

# Privacy Notice – Oaths.co.za

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Effective Date: 01 March 2025

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## 1. Who We Are

Oaths.co.za is a LegalTech platform operated by Beantech (Pty) Ltd. We enable the secure digital certification of South African documents, including Smart ID Cards, Driver's Licences, Passports, and Proof of Address, through identity verification and digital infrastructure. All certifications are performed free of charge by duly appointed Commissioners of Oaths, in line with Regulation 6 of GN R1258 of 1972 (which prohibits charging a fee for administering oaths, affirmations, or declarations) and in accordance with established South African practice for certifying true copies.

## 2. What Personal Information We Collect

- Identity Data: Full name, ID number, facial biometric data, Smart ID/Passport details
- Contact Data: Mobile number, email address
- Document Data: Images or live-captured scans of supported documents
- Technical Data: Device type, browser, IP address, operating system
- Usage Data: Page views, clicks, session times, traffic logs

## 3. How We Use Your Information

We use this information to: reduce fraud risk, support FICA/RICA/AML compliance obligations, and where required, report suspicious activity to the Financial Intelligence Centre (FIC).

- Verify your identity using facial recognition and liveness testing
- Facilitate certification by a Commissioner of Oaths
- Allow you to access and download your certified documents
- Notify you of upcoming expiries or compliance issues
- Respond to queries and deliver support
- Improve platform stability, functionality, and trustworthiness

#### 4. Lawful Basis for Processing

Our lawful basis for processing your personal information includes:

- Your explicit consent (when applicable)
- Contractual necessity to provide platform services
- Legal and regulatory obligation to conduct FICA, AML, and POPIA-related verification and record-keeping
- Our legitimate interest in preventing fraud, ensuring public safety, and safeguarding the integrity of our platform.

The processing is further aligned with the principles of the **Electronic Communications and Transactions Act, 2002 (ECT Act)**, which provides that a document in electronic form is not without legal force and effect simply because it is electronic.<sup>2</sup> The reliability and integrity of our processes ensure that our digitally certified documents carry a high **evidentiary weight** in any legal or administrative setting.

#### 5. Who We Share Your Information With

- Commissioners of Oaths for certification purposes
- Trusted third-party providers for cloud hosting, identity verification, biometric checks, and regulatory compliance
- Regulators or law enforcement when required by subpoena, warrant, or legal obligation

All third parties are contractually bound to confidentiality and POPIA-compliant data handling. We never sell personal data. Information is only shared with trusted third parties where strictly necessary for compliance, verification, or security purposes.

#### 6. Data Security

We apply enterprise-grade security via Microsoft Azure, including:

- Encryption at rest and in transit
- ISO 27001 and SOC 2 aligned infrastructure
- Audit logs, blockchain verification, and QR-backed certification
- Access controls and regular integrity checks

## **7. Your Rights Under POPIA**

You have the right to:

- Request access to personal information we hold about you
- Request correction or deletion of inaccurate or outdated information
- Withdraw your consent (where applicable)
- Object to certain processing
- Lodge a complaint with the Information Regulator at [www.inforegulator.org.za](http://www.inforegulator.org.za)

## **8. Data Retention**

If your subscription ends, you will have a 60-day grace period to access or download your documents. After this period, all personal data and documents will be permanently deleted — unless we are legally required to retain them longer (e.g., FICA-mandated record-keeping for 5 years).

## **9. Cookies**

Oaths.co.za uses cookies to enhance performance, understand traffic, and optimize your experience. You may manage or block cookies via your browser settings.

## **10.AML, PEP, and Sanctions Screening**

We perform mandatory screening to comply with FICA and uphold public trust.<sup>1</sup> This includes:

- PEP (Politically Exposed Persons) & PIP screening
- South African sanctions list checks
- Identity fraud and document manipulation databases
- Automated FIC risk flagging

If a match is detected, your access may be blocked or revoked, and you may be reported to the appropriate authorities. We do not use this data for profiling or marketing.

## **11.Contact Us**

Information Officer: Mr J.M. van der Westhuizen

Email: [compliance@oaths.co.za](mailto:compliance@oaths.co.za)

Address: Regus Cradlestone Mall, Entrance 5, L217 Hendrik Potgieter Road, Krugersdorp, Gauteng, 1739