



## ACM RISK CONSULTANTS (PTY) LTD PRIVACY POLICY

### **Context and overview**

#### **Key Details**

<b>Policy prepared by:</b>	<b>: Information Officer</b>
<b>Approved by board / management on :</b>	<b>1 June 2018</b>
<b>Policy became operational on</b>	<b>: 1 June 2018</b>
<b>Version</b>	<b>: 1</b>
<b>Review date</b>	<b>: Release of POPIA</b>

### **Introduction**

ACM Risk Consultants (Pty) Ltd needs to gather and use certain information about individuals, as a "Responsible Party" and/or as a "Operator." These can include clients /customers, suppliers, business contacts, employees and other people the organisation has a relationship with or may need to contact.

### **Why this policy exists**

This data protection policy ensures that ACM Risk Consultants (Pty) Ltd:

- Complies with data protection law and follow good practice;
- Protects the rights of staff, customers / clients and partners;
- Is open about how it stores and processes individual's and juristic person's data; and
- Protects itself from the risks of a data breach

### **Data Protection Legislation**

The Protection of Personal Information Act, 4 of 2013 describes how organisations, including Associated Compliance, must collect, handle and store personal information.

These rules apply regardless of whether data is stored electronically, on paper or on other materials.

To comply with the law, personal information must be collected and used fairly, stored safely and not disclosed unlawfully.

The Protection of Personal Information Act is underpinned by eight important conditions, and eight additional rights and obligations. These say that personal data must have:

- Accountability;
- Processing limitation;
- Purpose specification;
- Further processing limitation



- Information quality;
- Openness;
- Security safeguards;
- Data subject participation;
- Processing of special personal information;
- Processing of personal information of children;
- Direct marketing by means of unsolicited electronic communications;
- Automated personal information processing;
- Trans-border information flows;
- Outsourcing personal information processing;
- Appoint and duties of the information officer; and
- Prior authorisation;

### **People, risks and responsibilities**

#### **Policy scope**

This policy applies to:

The head office of ACM Risk Consultants (Pty) Ltd;

Any branches of ACM Risk Consultants (Pty) Ltd;

All staff and volunteers of ACM Risk Consultants (Pty) Ltd; and

All contractors, suppliers and other people working on behalf of ACM Risk Consultants (Pty) Ltd.

#### **Types of information we collect:**

It applies to all data that ACM Risk Consultants (Pty) Ltd collects and holds relating to identifiable individuals and juristic persons, more specifically, any information that can be used to identify you or that we can link to you, even if that information technically falls outside of the Protection of Personal Information Act, 2013.

This can include, but is not limited to:

- Names of individuals;
- Postal addresses;
- E-mail addresses;
- Telephone numbers; plus
- Any other information relating to individuals.

#### **Information you provide to us:**

You generally can use our digital media without providing us with personal information.



We collect information that you voluntarily provide to us, including when you communicate with us via email or other channels; when you request that we contact us when making enquiries for services, when you apply for a position with us; when you sign up for a workshop or event; and when you respond to our communications or requests for information. The information you provide may include your name, contact information, title, and information about the organization with which you are affiliated.

### **Information we may collect automatically**

We use browser cookies and similar technologies (collectively, "Cookies") to collect and store certain information when you use, access, or interact with our digital media.

We may, for example, collect information about the type of device you use to access the digital media, the operating system and version, your IP address, your general geographic location as indicated by your IP address, your browser type, the content you view and features you access on the digital media, the web pages you view immediately before and after you access the digital media, whether and how you interact with content available on the digital media, and the search terms you enter on the digital media.

### **Information we collect from other sources:**

We may receive information about you from other sources, including third parties that help us: update, expand, and analyse our records; identify new customers; or prevent or detect fraud.

We may also receive information about you from social media platforms including but not limited to when you interact with us on those platforms or access our social media content.

The information we may receive is governed by the privacy settings, policies, and/or procedures of the applicable social media platform, and we encourage you to review them.

### **Precise location information:**

When you access the digital media via a mobile device, we may collect precise location information if you permit the digital media to access such information. We use this information to provide you with content based on your location and your proximity to our offices.

### **How we use the information we collect:**

We may use the information we collect

- To respond to your inquiries;
- To provide you with FAIS compliance and other services that you request;
- To operate, troubleshoot, and improve the digital media;
- To send you newsletters, legal updates, marketing communications, and other information or materials that may interest you;



- To maintain our list of contacts;
- To understand how people use our digital media, including by generating and analysing statistics;
- For ACM Risk Consultants (Pty) Ltd business purposes, including data analysis; submitting invoices; detecting, preventing, and responding to actual or potential fraud, illegal activities, or intellectual property infringement;
- To assess the effectiveness of our events, promotional campaigns, and publications;
- To evaluate, recruit, and hire personnel; and
- As we believe reasonably necessary or appropriate to: comply with our legal obligations; respond to legal process or requests for information issued by government authorities or other third parties; or protect your, our, or others' rights.

