



PRO-COMPLIANCE POPIA POLICY

1. Privacy Policy Statement

Pro-Compliance is committed to protecting the privacy of all stakeholders and ensuring that all Personal Information is processed lawfully, transparently, and securely, in accordance with the **Protection of Personal Information Act No. 4 of 2013 (POPIA)**. Pro-Compliance aims to uphold data subjects' rights by establishing responsible practices for managing Personal Information.

2. Definitions

- 2.1. **Data Subject:** The person to whom Personal Information relates.
- 2.2. **Personal Information:** Any information relating to an identifiable individual, including but not limited to identity, contact details, health, and financial information.
- 2.3. **Processing:** Any operation concerning Personal Information, including collection, storage, use, and destruction.
- 2.4. **Information Officer:** A designated officer responsible for ensuring compliance with POPIA and handling Personal Information requests.

3. Legal Framework

- 3.1. Protection of Personal Information Act No. 4 of 2013 (POPIA)
- 3.2. Promotion of Access to Information Act No. 2 of 2000 (PAIA)

4. Purpose

- 4.1. The purpose of this policy is to set out how Pro-Compliance processes whilst demonstrating Pro-Compliance's commitment to protecting the right to privacy of the data subject through:



4.1.1. Implementing controls to manage compliance risks related to Personal Information

4.1.2. Demonstrating Pro-Compliance's commitment to the right to privacy

4.1.3. Ensuring the lawful, transparent, and secure handling of Personal Information

5. Scope and Application

All Pro-Compliance employees, contractors, and agents must adhere to this policy and familiarise themselves with its contents.

6. Data Subject Rights

Pro-Compliance will ensure that the data subjects using the services provided by Pro-Compliance are made aware of the rights as Data Subjects. Pro-Compliance will give effect to the following rights:

7. Right to have Personal Information processed lawfully

A data subject has the right to have their Personal Information processed according to the conditions for the lawful processing of personal.

8. Right to Access Personal Information;

Pro-Compliance provides for a Data Subject's right to establish whether Pro-Compliance holds personal Information related to them, why such Information was processed, and the measures to request such information. A request for personal information form is attached hereto marked "A".

9. Right to have Personal Information Corrected or Deleted

Pro-Compliance provides for the Data Subjects right to correct and/or delete Personal Information held by Pro-Compliance. A request for deleting personal Information will signify that Pro-Compliance is no longer authorised to retain said personal Information.



A request to correct or delete personal information form is attached hereto marked "B"

10. Right to object to the processing of Personal Information

Pro-Compliance, shall, on reasonable grounds and subject to any statutory and contractual record keeping requirements, provide for the Data Subjects right to object to the processing of their Personal Information.

A request to correct or delete personal information form is attached hereto marked "A".

11. Right to object direct marketing

Pro-Compliance will provide the Data Subjects right to object to the processing of their Personal Information for direct marketing using unsolicited electronic means.

An application for the consent of a data subject for the processing of Personal Information for the direct marketing is attached hereto marked "C"

12. Right to complain to the Information Regulator

Pro-Compliance recognises the right to submit a complaint to the Information Regulator regarding an alleged infringement of any of the rights protected under POPIA and to institute civil proceedings regarding the alleged infringement of any rights provided for under POPIA, and to institute civil proceedings regarding the alleged non-compliance with the protection of their Personal Information.

A POPIA Complaint Form is attached hereto marked "D".

13. Right to be informed

The Data Subject has the right to be notified that Pro-Compliance is collecting their Personal Information. The Data Subject also has the right to be notified in any situation where Pro-



Compliance has reasonable grounds to believe that the Personal Information of the Data Subject has been accessed or acquired by an unauthorised person.

14. Right to not be subject to a decision made by automated processing

14.1. The Data Subject shall not be subject to a decision that affects them to a substantial degree which is based solely on the automated processing of their Personal Information intended to provide a profile of such person including their performance at work, creditworthiness, reliability, location, health, personal preferences or conduct.

14.2. The above does not apply if the decision:

14.2.1. has been taken in connection with the conclusion or execution of a contract; and

14.2.2. the request of the data subject in terms of the contract has been met; or

14.2.3. appropriate measures have been taken to protect the data subject's legitimate interests; or

14.2.4. is governed by a law or code of conduct in which appropriate measures are specified for protecting the legitimate interests of data subjects.

