Your identity number, passport number and photograph;
 - 2.2.4. Your vehicle registration number, vehicle licence and driving licence;
 - 2.2.5. Your biometric information, including but not limited to, if applicable, that information obtained from your fingerprints, hands, facial recognition and/or retinal scanning;
 - 2.2.6. Your banking and other financial details;
 - 2.2.7. Your employment details;
 - 2.2.8. Correspondence from you of a private or confidential nature;
 - 2.2.9. such other personal information as is reasonably required by us to engage with you and/or provide services to you.
- 2.3. PPHOA may collect or obtain Personal Information about you in various ways, including, but not necessarily limited to:
 - 2.3.1. from you directly;
 - 2.3.2. during the course of our interactions with you;
 - 2.3.3. when you visit the Estate;

- 2.3.4. when you visit and/or interact with our website or any other social media platforms or IT services;
- 2.3.5. from publicly available sources; and
- 2.3.6. from a third party who is authorised to share that information;
- 2.3.7. via a mobile or other software app developed for the Estate;
- 2.3.8. optional information that you voluntarily provide to us.

3. USE OF YOUR PERSONAL INFORMATION

- 3.1. PPHOA's use of the Personal Information depends on the relationship we have with you. The POPI Act requires that Personal Information "is collected for a specific, explicitly defined and lawful purpose related to a function or activity of the responsible party."
- 3.2. PPHOA uses your personal information for the following, not necessarily exhaustive list of purposes:
 - 3.2.1. To effectively and efficiently provide, and deliver, PPHOA products and services to you;
 - 3.2.2. To maintain internal records as per regulatory guidelines;
 - 3.2.3. To comply with all laws, regulations, policies and procedures applicable to PPHOA;
 - 3.2.4. For recognition of the member/customer when he/she conducts online banking;
 - 3.2.5. To understand the needs and provide relevant product and service offers;
 - 3.2.6. To ensure our website is relevant to your needs;
 - 3.2.7. To assist us to create and publish content most relevant to you;
 - 3.2.8. To alert or inform you of products, services, updated or new information with regard to PPHOA;
 - 3.2.9. To allow you access to limited-entry areas of our website as appropriate.
- 3.3. Should PPHOA wish to use your Personal Information for any other reason, we will provide you with an opportunity to decline this service or such use.
- 3.4. PPHOA may merge site-visitation data with anonymous demographic information for research purposes, and we may use this information in aggregate to provide more relevant content.

- 3.5. In some limited-entry sections of PPHOA's website, we may with your prior approval, combine site-visitation data with your Personal Information in order to provide you with personalised content. If you decline permission, PPHOA will not provide you the personalised service and won't merge your Personal Information with site-visitation data.
- 3.6. PPHOA may from time-to-time contract other entities to provide services or products on its behalf, and will only provide those entities the Personal Information they need to deliver the service or product. They will be prohibited from using such Personal Information for any other purpose.
- 3.7. Depending on the circumstances, PPHOA may disclose your Personal Information to the following categories of persons:
 - 3.7.1. Auditors, legal and other professional advisers and consultants of PPHOA or other third parties and service providers who assist us to deliver products or services, including the PPHOA's managing agents, employees, the board of directors and all of its committees;
 - 3.7.2. Information technology and other service providers who assist PPHOA to operate the Estate or otherwise manage or store the personal information;
 - 3.7.3. Government and law enforcement authorities;
 - 3.7.4. Financial institutions;
 - 3.7.5. Affiliated entities (such as clubs or body corporates on the Estate);
 - 3.7.6. Other third parties where disclosure is required by law or otherwise required for us to perform our obligations and provide our products and services; and
 - 3.7.7. To any other person with your consent to the disclosure.
- 3.8. PPHOA may disclose your Personal Information if required to do so by law or in the good-faith belief that such action is necessary to:
 - 3.8.1. conform to the edicts of the law or comply with legal processes served on PPHOA;
 - 3.8.2. protect and defend the rights or property of PPHOA and its website; or
 - 3.8.3. act in urgent circumstances to protect the personal safety of PPHOA's employees, members, users of our products or services or members of the public.

