

## PRIVACY POLICY

### INTRODUCTION

Driske Olivier Attorneys, a law firm with address at 10 Greyville Close, Milnerton Ridge, Milnerton ("**DO Attorneys**" "**we**", "**us**", "**our**") respects, and is committed to ensuring, the privacy of every person who visits or uses this website, [www.doattorneys.co.za](http://www.doattorneys.co.za) and/or uses our services. This privacy policy (this "**policy**") has been put together to explain how we may collect, use, share, retain and generally process your personal information obtained during your interactions with us (whether online, in writing or verbally) or which is collected or received in any other manner. This policy further explains your choices and rights in relation to our processing of your personal information.

Any visit to or use of this website is deemed to include an acceptance of this policy. Please ensure that you have read, fully understand, and agree with the provisions contained in this policy before browsing or using this website.

This policy shall serve as a blanket notification to you about our processing activities which remain valid for so long as you have an active account with DO Attorneys. You will not be notified separately on each occasion that we process the same personal information in the same way over a period.

This policy may be revised from time to time to take into account any changes in applicable laws, our services, this website or any aspect related to our business generally. We therefore encourage you to monitor this policy periodically to note any changes made to it.

### WHAT PERSONAL INFORMATION DOES DO ATTORNEYS COLLECT?

DO Attorneys is subject to the Protection of Personal Information Act, 4 of 2013 ("**POPIA**")

We may collect certain information about you when you visit this website, use our services, provide goods or services to us including –

- information about the content and services you express an interest in when you use this website;

- your name, identity or registration number and contact information, including email address and company details which you may submit to DO Attorneys when you interact with us on this website;
- information about your location or similar location-based information;
- information regarding your personal or professional interests, demographics, experiences with DO Attorneys' services and contact preferences in order to provide you with further correspondence about DO Attorneys' services;
- information from DO Attorneys clients and their employees:
  - for invoicing and other administrative purposes, including, names, identity or registration number, income tax number, VAT number, invoicing information and banking details, your contact details, cellphone and landline number email address, physical address, marital status; and
  - for the purposes of conducting business and commercial activities in the ordinary course;
- names, contact details, bank details, financial and tax information from suppliers and professional service providers so that we can place orders/instruct you and make payment in respect of any goods or services we receive.

The supply of personal information by you to DO Attorneys is voluntary and not mandatory. However, if you refuse to supply any personal information, certain consequences may naturally flow from such a refusal, such as preventing DO Attorneys from concluding or performing any contract with you, or preventing DO Attorneys from complying with one or more of its obligations in law.

There is an applicable law which directly requires or authorises DO Attorneys to collect a client's personal information, namely the Financial Intelligence Centre Act.

## **LEGAL BASIS FOR OUR PROCESSING OF YOUR PERSONAL INFORMATION**

We rely on one or more of the following reasons for processing your personal information –

- you consenting to our processing your personal information for a specific purpose;

- where processing is necessary for the performance or conclusion of a contract to which you are a party;
- where processing is necessary to achieve DO Attorneys' legitimate interests, for example the management, operations and improvement of our business (to the extent that they don't unjustifiably and unlawfully limit your interests or rights which require protection);
- where processing is necessary to comply with an obligation imposed by law;
- where processing is necessary to protect your legitimate interests; and
- where processing is necessary to pursue the legitimate interests of a third party to whom the personal information is lawfully supplied.

#### **HOW WE USE YOUR PERSONAL INFORMATION**

We use the personal information provided by you for the following purposes ("**purpose/s**") -

- to update DO Attorneys' records about you and for the purpose of retaining records about you;
- to communicate with you in the course of DO Attorneys' ordinary business activities;
- to enter into a contract with you;
- to perform any obligations under a contract with you;
- to perform our services for you;
- to prevent or detect any unlawful activities;
- responding to your enquiries and complaints or processing your requests in relation to your personal information;
- to follow up on any enquiries and complaints as part of DO Attorneys' customer care procedures;
- to notify users about changes to the website or services.

If DO Attorneys intends to process your personal information for any other purpose not listed herein or which is otherwise not automatically permitted by law, it shall ensure that it obtains your written consent to do so.

DO Attorneys will not sell your personal information to any third party without your prior written consent.

### **COLLECTION DIRECTLY FROM USER**

DO Attorneys shall, as far as possible, always collect personal information about you directly from you, except in the following circumstances:

- where personal information is collected from a public record, or from another source if the information has already been made public by you;
- where you have given your written consent to DO Attorneys to collect your information from another source;
- where the collection of your personal information from another source will not prejudice any of your legitimate interests;
- where the collection of personal information from another source is necessary to maintain DO Attorneys' legitimate interests or those of any third party it intends sharing the information with;
- where the collection of personal information directly from you would prejudice the purpose for the collection;
- where the collection of personal information directly from you is not reasonably practicable in the circumstances.

If DO Attorneys collects personal information from a source other than you, it shall record in writing the details of that source, including the full names and contact details of that source where applicable.

- Personal information may be collected from or supplied by you in any of the following ways:
  - provided by you as part of your profile pages on the website;
  - when subscribing to a service offered on this website;
  - when requesting further services or information from DO Attorneys;
  - when contacting DO Attorneys to report a problem with the website or for any other reason;

- when completing any forms on the website.

You may visit the website without providing any personal information. However, the website's servers may still collect technical information regarding the use of the website, which is aggregated for analytical purposes, technical maintenance and for improving the content offered on the website. Such information may include details of your visit, information about your computer, including IP (Internet Protocol) address, operating system and browser type, your location, and usage information. An individual user will not be identified from or by this information and DO Attorneys is entitled to copy, distribute, or otherwise use such information without limitation.

