

## PRIVACY POLICY

### ANNEXURES

ANNEXURE 1 – OBJECTION TO PROCESSING OF PERSONAL INFORMATION – FORM .....	12
ANNEXURE 2 – REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION – FORM .....	13
ANNEXURE 3 – REQUEST FOR ACCESS TO RECORD OF PERSONAL INFORMATION / CONFIRMATION OF PERSONAL INFORMATION PROCESSED – FORM.....	15

### 1 DEFINITIONS

- 1.1 In this Privacy Policy, unless the contrary intention appears, the following expressions shall bear the meanings assigned to them below and cognate expressions bear corresponding meanings:
- 1.1.1 **"Affiliate"** means, in respect of a company or other business entity, any holding company or subsidiary company, as the context requires;
  - 1.1.2 **"Data Subject"** has the meaning as defined in POPIA;
  - 1.1.3 **"Information Officer"** has the meaning as defined in POPIA;
  - 1.1.4 **"Information Regulator"** has the meaning as defined in POPIA;
  - 1.1.5 **"Marechal Electric" / "we" / "our" / "us"** means Marechal Electric Africa Proprietary Limited, registration number: **1987/002227/07**;
  - 1.1.6 **"Personal Information"** has the meaning as defined in POPIA;
  - 1.1.7 **"POPIA"** means the Protection of Personal Information Act, 4 of 2013, as amended from time to time and includes any regulations promulgated thereunder;
  - 1.1.8 **"Privacy Policy"** means this privacy policy (as amended from time to time) and including any annexures hereto, published by Marechal Electric on its website at [www.marechal.com](http://www.marechal.com) ("the Website");
  - 1.1.9 **"Processing"** means, as defined in POPIA, any operation or activity or any set of operations, whether or not by automatic means, concerning Personal Information, including:
    - 1.1.9.1 the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
    - 1.1.9.2 dissemination by means of transmission, distribution or making available in any other form; or
    - 1.1.9.3 merging, linking, as well as restriction, degradation, erasure or destruction of information;
    - 1.1.10 **"Responsible Party"** has the meaning as defined in POPIA;
    - 1.1.11 **"Special Personal Information"** has the meaning as defined in POPIA;
    - 1.1.12 **"Tax"** means any and all taxes (including VAT), duties and other charges imposed or levied by any authority in connection with the Services; and
    - 1.1.13 **"Terms"** means the general terms and conditions of sale of Marechal Electric, which can be found on the Website.

### 2 SUMMARY

- 2.1 We recognise, value and are committed to protecting the privacy of Data Subjects, whose Information we Process ("**your**" / "**you**") or which is Processed for or on our behalf, which Processing is related to our business activities or a Data Subject's engagement with us.

- 2.2 This Privacy Policy is a simple, plain English summary of:
- 2.2.1 how and why we Process and protect your Information;
  - 2.2.2 the nature of our business;
  - 2.2.3 our approach to advertising, marketing and security; and
  - 2.2.4 the choices available to you regarding our use of your Personal Information and how you can contact us to access, update or correct your Personal Information; object to its Processing; make a complaint or ask a question;
  - 2.2.5 the Processing of Personal Information and Special Personal Information of Data Subjects (collectively "**Information**"), whether such Data Subjects are our customers, suppliers, agents, contractors or our employees or job applicants.
- 2.3 We are a Responsible Party in respect of your Information, which means that we determine the purpose of and means for, Processing your Information.
- 2.4 We are committed to protecting and respecting your privacy. We strive to ensure that our use of your Information is lawful, reasonable, and relevant to our business activities or your engagement with us, with the ultimate goal of providing and improving our products and services and your experience.
- 2.5 This Privacy Policy describes how we will treat your Information, whether provided by you to us, or collected by us through other means and sources when you engage with us, in your ordinary use of our products and services or in accessing the Website or otherwise through your engagement with us.
- 3 PRECEDENCE**
- 3.1 To the extent permitted by law, we may modify or amend the provisions of this Privacy Policy from time to time, in our sole discretion. We will take all reasonably practicable steps to bring any such modifications or amendments to your attention. We will post the revised policy on the Website.
- 3.2 We will notify you of any changes to this Privacy Policy by placing a notice in a prominent place on the Website or by sending you an email detailing the changes that we have made and indicating the date that they were last updated. If you continue to use the Website, engage with us (including as our employee) or use our products or services following notification of a change to the terms of this Privacy Policy, the changed terms will apply to you and you will be deemed to have accepted those updated terms.
- 3.3** This Privacy Policy supplements the Terms but does not supersede them and in the event of any conflict, ambiguity or inconsistency between this Privacy Policy and the Terms, this Privacy Policy shall take precedence, only to the extent of such conflict, ambiguity or inconsistency.
- 4 INTRODUCTION**
- 4.1 When we:
- 4.1.1 engage with you (including engaging with you, in the context of a job applicant or as our employee); or
  - 4.1.2 supply products and services to you, we collect Personal Information on our own behalf, for those purposes as further detailed in the Terms and/or this Privacy Policy.
- 4.2 Our Processing of Personal Information is further detailed in the Terms, which must, as is applicable, be read together with this Privacy Policy. By accepting the Terms and/or engaging with us, including but not limited to, for the sale of products and/or the supply of services, you are indicating your acceptance of this Privacy Policy.
- 4.3 This Privacy Policy is broken into a number of sections and includes information on how we manage Personal Information as well as answers to commonly asked questions.
- 5 WHAT IS PERSONAL INFORMATION**
- 5.1 "**Personal information**" is defined in POPIA, as:
- 5.1.1 information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing, juristic person including, but not limited to: Information relating to race, gender, sex, pregnancy, marital status, nation, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability,