4. CONTROL OF YOUR PERSONAL INFORMATION

- 4.1. PPHOA will take reasonable steps to protect the confidentiality and security of your Personal Information when it is disclosed to a third party and will seek to ensure that

such third-party deals with your information in accordance with our instructions, applicable privacy laws, and only for the purpose for which it is disclosed.

- 4.2. When you register on our website, or otherwise give us Personal Information, PPHOA will not share that Personal Information with third parties without your permission, other than for the limited exceptions already listed, and will only be used for the purposes stated above.
- 4.3. PPHOA may send out periodic e-mails informing you of technical service or security issues related to a product or service you requested, or confirming that you requested a product or service. You will not be able to choose to unsubscribe to these mailings, as they are considered an essential part of the service you have chosen.

5. ACCESS TO YOUR PERSONAL INFORMATION

- 5.1. PPHOA will provide you with the means to ensure that your Personal Information is correct and current.
- 5.2. If you register with PPHOA or subscribe to a newsletter, you can review and edit your Personal Information at the Profile page. You will be asked to enter your username and password before viewing your Personal Information.
- 5.3. At the Profile page you can:
 - 5.3.1. View and edit Personal Information you have already given PPHOA;
 - 5.3.2. Tell us whether you want us to send you marketing information;
 - 5.3.3. Choose whether you want third parties to send you their offers by mail;
 - 5.3.4. Subscribe, or cancel subscriptions, to newsletters about our services and products.
- 5.4. Some services offered on PPHOA's website may collect information that is not accessible via the Home or Profile page. However, in such cases, you can access your Personal Information by contacting PPHOA as described at the bottom of this statement.

6. SECURITY OF YOUR PERSONAL INFORMATION

- 6.1. PPHOA is committed to protecting the security of your Personal Information. We use a variety of security technologies and procedures to protect your Personal Information from unauthorised access, use, disclosure, destruction or alteration.

- 6.2. PPHOA for instance stores the Personal Information you provide in computer servers with limited access that are located in controlled facilities. The transmission of sensitive information (such as a credit card number) over the internet, is protected through the use of encryption.
- 6.3. Data transmission across the internet is inherently insecure and therefore, although PPHOA strive to use commercially acceptable means to protect your Personal Information, we cannot guarantee that your Personal Information will always remain private.

7. PROTECTION OF CHILDREN'S PERSONAL INFORMATION

PPHOA has a general audience website and may as a consequence collect Personal Information from children, along with other forms of interaction in the rendering of services and products. To the extent that Personal Information is collected and processed from children, such will be done in terms of the POPI Act and PPHOA's Child Protection Policy for Personal Information.

8. ACCURACY

PPHOA will endeavour to keep Personal Information accurate, complete, and up to date as may be required for its use and PPHOA may accordingly from time to time request you to update your Personal Information. If at any time there is a reason to believe that Personal Information residing with PPHOA is incorrect, the data subject should inform PPHOA in this regard. PPHOA shall correct the erroneous information as quickly as possible.

9. RETENTION

PPHOA will only retain your Personal Information for as long as it is necessary to fulfil the purposes for which it was obtained, or to comply with applicable legal, tax or accounting requirements. PPHOA maintains a Document Retention Policy for this purpose.

10. PERSONAL INFORMATION OUTSIDE SOUTH AFRICA.

- 10.1. Information that you provide may be hosted and stored in countries internationally, or PPHOA may in certain instances transmit or transfer Personal Information outside South Africa, and where such a foreign country's data protection laws may not be the same as those that are in force in South Africa.

10.2. When PPHOA transmits Personal Information to a foreign country, we will take appropriate safeguards to protect your Personal Information to ensure that the recipient will handle the information in a manner consistent with this policy and the level of protection provided for in the POPI Act.

10.3. PPHOA may offer goods or services to European Union residents, and in fact have members that are EU residence, and hence the European Union's General Data Protection Regulation ("GDPR") may in such instances apply in the processing of Personal Information. A comforting fact for European residence, is the deliberate synergy that already exists between the POPI Act and the GDPR, and which makes this Privacy Policy already compliant. In the application of this Privacy Policy, we will nevertheless continue to consider the implications of the GDPR in the processing of Personal Information of EU residence.

