

# **PRIVACY POLICY**

## **WHO WE ARE:**

### **HW Theron Inc. Attorneys (“HWT”)**

We are a law firm that provides legal services to both natural persons and Legal entities. Our contact particulars are:

Address: 660 Makou Street, Monument Park, Pretoria

Telephone: +27 (0)12 347 2000

Fax: +27 (0)12 347 2013

Email: info@hwtinc.co.za

## **PURPOSE**

The purpose of this policy (“Privacy Policy”) is to explain who we are, what personal information we collect, how we use and protect such information, with whom we share such information and what your rights are with regard to the personal information.

To the fullest extent possible, this Privacy Policy applies to all jurisdictions where we do business. You should read this Privacy Policy together with any other privacy statement or other notice we may provide on specific occasions when we are collecting or processing personal information about you so that you are fully aware of how and why we are using your data.

This Privacy Policy supplements any other statements or notices and is not intended to override them.

## **OUR COMMITMENT TO PRIVACY**

We value and respect your right to privacy and the trust you place in us by giving us your personal information. We strive to adhere to the provisions of the Protection of Personal Information Act (“POPIA”) at all times.

Should you have any concerns as to the manner in which your personal information is being used, we will assist you in efficiently resolving such concerns.

## **WHAT PERSONAL INFORMATION DO WE COLLECT AND HOW DO WE COLLECT IT?**

This Privacy Policy relates to your personal information we may collect and process, in the following instances when:

- you contact HWT or request information or services;
- HWT provides services to you;
- when you use HWT's website or engage with HWT through social media.
- HWT does not engage in any automated decision-making.

HWT may collect the information directly from you or from third parties (such as regulators, government authorities and registries, or attorneys representing our clients' counterparties). In some instances, it is necessary for you to provide us with the information, so that we can provide services to you. In other instances, providing the information is optional, such as choosing to subscribe to or opt out from a newsletter. If you do not provide the information when it is necessary, we will not be able to provide services to you. If you do not provide the information when it is optional, you will not receive the benefit of providing the information (e.g., the newsletter).

Your interaction with the firm on HWT's website will result in the collection of information regarding your activities on the website. Similarly, when you engage with the firm via any one of HWT's social media platforms. This information includes, but is not limited to, your name, contact details and information regarding the matter with which you need assistance.

While engaging with clients on matters, HWT will naturally be exposed to and collect personal information which includes your name, contact details, financial information as well as information regarding the matters that the firm assists you with. In the course of providing services to you, we rely on the determination that we are acting in your legitimate interests, as we are following your instruction(s) in providing our services.

As with all firms, we may need to collect your information in terms of various laws. Some examples of such laws include the Legal Practice Act 28 of 2014, the Broad-Based Black Economic Empowerment Act 53 of 2003, the Companies Act 71 of 2008, the Consumer Protection Act 68 of 2008, the Copyright Act 98 of 1978, the Financial Intelligence Centre Act 38 of 2001, the Patents Act 57 of 1978, and the Trade Marks Act 194 of 1993.

## **BASIS AND PURPOSE FOR PROCESSING YOUR PERSONAL INFORMATION**

The bases on which HWT processes personal information include (but are not limited to):

- to provide services to clients (i.e., we are relying on a verbal or written contract with you);
- in your legitimate interests (i.e., we are acting on your instructions);
- in our legitimate interests (e.g., to bill you for our services);
- to comply with legal or regulatory obligations;
- if you have provided your explicit consent; or
- if the processing is allowed by law.

The purposes for which HWT processes personal information include, but are not limited to:

- marketing and promotion of HWT's services;
- providing and improving services to clients;
- improving users' experience when using HWT's website;
- communicating with persons for HWT's internal purposes;
- enabling HWT's internal operations; and
- exercising and defending legal rights.

## **WITH WHOM DO WE SHARE YOUR PERSONAL INFORMATION?**

HWT may release personal information or disclose it to third parties in certain circumstances. These include, but are not limited to:

- if HWT is required or authorised to do so by law or a court order;
- in order for HWT to enforce its rights; or
- in order for HWT to provide services to its clients.