	religion, conscience, belief, culture, language, and birth of the person;	6	<b>WHY DO WE NEED TO COLLECT YOUR PERSONAL INFORMATION</b>
5.1.2	information relating to the education or the medical, financial, criminal or employment history of the person;	6.1	In order to:
5.1.3	any identifying number, symbol, email address, physical address, telephone number, location information, online identifier or other particular assignment to the person;	6.1.1	engage with you; or
5.1.4	the biometric information of the person;	6.1.2	conduct our business with you and to supply products and/or services to you,
5.1.5	the personal opinions, views or preferences of the person;	6.1.3	we are required to Process your Information, including but not limited to, for the following purposes:
5.1.6	correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;	6.1.3.1	to be able to sell products and/or supply services to you, in accordance with the Terms;
5.1.7	the views or opinions of another individual about the person; and	6.1.3.2	to account to you in respect of those products sold and/or services supplied;
5.1.8	the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.	6.1.3.3	to communicate with you in accordance with the Terms;
5.2	Personal Information does not include information that does not identify you (including in instances where that information has been de-identified so that it does not identify a person).	6.1.3.4	loading and storing such Information on a central database, which requires the Information to be transferred outside the Republic of South Africa, where the recipient treats such Information with the same level of protection as we are obliged to provide in accordance with the laws of the Republic of South Africa;
5.3	<b>Special Personal Information</b>	6.1.3.5	compliance with our obligations to Process your Information in accordance with any law or legislation, including but not limited to, the Financial Intelligence Centre Act, 38 of 2001, the Value-Added Tax Act, 89 of 1991, the Income Tax Act, 58 of 1962 and screening customers/potential customers and visitors' health when accessing our premises to comply with Covid-19 regulations and protocols. Our Processing in terms of this purpose may, where permitted or required, be without your knowledge or consent, if sufficient grounds of justification are present and same will be done in accordance with POPIA and this Privacy Policy;
5.3.1	We hereby notify you that, in certain circumstances, by engaging with us, we may collect, as is applicable, certain Special Personal Information about you, including details about your religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life, biometric information or information about your criminal offences or convictions.	6.1.3.6	in relation to supplier information, to create supplier profiles on our systems, pay suppliers, and for general supplier administration;
5.3.2	The Processing of Special Personal Information requires higher levels of protection. We need to have further justifications for Processing Special Personal Information. We have implemented appropriate policies and safeguards, which we are required by law to maintain, to Process Special Personal Information.	6.1.3.7	to maintain and improve the Website and to improve the experience of our Website users,

