

CONSENT AND ACKNOWLEDGMENTS IN TERMS OF THE PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013 (POPI)

1 Introduction

1.1 The Protection of Personal Information Act (POPI) aims to give effect to the constitutional right to privacy by balancing the right to privacy against that of access to information. POPI requires that personal information pertaining to individuals be processed lawfully and in a reasonable manner that does not infringe on the right to privacy.

1.2 Our POPI Policy and this consent form sets out how personal information will be collected, used and protected by Us, as required by POPI. The use of the words “the individual” for the purposes of this document shall be a reference to any individual communicating with Us and/or concluding any agreement, registration or application, with the inclusion of each individual referred to or included in terms of such agreement, registration or application.

2 What is personal information?

2.1 The personal information that the company requires relates to names and surnames, birth dates, identity numbers, passport numbers, demographic information, education information, occupation information, health information, addresses, and personal and work email, banking details and contact details.

2.2 In addition, the particular mandate and operations of the company may result in the processing of special personal information, which may be highly sensitive information relating to religious beliefs, political affiliations, race and ethnic origin, health, sex life and biometric information. Where information constitutes such special personal information, or is reasonably likely to include special personal information, this will be drawn to the data subject’s attention and processing will occur in strict compliance with POPI.

3 What is the purpose of the collection, use and disclosure (the processing) of personal information?

3.1 The company is legally permitted to collect, use and disclose personal information for the following purposes:

3.1.1 assessing, processing and entering into employee agreements;

3.1.2 training and assessment purposes;

3.1.3 confirming and verifying a prospective clients' credit worthiness, suitability as a client and identity;

3.1.4 assessing, entering into agreements with and payment of suppliers and service providers;

3.1.5 confirming and verifying a person's identity;

3.1.6 providing personalised communication;

3.1.7 providing advertising, marketing and media services to clients including customer relationship management, content creation, web development, production services, animation, competitions, direct marketing, lead generation, digital media, analytics, strategy and such other services as

The company may offer from time to time;

3.1.8 audit and record-keeping purposes;

3.1.9 in connection with legal proceedings including debt collection;

3.1.10 in connection with and to comply with legal and regulatory requirements or when it is otherwise allowed by law; and/or

3.1.11 for a purpose that is ancillary to the above and for any other purpose for which consent is provided by the data subject;

3.2 The company will not process personal information for a purpose other than those which are identified above without obtaining consent to further processing beforehand.

4 What is 'processing'?

POPI provides that the term "processing" covers any operation or activity, whether or not by automatic means, concerning personal information. Such activity may include, but is not limited to, collection, receipt, recording, organisation, storage, collation, retrieval, alteration, updating, distribution, dissemination by means of transmission, erasure or destruction of personal information.

5 How will the company process personal information?

5.1 We will only collect personal information for the purposes stated above.

Information will be collected in the following manner:

5.1.1 directly from the data subject;

5.1.2 from clients or prospective clients' who may seek our assistance and/or services;

5.1.3 from the company's own records relating to its previous provision of assistance or responses to the data subject's request for services; and/or

5.1.4 from a relevant public or equivalent entity.

6 To whom will personal information be disclosed?

6.1 The personal information may be disclosed to service providers such as professional bodies who operate across the borders of this country (trans-border flow of information) where personal information must be sent in order to provide the information and/or services and/or benefits requested or applied for.

6.2 In addition, personal information may be disclosed in compliance with the company's legal obligations, or where it may be necessary in order to protect our rights.

6.3 In the event that the company does disclose personal information, it shall take all reasonable steps to ensure that the information is protected by the recipient.

6.4 In the event of another party/other parties acquiring all of or a portion of the company's mandate or functions, personal information will be disclosed to that party but they will be equally obliged to protect personal information in terms of POPI.

7 Consent and Permission to process personal information

7.1 I hereby provide authorisation to Top Loos to process the personal information provided for the purpose stated, which purpose has been fully explained to me.

7.2 I understand that withholding of or failure to disclose personal information will result in Top Loos records being incomplete, and may negate any performance on the part of Top Loos.

7.3 Where I shared personal information of individuals other than myself with Top Loos I hereby provide consent on their behalf to the collection, use and disclosure of their personal information in accordance with this consent provided and I warrant that I am authorised to give this consent on their behalf.

7.4 To this end, I indemnify and hold Top Loos harmless in respect of any claims by any other person on whose behalf I have consented, against Top Loos should they claim that I was not so authorised.

7.5 I understand that in terms of POPI and other laws of the country, there are instances where my express consent is not necessary in order to permit the processing of personal information, which may be related to police investigations, litigation or where personal information is publicly available. I will not hold Top Loos responsible for any improper or unauthorised use of personal information that is beyond its reasonable control.

8 Rights regarding the processing of personal information

8.1 The individual may withdraw consent to the processing of personal information at any time, and should they wish to do so, must provide the company's Information Officer with reasonable written notice to this effect. Please note that withdrawal of consent is still subject to the terms and conditions of any contract that is in place. Should the withdrawal of consent result in the interference of legal obligations, then such withdrawal will only be effective if the company agrees to same in writing. Top Loos specifically draws attention to the fact that the withdrawal of consent may result in it being unable to provide the requested information and/or services

and/or financial or other benefits. Further, please note that the revocation of consent is not retroactive and will not affect disclosures of personal information that have already been made.

8.2 An individual has the right to ask us to amend or delete their personal information on reasonable grounds.

8.3 In order to withdraw consent, or otherwise request an amendment or deletion of personal information, please contact the Information Officer at Top Loos

8.4 Where personal information has changed in any respect, the individual is encouraged to notify us so that our records may be updated. The company will largely rely on the individual to ensure that personal information is correct and accurate.

8.5 The individual has the right to access any personal information that We may have in its possession and is entitled to request the identity of any third parties which have received and/or processed such personal information, as well as the details of how that information was collected. Requested information will be provided within a reasonable time, but may be declined on reasonable and/or legal grounds.

9 Requesting access and lodging of complaints

9.1 Please submit any requests for access to personal information in writing to Our information officer at Top Loos.

9.2 With any request for access to personal information, we will require the individual to provide personal information in order to verify identification and therefore the right to access the information.

9.3 There may be a reasonable charge for providing copies of the information requested.

9.4 If any request has not been addressed to satisfaction a complaint may be lodged at the office of the Information Regulator

Full Name_____

Company_____

Designation_____

Date_____

Signature_____