14.3. The appropriate measures must:

14.3.1. provide an opportunity for a data subject to make representations about a decision; and

14.3.2. require a responsible party to provide a data subject with sufficient information about the underlying logic of the automated processing of the information relating to them to enable them to make representations.

15. Conditions for Lawful Processing

15.1. Accountability: Pro-Compliance is accountable for ensuring compliance with POPIA's conditions for lawful processing of Personal Information.

15.2. Processing Limitation: Personal Information will only be processed with the Data Subject's consent, for lawful purposes, and only to the extent necessary.



15.2.1. Consent

15.2.1.1. Pro-Compliance will put controls in place to ensure Personal Information is only processed if:

15.2.1.1.1. the data subject or a competent person consents to the processing, Pro-Compliance will maintain written proof of such consent; or

15.2.1.1.2. processing is necessary to carry out actions for the conclusion or performance of a contract to which the data subject is a party; or

15.2.1.1.3. processing complies with an obligation imposed by law on Pro-Compliance; or

15.2.1.1.4. processing protects a legitimate interest of the data subject without objection; or

15.2.1.1.5. processing is not objected to and necessary for the proper performance of a public law duty by a public body; or

15.2.1.1.6. processing is not objected to and is necessary for pursuing the legitimate interests of the responsible party or a third party to whom the information is supplied.

15.2.1.2. The Data Subject may withdraw their consent, as long as the lawfulness of the processing of Personal Information before such withdrawal is not affected.

15.3. Collection of Personal Information

15.3.1. Pro-Compliance will collect Personal Information directly from the data subject, unless:

15.3.1.1. Information is derived from public record.

15.3.1.2. The Information has deliberately been made public by the Data Subject.

15.3.1.3. The data subject consented to the collection of the Information from another source;

15.3.1.4. A competent person has consented to the collection of the Information from another source;



- 15.3.1.5. Collection of the Information from another source would not prejudice a legitimate interest of the data subject;
 - 15.3.1.6. Compliance would prejudice the lawful purpose of the collection.
 - 15.3.1.7. Compliance is not reasonably practicable in the circumstances of the particular case.
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- 15.4. Purpose Specification: Personal Information is collected and processed for specific, legitimate reasons relevant to Pro-Compliance's business activities.
 - 15.5. Further Processing Limitation: Pro-Compliance will only further process Personal Information if compatible with the original purpose.
 - 15.6. Information Quality: Pro-Compliance will take reasonable steps to ensure Personal Information is accurate and updated as needed.
 - 15.7. Openness: Pro-Compliance will inform Data Subjects of the collection and purpose for which their Personal Information is collected.
 - 15.8. Security Safeguards: Pro-Compliance will implement security measures to prevent loss, damage, unauthorised access, or unlawful use of Personal Information.
 - 15.9. Data Subject Participation: Data Subjects can request access to their Personal Information and, if necessary, request correction or deletion.

16. Security Measures

Pro-Compliance commits to implementing technical and organizational measures to protect Personal Information against unauthorized access or accidental loss. This includes secure storage and regular security assessments.

17. Information Officer Duties

- 17.1. The Information Officer is responsible for:
 - 17.1.1. Ensuring compliance with POPIA and promoting awareness within Pro-Compliance.
 - 17.1.2. Processing requests and complaints from Data Subjects.
 - 17.1.3. Liaising with the Information Regulator for any investigations.
 - 17.1.4. Conducting impact assessments to maintain data security and processing integrity.



18. Data Processing by Third Parties

Pro-Compliance requires all third-party operators processing Personal Information on its behalf to sign service-level agreements that mandate POPIA compliance and confidentiality.

19. Transfer of Information Outside South Africa

19.1. Personal Information may only be transferred outside South Africa if:

19.1.1. The receiving party is subject to similar data protection laws, or

19.1.2. The Data Subject consents to the transfer, or

19.1.3. The transfer is required for the performance of a contract involving the Data Subject.

20. Breach Notification

In case of a security compromise, Pro-Compliance will notify affected Data Subjects and the Information Regulator, detailing the breach's consequences and the steps taken to address it.

21. Complaints Procedure

Data Subjects may submit complaints to Pro-Compliance regarding alleged violations of POPIA. The Information Officer will handle all complaints and provide responses within a reasonable timeframe.

22. Policy Review

This policy will be reviewed annually or as needed to ensure continued compliance with legal requirements and best practices.