- including by requesting feedback from our Website users on our products and services and to facilitate the procurement of our products and services.
- 6.1.3.8 to retain and make information available to you on the Website;
- 6.1.3.9 to maintain and update our customer, or potential customer databases;
- 6.1.3.10 to maintain and update our supplier database;
- 6.1.3.11 to establish and verify your identity on the Website;
- 6.1.3.12 to operate, administer, secure and develop the Website and the performance and functionality of the Website;
- 6.1.3.13 to detect, prevent or manage actual or alleged fraud, security breaches or the abuse, misuse or unauthorised use of our systems and files, the Website and/or contraventions of this Privacy Policy and/or the Terms;
- 6.1.3.14 to inform you about any changes to the Website, this Privacy Policy or other changes that are relevant to you;
- 6.1.3.15 to provide you with the latest information about our products and services or events, provided that you have agreed to receive such information, where this is applicable;
- 6.1.3.16 for security, administrative and legal purposes;
- 6.1.3.17 to fulfil any contractual obligations that we may have to you or any third party;
- 6.1.3.18 to invite you to webinars, functions or events that we may host;
- 6.1.3.19 to conduct recruitment and hiring processes, which includes conducting criminal record and credit checks (where appropriate), the capturing of a job applicant's details and providing status updates to job applicants;
- 6.1.3.20 to engage with you, as is applicable, in an employment relationship;
- 6.1.3.21 for other activities and/or purposes which are lawful, reasonable and adequate,
- relevant and not excessive in relation to the provision of our services and/or supply of products and/or the use of the Website, our business activities or such other purpose for which it was collected.
- 6.2 We will generally not Process particularly Special Personal Information about you unless it is necessary for establishing, exercising or defending a right or obligation in law, or where we have obtained your consent to do so. On rare occasions, there may be other reasons for Processing your Special Personal Information, such as where the information has been deliberately made public by you. The situations in which we may Process your Special Personal Information include the following:
- 6.2.1 racial and ethnic information may be Processed by us through CCTV cameras installed at our premises for safety and security reasons;
- 6.2.2 as part of the recruitment and hiring process, we may Process information relating to your criminal behaviour;
- 6.2.3 we may Process information pertaining to your political persuasion as part of the know your client processes and client due diligence checks;
- 6.2.4 we may Process information relating to your health as part of our screening processes when accessing our premises, in order to comply with Covid-19 regulations and protocols; and
- 6.2.5 we may Process information which indicates your religious beliefs (for example, when you attend events organised by us, we may ask you for your dietary requirements, and this may indicate your religious beliefs);
- 6.2.6 we may Process such information for the purposes of complying with our obligations in terms of any medical aid schemes or pension or provident funds, of which you are members, through your employment with us;
- 6.2.7 we may Process such information for the purposes of complying with our obligations in terms of any law or legislation.

6.3	We will not collect more Information than we reasonably need to:	7.3.1	your full name and prefix (e.g. Mr, Mrs, Dr) / the registered name of your business;
6.3.1	facilitate the supply of products and/or services to you;	7.3.2	your mobile number and telephone number/s;
6.3.2	communicate with you, including for marketing and advertising;	7.3.3	your email address, so that we can authenticate you electronically and administer your account;
6.3.3	comply with any contractual obligation that we may have with you or as a result of your employment with us; and/or	7.3.4	your identity / registration number;
6.3.4	as is required in terms of any law in force in the Republic of South Africa.	7.3.5	your physical address / registered address, billing address and any delivery addresses;
6.4	You have the right to object to the processing of your Personal Information where it is voluntary to provide your Personal Information. However, should you not provide the required Personal Information, we may be unable to engage with you further or conduct our business with you, as a result of requiring your Personal Information for those purposes listed in clause 6.1 (including its sub-clauses). If you are concerned about any aspect of this Privacy Policy as it relates to your Information, please do not continue to engage with us, use the Website or our products and services.	7.3.6	your bank account details and details about payments made to or from you;
		7.3.7	your VAT registration details and tax clearance certificates;
		7.3.8	your internet protocol (IP) address, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access the Website or to use our products and services or engage with us; and
		7.3.9	your preferences in respect of receiving marketing information from us and our Affiliates, and your communication preferences, including records that may contain or evidence the aforementioned information.
<b>7</b>	<b>HOW DO WE PROCESS YOUR INFORMATION</b>		
7.1	We collect your Information in the following ways:		
7.1.1	you may be asked to provide us with certain Information when you engage with us to supply products and/or services or provide a quotation or should you apply for credit and complete a credit application form (direct or active interactions or automated or passive interactions);	7.4	We receive Information about you from various third parties including recruitment agencies, suppliers of background checks services and publicly available sources.
7.1.2	you may be asked to provide us with certain Information when you engage with us as our employee or job applicant;	7.5	We collect Information about you through CCTV cameras installed at our premises for safety and security reasons.
7.1.3	from third parties and public sources; and	7.6	We may also process, collect, store and/or use aggregated data, which may include historical or statistical data (" <b>Aggregated Data</b> ") for any purpose, including for know-how and research purposes. Aggregated Data may be derived from your Information but is not always considered Personal Information, as this data does not directly or indirectly reveal your identity. However, if we combine or connect Aggregated Data with your Information in a manner that has the result that it can directly or indirectly identify you, we will treat the combined data as
7.1.4	CCTV.		
7.2	We will advise you of the Information that we collect and the sources that we collect from, should we not collect directly from you.		
7.3	In the normal course, we will collect or infer the following information on your engagement with us and/or in respect of our products and/or services (or if you contact us directly):		

