

Privacy Policy – Oaths.co.za™

Operated by Beantech (Pty) Ltd

Reg. No: 2010/008997/07

Information Regulator Registration No: 2025-006973

Effective Date: 19 October 2025

1. Introduction

This Privacy Policy explains how **Beantech (Pty) Ltd**, operator of **Oaths.co.za™**, collects, processes, stores, and protects personal information in compliance with the **Protection of Personal Information Act (POPIA)** (Act 4 of 2013) and the **Promotion of Access to Information Act (PAIA)** (Act 2 of 2000).

Oaths.co.za™ is a **LegalTech Software-as-a-Service platform** providing **secure, compliant digital certification** of South African identity and address documents by duly appointed Commissioners of Oaths.

2. Information We Collect

Category	Examples
Identity Data	Full name, ID number, facial biometrics, Smart ID or Passport details
Contact Data	Email address, mobile number, physical address
Document Data	Live-captured images or scans of supported documents
Technical Data	Device type, browser, IP address, operating system, session logs
Guardian Data (for minors)	Name, ID number, contact details, digital consent record
Verification Data	Department of Home Affairs records, PEP/AML/sanctions screening results

3. How We Collect Information

- Directly from you during registration or document submission
- Automatically through secure system logging and analytics
- From verified third parties (e.g., Department of Home Affairs, Financial Intelligence Centre) for compliance verification

4. Purpose of Collection

Your information is processed to:

- Facilitate digital document certification by a Commissioner of Oaths
- Verify identity and prevent fraud
- Comply with FICA, AML, and RICA obligations
- Maintain a tamper-proof blockchain audit trail
- Record and validate guardian consent (for minor users)
- Improve platform security and user experience
- Fulfil legal and regulatory requirements under South African law

5. Legal Grounds for Processing

Processing is based on one or more lawful grounds:

- **Consent** (from the data subject or guardian for minors)
- **Contractual necessity** (to deliver services)
- **Legal obligation** (to comply with FICA, AML, and POPIA)
- **Legitimate interest** (preventing fraud and protecting public trust)

6. Sharing of Information

We share information only where lawful and necessary:

- **Commissioners of Oaths** – for certification purposes
- **Trusted service providers** – for secure hosting, biometric verification, and AML screening
- **Regulators or law enforcement** – when required by statute or warrant

All third parties are POPIA-compliant and bound by confidentiality agreements.
We do **not sell or trade personal information**.

7. Security of Your Data

We maintain enterprise-grade safeguards:

- Encryption at rest and in transit (AES-256)
- Role-based access control and multi-factor authentication
- Biometric and liveness verification systems
- Blockchain-linked QR certification records
- Continuous monitoring and penetration testing

Data Hosting and Local Processing

Oaths.co.za™ is hosted entirely on **Microsoft Azure South Africa (North and South regions)**.

All personal data, backups, processing operations, and application code are stored and executed **within the geographic borders of the Republic of South Africa**.

No personal information is transferred, stored, or processed outside South Africa unless required by law or with explicit user consent.

This ensures full compliance with **POPIA Section 72** and maintains data sovereignty under South African jurisdiction.

8. Minors and Guardian Consent

Oaths.co.za™ permits **minors aged 16 or 17** who hold a valid Smart ID Card to use the platform for educational or early-career purposes, provided that:

1. A parent or legal guardian has given **verifiable consent** before registration.
2. Guardian information is recorded and stored in the encrypted ledger.
3. The minor's use is strictly limited to lawful personal certification activities.

Guardians may withdraw consent or request erasure of minor data at any time.

9. Minor Data Ring-Fencing and Encryption

To protect children's information under **POPIA §19** and **Children's Act §§129–133**:

- All personal data of minors (16–17) is **ring-fenced** in a dedicated encrypted ledger separate from adult data.
 - The ledger uses **Microsoft Azure Confidential Ledger** with AES-256 encryption and rotating keys.
 - Access is restricted to authorised compliance officers under dual-control procedures.
 - Every access event is logged in an **immutable blockchain audit trail**.
 - Ledger records are **cryptographically shredded** once consent is withdrawn or retention expires.
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10. Your Rights Under POPIA

You and, where applicable, your guardian have the right to:

- Access personal information we hold about you
- Request correction or deletion of inaccurate data
- Object to specific processing activities
- Withdraw consent (where applicable)
- Lodge a complaint with the **Information Regulator** (www.inforegulator.org.za)

Guardians may exercise these rights on behalf of minor users.

11. Retention and Deletion

- Personal data is retained only for as long as necessary to meet legal obligations (e.g., FICA five-year rule).
 - When a subscription ends, users have a **60-day grace period** to download documents.
 - After this period, data is **permanently and irreversibly deleted**, unless retention is mandated by law.
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12. Cookies and Analytics

Oaths.co.za™ uses cookies to enhance functionality and security. Analytics data is aggregated and anonymised; no behavioural profiling occurs. You can manage cookies via your browser settings.

13. Information Officer and Contact

Information Officer: Mr J.M. van der Westhuizen
Professional Accountant (SA) | Commissioner of Oaths (Ex Officio)
 **Email:** compliance@oaths.co.za
 **Address:** Regus Cradlestone Mall, Entrance 5, L2, 17 Hendrik Potgieter Road, Krugersdorp, Gauteng 1739

14. Revision History

Version	Date	Summary of Change
1.0	20 May 2025	Initial POPIA-compliant policy issued
1.1	19 Oct 2025	Added minor and guardian consent framework, Azure South Africa data hosting, and ring-fenced encrypted ledger provisions

 **Summary:**
This Privacy Policy fully complies with **POPIA**, **PAIA**, and the **Children’s Act 38 of 2005**, ensuring:

- Transparent disclosure of **Microsoft Azure South Africa data residency**
 - Legal and technical safeguards for minors and guardians
 - Encrypted ledger protection and auditability for all user data
 - Regulator-ready documentation for the Information Regulator of South Africa
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