



## **POPI - Privacy Policy**

### **1. Introduction**

- 1.1. In order for us to operate our business and provide you with quality legal services, we will have to collect and process certain personal information. We, however, respect your privacy and aim to protect it, along with your personal information. This privacy policy (“the Policy”) sets out how we will, collect, process, disclose, protect and retain your personal information, as prescribed by the *Protection of Personal Information Act, 4 of 2013*.
- 1.2. We urge you to carefully read this Policy and familiarise yourself with its contents. By providing us with instructions, continuing to interact and communicate with us and by visiting our website, you agree that you have read and understood this Policy, and have provided the necessary permissions for us to process your personal information, as needed.

### **2. Who are we?**

- 2.1. Gerrit Coetzee Attorneys Inc (Registration number: 1998/007472/21) (“GCA”, “Us” or “We”) is a legal firm with offices located at First Floor, Four Elements Building, 19 Palmiet Street, Potchefstroom, North West. We currently also operate the website [www.gerritcoetzeeattorneys.com](http://www.gerritcoetzeeattorneys.com).

### **3. Type of information collected**

- 3.1. The type of personal information we will collect from you will depend on the type of instruction(s) we are provided with and the legal process you are involved with. The information will generally include:
  - 3.1.1. your gender;
  - 3.1.2. age;
  - 3.1.3. name and surname or company/entity name;

- 3.1.4. identity-, passport or registration number;
  - 3.1.5. contact information like email, physical address, telephone numbers;
  - 3.1.6. language preferences;
  - 3.1.7. VAT registration number;
  - 3.1.8. income tax number;
  - 3.1.9. bank statements;
  - 3.1.10. information relating to your occupation;
  - 3.1.11. information required for purposes of recruitment, and
  - 3.1.12. any other information which you voluntarily provide to us.
- 3.2. We will, as a general rule, not collect sensitive personal information about you, unless if we are required to do so by law or if you voluntarily provide us with the information via your correspondence or instructions to us.

#### **4. How we collect information.**

We collect information in various ways depending on your interaction with us. The most common methods shall include:

- 4.1. the information you provide when completing our forms, albeit physical, digital or online;
- 4.2. the originals and copies of certain documentation or statements that you will furnish us with;
- 4.3. when receiving communication from you, e.g. emails, SMS's, WhatsApp's, telephone or video calls;
- 4.4. asking you for information which you may then provide to us;
- 4.5. collecting information from third parties with whom we have a business relationship with, including public databases;
- 4.6. information or comments you entered on social media, public message boards or comment sections which relates to GCA, or wherein GCA was tagged;
- 4.7. feedback obtained from you;
- 4.8. if you apply for employment with GCA and submit your CV and other details to us.
- 4.9. when you visit our website, (See paragraph 12 of this Policy in this regard); and
- 4.10. referrals from third parties.

## 5. Purpose for which information is collected

- 5.1. Your personal information will generally be collected and processed to enable us to provide legal and related services, and to administer and perform our day to day activities, which may include, without limitation the following;
  - 5.1.1. to send you publications and newsletters and notices, legal or otherwise, and keep you updated on the latest legal developments;
  - 5.1.2. to evaluate information for purposes of providing legal advice and opinions
  - 5.1.3. to draft contractual agreements;
  - 5.1.4. to contact you in general;
  - 5.1.5. to identify and verify your identity, or to verify that you are authorized to act on behalf of another legal or natural person, in accordance with the provisions of the *Financial Intelligence Centre Act 38 of 2001* (FICA), and to detect and prevent fraud and money laundering, or to comply with any other legal or regulatory obligation;
  - 5.1.6. to make and receive payments;
  - 5.1.7. to recover, claim and collect unpaid moneys;
  - 5.1.8. to institute and/or defend legal proceedings;
  - 5.1.9. for research and statistical purposes;
  - 5.1.10. to respond to your queries;
  - 5.1.11. for relationship management and marketing purposes in as far as it relates to our services;
  - 5.1.12. for insurance, safety and security purposes; and
  - 5.1.13. to recruit and/or offer you employment.
- 5.2. By using our website or making use of our services in any other way you agree that GCA and its agents, consultants, employees and third party affiliates may collect and/or process your personal information for the reasons provided above. Should you at any stage feel that we are using your personal information for unlawful reasons, and should you want to object to us processing your personal information, you can contact us at the contact details provided in paragraph **14** of this Policy.