	Personal Information, which will be managed in accordance with this Privacy Policy.	8.2.1	By engaging with us, whether as our customer for the supply of our products and/or services or to provide a quotation or should you apply for credit and complete a credit application form (direct or active interactions or automated or passive interactions), you agree and consent to our Affiliate sending advertising and direct marketing material to you, that we consider may be of interest to you and only in respect of our own similar products and/or services.
7.7	We may not be able to supply our products and/or services or otherwise engage with you if you do not provide us with the minimum of Information as detailed above in clause 7.3 (including its sub-clauses).		
7.8	We store your Information on:		
7.8.1	our premises, in the form of hard copies;		
7.8.2	the premises of third party service providers such as document storage service providers;	8.2.2	You acknowledge that we have obtained your contact details through our engagement with you on the sale of our products and/or supply of our services.
7.8.3	our servers; or		
7.8.4	on the servers of our Affiliate.		
7.9	In the event of the scenarios contemplated in clauses 7.8.2 and 7.8.4, we will ensure that we have entered into written agreements with those third party service providers/ our Affiliate, governing our relationship with them that require them to secure the integrity and confidentiality of Information in their possession or under their control by taking appropriate, reasonable technical and organisational measures.	8.2.3	At the time that we obtain your contact details, you are entitled to notify us that you object (free of charge) to the use of your contact details for the purposes of sending advertising and direct marketing material to you. Notwithstanding the aforementioned, you will also have the right to object, on each occasion of our / our Affiliate's communication with you, for the purpose of marketing, if you did not initially object at the time when we obtained your contact details.
7.10	If the location to which Information is transferred and/or is stored does not have substantially similar laws to those of the Republic of South Africa, which provide for the protection of Information, we will take reasonably practicable steps, including the imposition of appropriate contractual terms to ensure that your Information is adequately protected in that jurisdiction.	8.2.4	We will ensure that each communication for the purpose of sending advertising and direct marketing material to you, contains:
		8.2.4.1	details of the identity of the sender or the person on whose behalf the communication has been sent; and
7.11	Please contact us if you require further information as to the specific mechanisms used by us when transferring your Information outside of the Republic of South Africa or to a jurisdiction that is different to the one in which we collected your Information.	8.2.4.2	contact details for you to send a request that such communications cease.
		8.3	We will obtain your consent before collecting or using your Information for any other purpose.
8	<b>HOW DO WE USE YOUR PERSONAL INFORMATION</b>	9	<b>HOW DO WE DISCLOSE YOUR INFORMATION</b>
8.1	We use your Personal Information to facilitate the provision of the services to you and to supply products, as well as our general operational, technical and administrative purposes, including but not limited to:	9.1	Generally, we will only disclose your Information:
		9.1.1	to the extent that we are required to do so, in compliance with any legal obligation that we may have in terms of any applicable laws, including any legislation or any contract; and
8.2	<b>Advertising and marketing</b>	9.1.2	to our employees that require the Information to perform their job