#### **RETENTION OF YOUR PERSONAL INFORMATION**

Your personal information is retained by us for our business purposes and to comply with any applicable laws and regulations. To the extent not specifically prohibited or prescribed by applicable laws, we will retain your personal information for periods that we believe are reasonably necessary to serve our legitimate business interests.

When we no longer have an ongoing legitimate business need to process your personal information, we will either delete or de-identify it or, if this is not possible (for example, because your personal information has been stored in backup archives), then we will securely store your personal information and keep it from any further processing until deletion is possible.

#### **RIGHTS AVAILABLE TO YOU IN RELATION TO YOUR PERSONAL INFORMATION**

You have the right to control the manner in which your personal information is processed by DO Attorneys, including the following rights–

- to obtain from us confirmation as to whether or not personal data concerning you is processed, and where that is the case, you have the right to request and get access to that personal data;
- to update and correct your personal information that is held by us;
- in certain cases, and to the extent not prohibited by applicable laws, you may request us to remove your personal information, partially or completely;

- to request us to limit processing of your personal information to any one or more of the Purposes listed above (note that this may impact the accessibility of our services);
- in certain cases, to object to processing of your personal information, including with regards to profiling. You have the right to opt-out from any communications from us (whether marketing or otherwise). You may withdraw any consent previously provided in relation to the collection, use and processing of your personal information; and/or
- to escalate any complaint in relation to your personal information to the Information Regulator, whose contact details are:

JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001  
P.O Box 31533  
Braamfontein, Johannesburg, 2017  
Complaints email: [complaints.IR@justice.gov.za](mailto:complaints.IR@justice.gov.za)  
General enquiries email: [infoereg@justice.gov.za](mailto:infoereg@justice.gov.za).

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making, unless we have a lawful basis for doing so and we have notified you.

We do not envisage that any decisions will be taken about you using automated means, however we will notify you in writing if this position changes.

To ascertain whether you are eligible for, and, to send a request with regards to, any one of the above rights please send an email to [driske@doattorneys.co.za](mailto:driske@doattorneys.co.za).

We may charge a small fee, to the extent lawfully prescribed or permissible, for any such request where we believe the request to be unfounded, repetitive, or excessive.

Before processing any one of the above-listed requests, we may need to request specific information from you to help us confirm your identity. This is a security measure to ensure that personal information is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

## **PROTECTION OF YOUR PERSONAL INFORMATION**

We maintain technical, physical, and administrative security measures aimed at protecting your personal information against accidental or unlawful access, damage, alteration, loss or destruction, by implementing reasonable and appropriate physical, administrative, organizational and technical safeguards. We require the same standards of protection from any third parties to whom we disclose your personal information.

Despite the above security measures, the transmission of data over the internet cannot be guaranteed to be 100% secure and protected. Accordingly, we cannot ensure or warrant the security of any information you send to or receive from us via electronic transmission. This is particularly true for information you send to us via email, which we cannot guarantee is protected in transit. Once we receive your information, we apply the methods mentioned above to ensure its protection while in our possession. If you are concerned about submitting your personal information to us electronically, please contact us to enquire about making other arrangements.

## **SHARING OF PERSONAL INFORMATION WITH THIRD PARTIES AND LINKS TO THIRD PARTY WEBSITES**

There are instances when we need to share your personal information with third parties, all to the extent necessary for, and incidental to, the performance of our services and/or your use of this website. These include sharing your information with –

- entities with whom we have partnered (financial institutions or otherwise) to jointly create and offer our content and services;
- third party operators who perform certain processing activities on behalf of DO Attorneys;
- DO Attorneys' associates or consultants who may, directly or indirectly, render certain services to DO Attorneys or to you or in undertaking activities linked to the operation of such services on DO Attorneys' behalf; or
- third parties, where the disclosure is in compliance with legal and/or contractual requirements that DO Attorneys is subject to, including, but not limited to, intergovernmental agreements.

Given the nature of our business and information technology infrastructure, your personal information may be transferred to other countries, some of which may have different data protection laws to those that are applicable in the country in which you reside. We will at all times ensure that your personal information is protected in terms of this Policy. You consent to your personal information being transferred to other countries regardless of the data protection laws applicable in those countries.

Our website may contain links to third party websites and applications. We are not responsible for and make no representations or warranties in relation to the privacy practices or content of any third-party websites and applications. Your use of such websites and applications is subject to the applicable third-party privacy statement and is at your own risk.

#### **DIRECT MARKETING**

You hereby consent to the processing of their personal information for the purpose of direct marketing by means of electronic communications including automatic calling machines, facsimile machines, SMS's or electronic mail.

Where you are a pre-existing client of DO Attorneys, DO Attorneys shall be entitled, without your consent, to send electronic communications to you for the purpose of marketing similar products or services offered by DO Attorneys.

The User may object, free of charge, and without unnecessary formality, to the use of their details either when the information was first collected from them or when each subsequent electronic communication is sent to them by DO Attorneys.

You can opt out of receiving further marketing communications by un-checking certain boxes on the forms used on the website to collect your personal information, or by contacting DO Attorneys at driske@doattorneys.co.za.

#### **CHILDREN'S PERSONAL INFORMATION**

DO Attorneys shall not process any personal information relating to a person under the age of 18 years unless it has obtained consent from that person's parent or legal guardian. If this website is being accessed by the parent or guardian of a child under the age of 18 years, and personal information pertaining to that child is being provided by the parent or guardian, then they hereby expressly consent to DO Attorneys processing such information according to the further provisions of this Privacy Policy.



## CONTACT US

Should you have any queries regarding this Policy or the manner in which your personal information is processed, please feel free to contact us as follows –

Responsible Party  
Driske Olivier Attorneys  
10 Greyville Close  
Milnerton Ridge  
Milnerton

driske@doattorneys.co.za

Information officer: Driske Olivier

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