#### **How we may share the information we collect:**

ACM Risk Consultants (Pty) Ltd and Associated Compliance Motor (Pty) Ltd are a provider of FAIS Compliance and other services. Our offices share information with each other for business purposes such as internal administration, billing, promoting our events and services, and providing you or your organization with services.

We do not sell, rent, or otherwise share information that reasonably identifies you or your organization with unaffiliated entities for their independent use except as expressly described in this Privacy Policy or with your prior permission. We may share information that does not reasonably identify you or your organization as permitted by applicable law.

#### **We may also disclose information we collect:**

- To our third-party service providers that perform services on our behalf, such as web-hosting companies, mailing vendors, analytics providers, event hosting services, and information technology providers.
- To law enforcement, other government authorities, or third parties (within or outside the Republic of South Africa) as may be permitted or required by the laws of any jurisdiction that may apply to us; as provided for under contract; or as we deem reasonably necessary to provide compliance services. In these circumstances, we take reasonable efforts to notify you before we disclose information that may reasonably identify you or your organization, unless prior notice is prohibited by applicable law or is not possible or reasonable in the circumstances.
- To service providers, advisors, potential transactional partners, or other third parties about the consideration, negotiation, or completion of a transaction in which we are acquired by or merged with another company or we sell, liquidate, or transfer all or a portion of our assets.



Grounds for using your personal information:

We rely on the following legal grounds to process your personal information, namely:

- Performance of a contract – We may need to collect and use your personal information to enter into a contract with you or to perform a contract that you have with us. For example, when you use our digital media we will use your personal information to respond to your requests and provide you with such services.
- Consent – We may use precise location information as described in this Privacy Policy subject to your consent. To withdraw your consent to such use, you can contact us via our [Contact Us](#) page, or you may be able to disable the sharing of location information in your browser or mobile application settings. Where required by applicable laws, we will rely on your consent for direct marketing and to collect information from your device or computer.
- Legitimate interests – We may use your personal information for our legitimate interests to improve our products and services and the content on our digital media. Consistent with our legitimate interests and any choices that we offer or consents that may be required under applicable laws, we may use technical information as described in this Privacy Policy and use personal information for our marketing purposes.

### **Third-party services and content:**

Our digital media may include integrated content or links to content provided by third parties (such as video materials). This Privacy Policy does not address the privacy, security, or other practices of the third parties that provide such content.

We engage third parties that support the operation of our digital media, such as analytics providers. These third parties may use technologies to track your online activities over time and across different websites and online platforms. Please see our [Cookies Policy](#) for more information.

### **Protection and storage of the information we collect:**

We deploy administrative, technical, and physical safeguards designed to comply with applicable legal requirements and safeguard the information that we collect. This includes, when required or appropriate and feasible, obtaining written assurances from third parties that may access your data that they will protect the data with safeguards designed to provide a level of protection equivalent to that adopted by Associated Compliance.

However, no information system can be 100% secure. So, we cannot guarantee the absolute security of your information. Moreover, we are not responsible for the security of information you transmit to us over networks that we do not control, including the Internet and wireless networks.



This digital media is controlled and operated by ACM Risk Consultants (Pty) Ltd from the Republic of South Africa. We may store the information we collect in the Republic of South Africa or in other countries where we or our service providers have facilities. We may transfer information to countries outside of South Africa, which may have data protection laws and regulations that differ from those in South Africa.

We retain the information we collect no longer than as reasonably necessary to fulfil the purposes for which we collect the information and to comply with our legal obligations.

### **Your choices and rights:**

If you no longer wish to receive marketing communications from us, you can let us know by sending us an email via our Contact Us page. And the electronic marketing communications we send you may contain opt-out mechanisms that allow you to register your marketing preferences.

Subject to law, you may have certain rights regarding information that we have collected and that is related to you. We encourage you to contact us to update or correct your information if it changes or if you believe that any information that we have collected about you is inaccurate. You can also ask us to see what personal information we hold about you, to erase your personal information and you may tell us if you object to our use of your personal information.

If you would like to discuss or exercise the rights you may have, send us an email via our Contact Us page. For information about the choices you may have regarding our use of Cookies, please see our Cookies Policy.

### **How to contact us:**

We welcome your inquiries and comments. But please note that if you are not a client, we may not be able to treat the information you send us as confidential or privileged. If you wish to contact us regarding compliance or other services, please contact one of our offices near you.

You can find a list of our offices on our main website [ACM Risk Consultants \(Pty\) Ltd](#)

If you would like to contact us with questions about our privacy or data protection practices, please send us an email via our [Contact Us](#) page.

### **Changes to this privacy policy:**

We may update this Privacy Policy from time to time. The effective date of the current Privacy Policy is noted at the top of this page. We encourage you to periodically review this page. If we make any material changes in the way we collect, use, and/or share the personal information that you have provided, we will notify you by posting notice of the changes in a clear and conspicuous manner on the ACM Risk Consultants website.