<p>9.1.3</p>	<p>duties, within our business. These include our responsible management, human resources, accounting, audit, compliance, information technology, sales, administrative or other personnel;</p> <p>to our consultants, agents, contractors, suppliers, technical support and other support services relating to the Website or the operation of our business. We will authorise any Information Processing done by a third party on our behalf, amongst other things by entering into written agreements with those third parties governing our relationship with them and containing confidentiality; non-disclosure and data protection provisions. Such persons may be disciplined, their contracts terminated or other appropriate action taken if they fail to meet their obligations;</p>	<p>9.1.7</p>	<p>with your consent.</p>
<p>9.1.4</p>	<p>to enable us to enforce or apply our Terms;</p>	<p>9.2</p>	<p>We will get your consent before disclosing your Personal Information to any third party for any other purpose, if we are required by law to do so.</p>
<p>9.1.5</p>	<p>to protect our rights, property or safety or that of our customers, employees, contractors, suppliers, agents and any other third party;</p>	<p>9.3</p>	<p>We are part of a group of companies, and we may also transfer your Personal Information to our Affiliate in accordance with the Terms and clause 8.2.1, however we will do so in accordance with all applicable laws, including POPIA.</p>
<p>9.1.6</p>	<p>with governmental agencies and other regulatory or self-regulatory bodies, if required to do so by law or when we reasonably believe that such action is necessary to:</p>	<p>9.4</p>	<p>We may transmit or transfer Personal Information outside of the Republic of South Africa where it was collected, as provided, to a foreign country and process it in that country. Personal Information may be stored on servers located in a foreign country whose laws protecting Personal Information may not be as stringent as the laws in the Republic of South Africa. You consent to us Processing your Personal Information in a foreign country whose laws regarding processing of Personal Information may be less stringent.</p>
<p>9.1.6.1</p>	<p>comply with the law or with any legal process;</p>	<p>9.5</p>	<p>We will not sell Personal Information. No Personal Information will be disclosed to anyone except as provided in this Privacy Policy and/or the Terms.</p>
<p>9.1.6.2</p>	<p>protect and defend our rights, property or safety, or our customers, employees, contractors, suppliers, agents or any third party;</p>	<p><b>10 SECURITY</b></p>	
<p>9.1.6.3</p>	<p>detect, prevent or manage actual or alleged fraud, security breaches, technical issues, or the abuse, misuse or unauthorised use of the Website and/or contraventions of this Privacy Policy; and/or</p>	<p>10.1</p>	<p>We are committed to protecting your Information by taking all reasonable technical and organisational measures to secure the integrity of your Information and to prevent the Information we hold about you from misuse, interference, damage or loss, and from unauthorised access, modification, disclosure or destruction, which protection includes access control procedures, network firewalls, encryption and physical security.</p>
<p>9.1.6.4</p>	<p>protect the rights, property or safety of members of the public (if you provide false, misleading or deceptive information or misrepresent yourself, we may proactively disclose such information to the appropriate regulatory bodies and/or commercial entities);</p>	<p>10.2</p>	<p>We will ensure that we keep abreast of good practice and ensure that we review our information collection, storage and Processing practices, including physical security measures, periodically, to cater for sufficient security safeguards.</p>
		<p>10.3</p>	<p>We also create a back-up of your Information for operational, business continuity and safety purposes and we have a back-up disaster recovery program.</p>
		<p>10.4</p>	<p>Despite the above measures being taken when Processing Information, subject to the provisions of this clause</p>