The third parties to whom we disclose personal information include, but are not limited to:

- advocates and other parties involved in legal services;
- third party service providers to HWT or its clients;
- third parties who provide research services to HWT or its clients; and
- government authorities and registries, organs of state, regulators, courts, tribunals and law enforcement agencies.

## **SENDING PERSONAL INFORMATION OUTSIDE OF SOUTH AFRICA**

Personal information collected by HWT may be transferred to natural or juristic persons in other countries. We would do so to provide services to you and would only transfer the information necessary for that service. We may do so to provide services to you, as some of our service providers are cloud-based—depending on the services we provide to you, this may include some or all of your information. Those countries' laws might not protect personal information in the same way or on the same level as the law in your country. However, HWT will take reasonable steps to ensure that recipients in other countries have appropriate privacy measures in place.

## **HOW LONG DO WE KEEP YOUR PERSONAL INFORMATION?**

HWT retains personal information for as long as may be reasonably necessary in accordance with applicable law, and/or in order to provide services to you. It is impractical for us to tell you in this document how long we may keep your information, however, our first obligation is to keep it as long as may be required by law. Thereafter, we would only keep information in order to provide services to you, or for specific business purposes.

## **HOW DO WE KEEP YOUR PERSONAL INFORMATION CONFIDENTIAL AND SECURE?**

We take all commercially reasonable measures to ensure the confidentiality and integrity of your personal information, and we require any third party that handles your personal information on our behalf to do the same.

HWT takes all reasonable steps to protect and avoid unauthorised access to personal information. We have implemented various policies, procedures and software to safeguard personal information, and routinely review our operations in order to ensure that personal information is adequately protected.

## **MARKETING OF OUR PRODUCTS OR SERVICES**

HWT may distribute marketing and promotional communications and material. Recipients may opt out from receiving such communications by contacting HWT at the details provided below or by clicking on the opt-out link that will be contained in the relevant electronic communication.

## **KEEPING YOUR DATA UP TO DATE AND ACCURATE**

It is important that we have up-to-date and accurate records of your personal information. Please contact our office to inform us of any change of your personal information.

## **YOUR RIGHTS AND WHO TO CONTACT**

The law might provide you with rights to access, amend or delete personal information that is in the possession of HWT. However, HWT may, in certain instances, legally refuse or decline such requests. If applicable, you might also have the right to object to HWT'S processing of the personal information or to file a complaint with a regulator, however we encourage you to address your complaint to us first. The Information Regulator can be contacted at:

***JD House***

***27 Stiemens Street***

***Braamfontein***

***Johannesburg***

***2001***

***Email: [infoereg@justice.gov.za](mailto:infoereg@justice.gov.za)***

In some cases, you may withdraw your consent for processing—this withdrawal has no effect on lawful processing conducted up to that point. If you wish to exercise your rights, you can contact HWT at the details provided below. HWT may charge you a fee for accessing, amending or deleting your personal information. You will be advised of this fee in advance, if applicable.

You are encouraged to contact HWT in order to update your personal information as and when necessary.

Contact details:

In order to contact HWT for purposes relating to this privacy policy, please use these contact details:

Data Protection Officer (Sarie Gous)

660 Makou Street

Monument Park X2

Pretoria

Email: [info@hwtinc.co.za](mailto:info@hwtinc.co.za) / [boekhou@hwtinc.co.za](mailto:boekhou@hwtinc.co.za)

Tel: +27 12 347 2000

## **CHANGES TO THIS POLICY**

We may change this Privacy Policy from time to time by posting an updated version thereof on our website.

## **CONSENT**

By using our Platform and website portal or registering with us as a client, you consent to the collection, storage and use of the personal information you provide in accordance with this Privacy Policy and you consent to our collection of any changes or updates that you may provide to any personal information you provided that has been collected by us. Such consent includes our right to collect, store and use the personal information you provide in respect of your minor dependent or any other person you represent as guardian. In this regard, you warrant that you are legally competent to consent to any action or decision being taken in respect of any matter concerning the child.