## **6. Disclosing your personal information**

- 6.1. In order for us to operate our business and render services to you, we might be required to share your personal information to our employees, agents, consultants and third-party services providers with whom we have business relationships. We will, however, only share your personal information for legitimate business purposes and in accordance with the applicable law. We also require our third-party services providers to protect and secure your personal information which they have received from us.
- 6.2. Your information may also be shared or publicized in instances where we have de-identified your information. (In other words, where the information has been altered so that it cannot be used to identify you as a person or entity)
- 6.3. Your personal information might also be shared or disclosed to third parties if we are under a legal duty to do so, or if needed to protect or enforce the rights and interests of GCA, its employees, agents or directors, or to perform in terms of any agreement to which GCA is a party, but only to the extent allowed by law.
- 6.4. In the event that your personal information may be transferred to, and stored at, a destination outside the Republic of South Africa. Insofar as your information may be transferred outside of South Africa, we will take reasonable organisational and/or contractual measures to ensure that your personal information is only processed by such third-party service providers for the purposes for which it has been provided to them and that the required levels of protection have been implemented by such third party service providers to safeguard your personal information.
- 6.5. We wish to underline that:
  - 6.5.1. when we share your personal information, we will only do so within the confines of the applicable legislation; and
  - 6.5.2. we respect your privacy and will never sell your personal information to marketing companies, or the like.

## **7. Failing to provide the requested information**

- 7.1. Unless stated otherwise, when we request personal information from you, you will always have a choice on whether or not you want to provide us with the information. Please be advised that should you choose not to provide us with the requested information, we may not be able to provide, or continue to provide you with our services.

## **8. Safekeeping of your personal information**

- 8.1. We have appropriate security measures in place and have taken all reasonable measures to protect your personal information from being tampered with, damaged, leaked, lost, altered or processed by unauthorized parties.
- 8.2. However, in the event that our data is compromised, we will notify you and the regulator accordingly, unless such a notification will impede an existing investigation in respect of the said compromise.
- 8.3. Our website may include links to third-party websites, plug-ins and applications which we do not control, and can therefore not be held responsible, and do not accept responsibility, for their privacy and security protocols, or lack thereof. We encourage you to read the privacy and cookie policies of other websites which you may visit.
- 8.4. Kindly take note that any information you post publicly, or on a forum over which GCA does not have control, will not be covered and protected by this Privacy Policy.

## **9. Retaining of your personal information**

- 9.1. We will only retain your personal information
  - 9.1.1. for as long as it is being used;
  - 9.1.2. for as long as is needed to serve the purpose for which the information was obtained; or
  - 9.1.3. for as long as we are legally required to do so.

- 9.2. All communications with us, e.g. email or telephone calls, may be monitored, recorded and stored for purposes of quality assessments, complying with legal duties, and record keeping.

## **10. Your rights and responsibilities**

- 10.1. You have a right to access your personal information stored with us. As a general rule, no fee will be payable where you require access to your personal information. Should your requests, however, be repetitive, excessive or frivolous, we may charge a reasonable fee. The said fee will be communicated to you, and shall be payable before we process your request.
- 10.2. You may also have a right to request us to delete your personal information where there is no justifiable reason for us to continue to do so, alternatively you may object against us processing your personal information.
- 10.3. Whilst we take steps to ensure the accuracy and integrity of the personal information we collect, it may happen that our data becomes outdated, or that a mistake was made when the information was initially obtained. You are entitled to request us to correct any of your personal information, which are kept with us. In this regard, we request that you ensure that your information with us is correct and stays up to date.
- 10.4. Any requests in respect of this paragraph **10** can be send to the contact details provided in paragraph **14** of this Policy. Such a request must include specific details on what exactly is being requested, your contact details and a copy of your ID document.

## **11. Right to lodge complaint with information regulator.**

In the event where you have lodged a complaint or query with our offices, as contemplated in paragraph **10** above, and should you be unhappy with the outcome thereof, you also have the right to lodge a complaint with the Information Regulator. The contact details of the Information Regulator is, according to their website: <https://www.justice.gov.za/inforeg/contact.html>, as follows:

- 11.1. JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001
- 11.2. Complaints email: [complaints.IR@justice.gov.za](mailto:complaints.IR@justice.gov.za)
- 11.3. General enquiries email: [inforeg@justice.gov.za](mailto:inforeg@justice.gov.za).

## **12. Cookie policy.**

- 12.1. When visiting our website, our system will automatically collect standard internet visitor usage information, by using what is generally referred to as “cookies”. This helps us to collect statistical data, which will improve your future dealings with us and assists us to improve the services that we provide.
- 12.2. The information we may collect in this regard includes your browsing patterns on our website, IP (Internet Protocol) address which connects your computer to the internet, the type of device you use, your browser type, the URL’s of referring and exiting pages, the time spent on a page, the number of clicks made on a link and the types of pages viewed on our website.
- 12.3. You may refuse to accept cookies by activating the setting on your browser which allows you to refuse cookies. The process to do this will differ, depending on the type of browser you use. Should you, however, refuse cookies, you may be unable to access certain parts of our website.

## **13. Updates to this policy.**

This Policy may be changed from time to time, in which event:

- 13.1. you will be notified by way of us uploading the updated or amended version of this Policy to our website. We encourage you to revisit our website on a regular basis to re-read this policy.
- 13.2. The provisions contained in all previous privacy policies will be revoked.

## **14. How to contact us**

Should you want to contact us for any reasons as provided for in this Policy, or for any related matters in respect of this Policy, you can send an email to [legal@gcprok.com](mailto:legal@gcprok.com), or reach us at 018 297 1310 and ask to speak to our Information Officer.