10.5	<p>10.4, as far as the law allows, we will not be liable for any loss, claim and/or damage arising from any unauthorised access, disclosure, misuse, loss, alteration, damage to or destruction of your Information.</p> <p>We have implemented policies and procedures to address actual and suspected data breaches and undertake to notify you and the relevant regulatory authorities of breaches in instances in which we are legally required to do so and within the period in which such notification is necessary. In this clause, you acknowledge that you know and you accept that technology is not absolutely secure and there is a risk that your Information will not be secure when Processed by means of technology. We do not promise that we can keep your Information completely secure. To the maximum extent permitted by law, you will not be able to take action against us if you suffer losses or damages in these circumstances.</p>	12.1.1	<p>request access to the Information we hold about you, subject to a limited number of exceptions. If for some reason we are unable to provide you with access to your Information, we will provide you with our reasons in writing as well as your further procedures for complaint. If we did not collect your Information directly from you, we will pass your access request on to the relevant third party;</p>
		12.1.2	<p>request confirmation of any Information that we hold about you.</p>
		12.2	<p>You may make an access request by completing the form attached hereto and submitting via the email address below and we will respond to your request within a reasonable period and all reasonable steps will be taken to confirm your identity before providing details of your Information. Ordinarily, we will require you to attend our office to access your Information in secure circumstances, however we will give reasonable consideration to any other access procedure you may suggest in writing where it is practicable to do so (in whole or in part). We will not ordinarily charge you for gaining access to your Information, subject to our discretion or otherwise in law. We will notify you of the costs, if any, at the time of your request.</p>
11	<p><b>QUALITY OF YOUR INFORMATION</b></p>		
11.1	<p>We will take reasonable steps to ensure that the Information we hold, use and disclose is accurate, up to date and complete. However, we will not take any administrative steps to verify the accuracy or completeness of the Information you provide to us at the time of collection.</p>		
11.2	<p>If you suspect or believe that the Information we have is not accurate, complete or up to date, contact us at the details below and we will respond to your request within a reasonable period. When responding, we will take reasonable steps to correct that information and to ensure that it remains accurate, complete and up to date in the future, provided that you supply us with the accurate, complete and up to date information. If for some reason we are unable to correct your Information, we will provide you with our reasons in writing and your further procedures for complaint. We will not ordinarily charge you for requesting the correction or updating of your Information, subject to our sole discretion.</p>	13	<p><b>HOW LONG WILL WE KEEP YOUR INFORMATION FOR</b></p>
		13.1	<p>We will only retain your Information for as long as it is necessary to fulfil the purposes explicitly set out in this Privacy Policy and/or the Terms, unless:</p>
		13.1.1	<p>retention of the record is required or authorised by law, a code of conduct or a contract with you (including the Terms);</p>
		13.1.2	<p>we reasonably need it for lawful purposes related to the performance of our functions and activities;</p>
		13.1.3	<p>we reasonably require it for evidentiary purposes; or</p>
		13.1.4	<p>you have consented to the specified longer retention of the record.</p>
		13.2	<p>Notwithstanding the above in clause 13.1, you agree that we may keep your Information for as long as you continue to engage with us, access the Website and content and/or use our products and/or services, for as long as</p>
12	<p><b>ACCESS TO YOUR INFORMATION</b></p>		
12.1	<p>You are entitled to:</p>		

	reasonably necessary or until you ask us to delete or destroy it.		retention or continued processing of it;
13.3	During the period of retention, we will continue to abide by our non-disclosure obligations and will not share or sell your Personal Information.	15.1.5	object to the Processing of your Information for a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to Processing on this ground as you feel it impacts on your fundamental rights and freedoms;
13.4	We may retain your Information in physical or electronic records at our discretion.		request restriction of Processing of your Information. This enables you to ask us to suspend the Processing of your Information in limited circumstances, which may differ by jurisdiction;
13.5	Where it is not possible to delete your Information, we will take all practical steps to make it anonymous.	15.1.6	request restriction of Processing of your Information. This enables you to ask us to suspend the Processing of your Information in limited circumstances, which may differ by jurisdiction;
14	<b>DATA BREACH</b>		
14.1	Where there are reasonable grounds to believe that the Information of a Data Subject has been accessed or acquired by any unauthorised person, we shall notify:	15.1.7	withdraw consent which you previously gave to the Processing of your Information at any time. You may withdraw your consent for us to Process your Information at any time. The withdrawal of your consent can only be made by you on condition that such withdrawal of your consent:
14.1.1	the Information Regulator; and		
14.1.2	the Data Subject unless the identity of such Data Subject cannot be established or otherwise as expressly prohibited in terms of any law.	15.1.7.1	does not affect the Processing of your Information before the withdrawal of your consent; or
14.2	The notification will be made as soon as reasonably possible after the discovery of the compromise, taking into account the legitimate needs of law enforcement or any measures reasonably necessary to determine the scope of the breach and to restore the integrity of our information system.	15.1.7.2	does not affect the Processing of your Information if the Processing is in compliance with an obligation imposed by law on us; or
15	<b>YOUR RIGHTS SUMMARISED</b>	15.1.7.3	does not affect the Processing of your Information where such Processing is necessary for the proper performance of a public law duty by a public body; or
15.1	Data protection legislation may confer certain rights on you in respect of your Information. We aim to be clear about what Information we collect so that you can make meaningful choices about what Information you make available to us. You may, for example:	15.1.7.4	does not affect the Processing of your Information as required to finalise the performance of a contract in which you are a party; or
15.1.1	block all cookies, by setting your browser to do so, including cookies associated with our products and services or to indicate when a cookie is being sent by us;	15.1.7.5	does not affect the Processing of your Information as required to protect your legitimate interests or our own legitimate interests or the legitimate interests of a third party to whom the Information is supplied,
15.1.2	request access to your Information (commonly known as a "data subject access request"), which indicates what Information we have about you;	15.1.7.6	and it must be noted that withdrawal of consent may limit our ability to provide certain products and services to you or otherwise be able to effectively engage with you but will not affect the continued Processing of your Information in instances
15.1.3	request the correction of your Information, in order to ensure that any incomplete or inaccurate Information is corrected or updated;		
15.1.4	request erasure of your Information, where there is no lawful basis for the		