11. USE OF COOKIES

11.1. When someone visits the PPHOA website, a cookie may be placed on the visitor's machine (if the visitor accepts cookies) or is read if the visitor has visited the site previously. The use of cookies is to assist in the collection of the site visitation statistics described above.

11.2. PPHOA may also use cookies to collect information on which newsletter links are selected by visitors. This information is used to ensure that we are sending information which users want to read. It is collected in aggregate form and never linked with your Personal Information, unless with your prior consent.

11.3. Web beacons, also known as clear gif technology, or action tags, may be used to assist in delivering the cookies on our site. This technology tells us how many visitors selected key elements (such as links or graphics) on PPHOA's website. We do not use this technology to access your personally identifiable information on our website. It is merely a tool we use to compile aggregated statistics about PPHOA's website usage. We may share aggregated site statistics with partner companies, but do not allow other companies to place clear gifs on our website.

11.4. If you choose to not have your browser accept cookies from PPHOA's website, you will be able to view the text on the screens, however you will not experience a personalised visit nor will you be able to subscribe to the service offerings on the site.

12. YOUR RIGHTS

- 12.1. You have the right to request, from us, a description and/or record of your Personal Information that we hold. Depending on the format required, provision of this information may be subject to the payment of a reasonable administrative fee to be determined by PPHOA and the supply of appropriate evidence of your identity.
- 12.2. If you wish to update your Personal Information or if you want us to delete your Personal Information entirely, please send us a written request to addressee as set out below, or in the *Contact Us* section of our website along with your full contact details. Please note that we will not delete Personal Information that we are required to retain for our business operations or for legal compliance.
- 12.3. You may be given the option to “opt out” of receiving any direct marketing from us by clicking on the “unsubscribe” link, failing which we can direct such request to the Information Officer at the contact details provided below.
- 12.4. If a data subject does not wish to provide consent for usage of its Personal Information or later withdraws the consent, PPHOA shall have the right not to provide services or to withdraw the services for which the information was sought from the data subject.
- 12.5. Should you believe that we have not complied with the POPI Act in the processing of your Personal Information, you have the right to contact the Information Regulator in this regard. The Information Regulator can be contacted by email: inforeg@justice.gov.za or by telephone: 012 406 4818.
- 12.6. You may at any time object to the processing of your Personal Information by submitting such objection to the Information Officer at the contact details provided below. The same applies to the exercising of any of your other rights and the submitting of any queries regarding the Personal Information that we hold about you.

13. THIRD PARTY WEBSITES

PPHOA may permit third parties to link to this website or to post a link to their website on ours. Unless expressly stated otherwise, we have no control over and accept no responsibility for the privacy practices of any third-party websites to which links may have been provided and we recommend that you review the privacy policy of any website you visit before using that website. This privacy policy applies only to our website.

14. CHANGES TO THIS PRIVACY POLICY

From time to time and without notice, PPHOA may amend to this Privacy Policy to reflect any changes to our privacy practices. When we do, we will also reflect the revision date at the top of the Privacy Policy. For material changes to this Policy, PPHOA will place notifications thereon prominently on its website.

15. CONTACT INFORMATION

Pinnacle Point Homeowners Association welcomes your comments regarding this Privacy Statement, please contact us by e-mail or postal mail.

This Privacy Policy is available on Pinnacle Point Homeowners Association's website at: www.pinnaclepointestate.co.za	
Information Officers Name	Mr Carl van der Linde
Information Officers Email	popi@pinnaclepointestate.co.za
Deputy Information Officers Name	Ms Reina Slomp
Deputy Information Officers Email	popi@pinnaclepointestate.co.za
Physical Address	1 Pinnacle Point Road Pinnacle Point Estate Mossel Bay, 6500
Postal Address	PO Box 1790 Mossel Bay, 6500
Telephone	+27 44 606 5300
Facsimile	+27 44 693 3200
Website	www.pinnaclepointestate.co.za

The Information Officer recommends the adoption of the policy:

DESIGNATION	APPROVAL DATE	SIGNATURE
Board of directors	28-June-2021	
Date of next review	1-June-2022	