- in which your consent is not required.
- 15.1.8 institute civil proceedings regarding an alleged interference with the protection of your Information Processed in accordance with this Privacy Policy.
- 15.2 As far as the law allows, we may charge a fee for attending to any of the above requests and may also refuse to carry out any of your requests in whole or in part.
- 15.3 Kindly refer to the Annexures hereto, for those forms required to be completed, if you proceed with anything in clause 15.1.
- 16 HOW TO CONTACT US**
- 16.1 If you would like to contact us, including to ask a question or make a complaint, our Information Officer may be reached at the details below:
- 16.1.1 Address: Unit A1, Harvard Lane, Aero Star Business Park, Jet Park Road, Jet Park
- 16.1.2 Email: [j.henriques@marechal.com](mailto:j.henriques@marechal.com)
- 16.1.3 Tel: +27 11 8947226
- 16.2 If you are not satisfied after the process in contacting our Information Officer, you have the right to lodge a complaint with the Information Regulator using the contact details below:
- 16.2.1 The Information Regulator (South Africa)
- 16.2.2 Woodmead North Office Park, 54 Maxwell Dr, Woodmead, Johannesburg, 2191
- 16.2.3 [enquiries@inforegulator.org.za](mailto:enquiries@inforegulator.org.za)
- 16.2.4 <https://inforegulator.org.za/contact-us/>
- 16.3 You can also find out more about the way we manage the Information we hold by contacting us via the Website.
- 17 GENERAL AND INTERPRETATION**
- 17.1 In this Privacy Policy, clause headings are for convenience and shall not be used in its interpretation and, unless the context clearly indicates a contrary intention:
- 17.1.1 an expression which denotes:
- 17.1.1.1 any gender includes the other genders;
- 17.1.1.2 the singular includes the plural and vice versa.
- 17.2 If any provision in this Privacy Policy is void or unenforceable, that provision will be read down to the extent necessary to make it valid and enforceable and to the extent that it cannot be so read down, will be severed from this Privacy Policy, and the remaining terms and conditions shall remain in full force and effect.
- 17.3 If there is a contradiction or inconsistency between this Privacy Policy and any other notices, policies, communications or documents relating to our business with you, this Privacy Policy will prevail to the extent of that contradiction or inconsistency, unless we expressly agree otherwise in writing.
- 17.4 Any reference to "law" and/or "legislation" in this Privacy Policy is a reference to any applicable valid law of the Republic of South Africa.
- 17.5 Any reference to a natural person includes a reference to any juristic entity, body corporate, partnership and/or artificial person and vice versa.
- 17.6 The use of the word "including" followed by a specific example/s shall not be construed as limiting the meaning of the general wording preceding it and the *eiusdem generis* rule shall not be applied in the interpretation of such general wording or such specific example/s.
- 17.7 Our failure to exercise or enforce any right or provision of this Privacy Policy shall not constitute a waiver of such right or provision.
- 17.8 If this Privacy Policy or any provision in this Privacy Policy is regulated by or subject to the Consumer Protection Act, 68 of 2008, POPIA or other laws, it is not intended that any provision of this Privacy Policy contravenes any provision of the Consumer Protection Act, POPIA or such other laws. Therefore, all provisions of this Privacy Policy must be treated as being qualified, to the extent necessary, to ensure that the provisions of the Consumer Protection Act, POPIA and such other laws are complied with.
- 17.9 No provision of this Privacy Policy:
- 17.9.1 does or purports to limit or exempt us from any liability (including, without limitation, for any loss directly or indirectly attributable to our gross negligence or willful default or that of any other person acting for or controlled by us) to the

- extent that the law does not allow such a limitation or exemption;
- 17.9.2 requires you to assume risk or liability for the kind of liability or loss, to the extent that the law does not allow such an assumption of risk or liability; or
- 17.9.3 limits or excludes any warranties or obligations which are implied into this Privacy Policy by the Consumer Protection Act (to the extent applicable), POPIA (to the extent applicable), or other applicable laws or which we give under the Consumer Protection Act (to the extent applicable), POPIA (to the extent applicable), or other applicable laws, to the extent that the law does not allow them to be limited or excluded.
- 17.10 Your rights and obligations under this Privacy Policy are personal to you and you may not assign, transfer, sub-contract or otherwise dispose of any or all of your rights and/or obligations under this Privacy Policy. We, unless otherwise provided for in law, or in this Privacy Policy, may assign, delegate, transfer, sub-contract, novate or otherwise dispose of any or all of our rights and/or obligations under this Privacy Policy without notice to you.
- 17.11 This Privacy Policy shall apply for the benefit of and be binding on each party's successors and assigns.
- 17.12 This Privacy Policy is governed by the laws in force in the Republic of South Africa and, unless an alternative remedy is prescribed in law, both we and you agree to be bound by the jurisdiction of the High Court of South Africa, Gauteng Local Division, Johannesburg, for all purposes arising from and/or in connection with this Privacy Policy, their interpretation and/or any disputes regarding the terms and/or conditions herein.



**ANNEXURE 2 –  
 REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR DELETION  
 OF RECORD OF PERSONAL INFORMATION – FORM**

Note:

1. Affidavits or other documentary evidence as applicable in support of the request maybe attached.
2. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.
3. Complete as is applicable.

Mark the appropriate box with an "x".

**Request for:**

<b>A</b>	<b>DETAILS OF THE DATA SUBJECT</b>
Name(s) and surname/ registered name of data subject:	
Unique identifier/Identity Number:	
Residential, postal or business address:	
	Code (        )
Contact number(s):	
Fax number/E-mail address:	
<b>B</b>	<b>DETAILS OF RESPONSIBLE PARTY</b>
Name(s) and surname / registered name of responsible party:	
Residential, postal or business address:	
	Code (        )
Contact number(s):	
Fax number/ E-mail address:	
<b>C</b>	<b>INFORMATION TO BE CORRECTED/DELETED/ DESTROYED/DESTROYED</b>

<b>D</b>	<b>REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24 (1) (a) WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY; and or REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24 (1) (b) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN</b> <i>(Please provide detailed reasons for the request)</i>
Signed at	this                      day of                      20
	.....
	<i>Signature of data subject/designated person</i>

---

**ANNEXURE 3 –  
REQUEST FOR ACCESS TO RECORD OF PERSONAL INFORMATION / CONFIRMATION OF  
PERSONAL INFORMATION PROCESSED – FORM**

---

Note:

1. Affidavits or other documentary evidence as applicable in support of the objection may be attached.
2. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.
3. Complete as is applicable.

**A) Particulars of private body**

The Head:

**B) Particulars of person requesting access to the record/ confirmation of Personal Information processed**

- a) The particulars of the person who requests access to the record/confirmation of Personal Information processed, must be given below.
  - b) The address and/or fax number in the Republic to which the information is to be sent must be given.
  - c) Proof of the capacity in which the request is made, if applicable, must be given.

Full names and surname:

Identity number:

Postal address:

Fax number:

Telephone number: Email address:

Capacity in which request is made, when made on behalf of another person:

**C) Particulars of person on whose behalf request is made**

This section must be completed ONLY if a request for information is made on behalf of another person.

Full names and surname:

Identity number:

**D) Particulars of record (if applicable)**

- a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.
  - b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

Description of record or relevant part of the record:

Reference number, if available:

Any further particulars of record:

Alternatively, is this a request for confirmation if we hold your Personal Information:



