



NSDV INC

PRIVACY POLICY

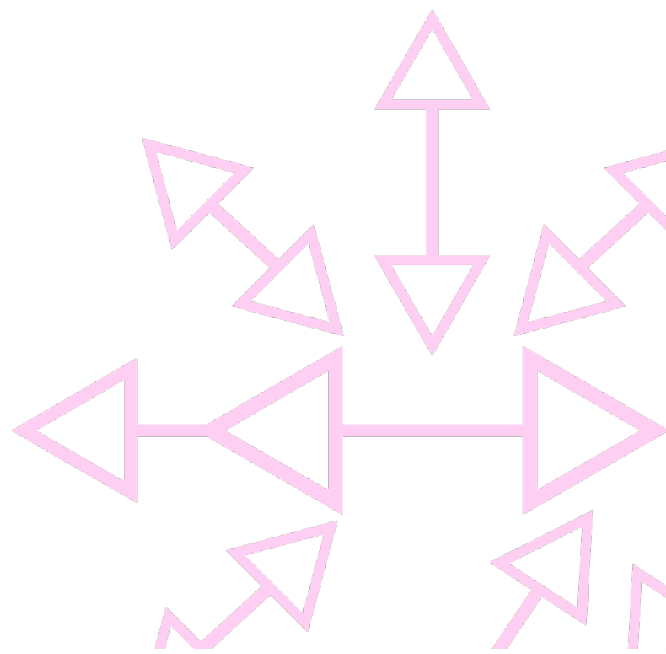
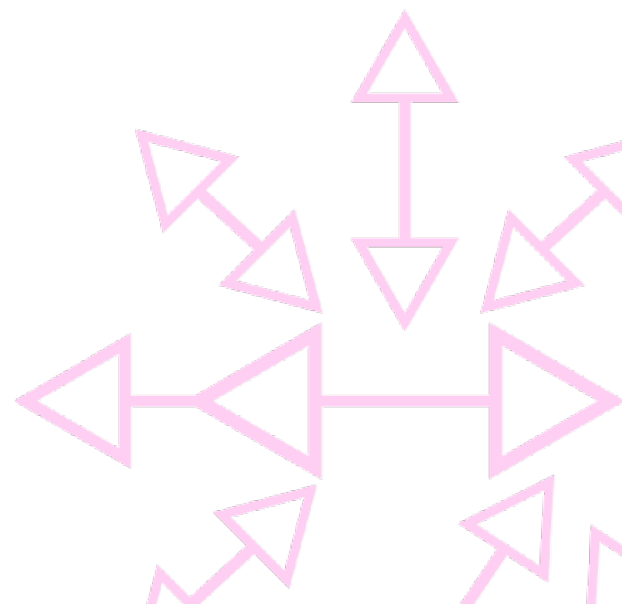


TABLE OF CONTENTS

1	DEFINITIONS	1
2	PURPOSE	2
3	PERSONAL INFORMATION PROCESSED BY NSDV	2
4	HOW NSDV COLLECTS PERSONAL INFORMATION.....	3
5	PROCESSING PURPOSE	3
6	DIRECT MARKETING	5
7	STORAGE AND RETENTION OF PERSONAL INFORMATION	5
8	SAFE-KEEPING OF PERSONAL INFORMATION	5
9	PROVISION OF PERSONAL INFORMATION TO THIRD PARTIES.....	6
10	DATA SUBJECT RIGHTS	7
11	KEEPING PERSONAL INFORMATION ACCURATE	7
12	COSTS TO ACCESS TO PERSONAL INFORMATION.....	8
13	USE OF COOKIES.....	8
14	LINKS TO OTHER WEBSITES.....	9
15	CHANGES TO THIS POLICY.....	9
16	CONTACTING US	10



1 DEFINITIONS

- 1.1 **"Child"** means any natural person under the age of 18 years;
- 1.2 **"Data Subject"** means NSDV's clients or suppliers (whether natural or juristic persons) or any other person(s) to whom Personal Information relates; admin
- 1.3 **"NSDV"** means NSDV Inc., a professional services company providing legal services;
- 1.4 **"Operator"** means a person or entity who Processes Personal Information for a Responsible Party in terms of a contract or mandate, without coming under the direct authority of that Responsible Party;
- 1.5 **"Personal Information"** means information relating to any Data Subject, including but not limited to (i) views or opinions of another individual about the Data Subject; and (ii) information relating to such Data Subject's -
 - 1.5.1 race, sex, gender, sexual orientation, pregnancy, marital status, nationality, ethnic or social origin, colour, age, physical or mental health, well-being, disability, religion, conscience, belief, cultural affiliation, language and birth;
 - 1.5.2 education, medical, financial, criminal or employment history;
 - 1.5.3 names, identity number and/or any other personal identifier, including any number(s), which may uniquely identify a Data Subject, account or client number, password, pin code, customer or Data Subject code or number, numeric, alpha, or alpha-numeric design or configuration of any nature, symbol, email address, domain name or IP address, physical address, cellular phone number, telephone number or other particular assignment;
 - 1.5.4 blood type, fingerprint or any other biometric information;
 - 1.5.5 personal opinions, views or preferences;
 - 1.5.6 correspondence that is implicitly or expressly of a personal, private or confidential nature; and
 - 1.5.7 in the case of juristic persons, corporate structure;
- 1.6 **"Policy"** means this Privacy Policy;

- 1.7 **"POPIA"** means the Protection of Personal Information Act, No 4 of 2013;
- 1.8 **"Processing"** means any operation or activity or any set of operations, whether or not by automatic means, concerning Personal Information, including -
- 1.8.1 the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
- 1.8.2 dissemination by means of transmission, distribution or making available in any other form by electronic communications or other means; or
- 1.8.3 merging, linking, blocking, degradation, erasure or destruction.

For the purposes of this definition, **"Process"** has a corresponding meaning;

- 1.9 **"Responsible Party"** means a public or private body or any other person which alone or in conjunction with others, determines the purpose of and means for Processing Personal Information;
- 1.10 **"Regulator"** means the appropriate information regulator as defined under POPIA;
- 1.11 **"Special Personal Information"** means information concerning a Data Subject's religious or philosophical beliefs, race or ethnic origin, trade union membership, political opinions, health, sexual life, biometric information or criminal behaviour; and
- 1.12 **"Staff"** means any employee, independent contractor, agent, consultant, sub-contractor or other representative of NSDV.

2 **PURPOSE**

- 2.1 This Policy aims to inform Data Subjects about how NSDV collects their Personal Information, what NSDV does with the Personal Information and what rights the Data Subjects have in respect of their Personal Information.
- 2.2 NSDV is committed to complying with its obligations under POPIA when it Processes Personal Information.

3 **PERSONAL INFORMATION PROCESSED BY NSDV**

- 3.1 The Personal Information collected and Processed by NSDV includes Personal Information:

- 3.1.1 NSDV receives from its clients, experts and consultants in relation to the services provided by NSDV, as well as the Personal Information of third parties which relate to client matters;
- 3.1.2 submitted via NSDV's website;
- 3.1.3 relating to job applicants; and
- 3.1.4 relating to third party suppliers and other third parties connected to NSDV's business operations.

4 HOW NSDV COLLECTS PERSONAL INFORMATION

- 4.1 NSDV will always collect Personal Information in a fair, lawful and reasonable manner in compliance with POPIA.
- 4.2 Wherever possible, NSDV will collect Personal Information directly from the Data Subject. Where this is not possible or in circumstances where it is necessary for NSDV to collect Personal Information from third parties, NSDV will ensure that it obtains the consent of the Data Subject to do so unless otherwise permitted under POPIA.

5 PROCESSING PURPOSE

- 5.1 NSDV will only Process a Data Subject's Personal Information for a specific, lawful and clear purpose and will not Process any Personal Information for any other purpose(s) which the Data Subject has not consented to unless permitted to do so in terms of POPIA.
- 5.2 NSDV will use your Personal Information for the following purposes:
 - 5.2.1 To deliver our services to you or our client.
 - 5.2.2 To manage and administer our relationship with you or our client, e.g. communicating with you, instruction, conflict checking, file opening and billing procedures, and credit checks.
 - 5.2.3 To facilitate our internal business operations, e.g. internal record keeping, procurement and accounting practices.
 - 5.2.4 To establish, exercise or defend legal claims.
 - 5.2.5 As required by law and to comply with our statutory and regulatory obligations, including anti-money laundering obligations, disclosure obligations, reporting

obligations and court orders.

- 5.2.6 To complete any request you may make in relation to your marketing preferences, or other preferences relating to our communications with you.
- 5.2.7 To provide, maintain and improve our services and products, including by monitoring and recording information relating to web-based services, analysing system performance, ensuring information security, and maintaining the integrity of documents and data files.
- 5.2.8 To promote our services and to contact you with communications about legal updates, breaking news, newsletters and events.
- 5.2.9 To improve your experience of our website, newsletters and other services, e.g. by monitoring and recording information relating to your browsing behaviour to make personalised content available to you more efficient and relevant.
- 5.2.10 To monitor and analyse our interactions with you to improve our relationship with you and help us to grow and develop our business.
- 5.2.11 For information security purposes and the prevention and detection of criminal and dishonest activity, including ensuring the security of our website and premises and protecting our information systems against data breaches, viruses and similar threats, e.g. by monitoring patterns of activity and scanning communications for appropriate content, attachments and viruses.
- 5.2.12 For health and safety reasons (e.g. to inform access, adjustment and dietary requirements for our meetings and events) and the application, audit and enforcement of our policies.
- 5.2.13 So that you may provide a reference for us, in connection with a bid or tender, where we have agreed that you are happy to do so.
- 5.2.14 For referral purposes, including maintaining a database of legal services providers and personal information relating to other third parties such as experts.
- 5.2.15 For our recruitment processes, including vetting and background checks where appropriate, and to assess suitability, eligibility and fitness to work.
- 5.2.16 For human resources administration, including remuneration and all aspects of

managing our relationship with you.

6 DIRECT MARKETING

- 6.1 NSDV acknowledges that it may only use Personal Information to contact the Data Subject from time to time where it is permissible to do so. NSDV may use Personal Information to contact any Data Subject and/or market NSDV's services directly to the Data Subject(s) if the Data Subject is one of NSDV's existing clients. If the Data Subject is an existing client, NSDV will only use his/her/its Personal Information if NSDV had obtained the Personal Information through the provision of a service to the Data Subject and only in relation to similar services to those previously provided to the Data Subject.
- 6.2 NSDV will ensure that a reasonable opportunity is given to the Data Subject to object to the use of their Personal Information for NSDV's marketing purposes when collecting Personal Information.

7 STORAGE AND RETENTION OF PERSONAL INFORMATION

- 7.1 NSDV may keep records of Personal Information (in electronic or hardcopy format) for as long as is necessary to fulfil the purposes for which that Personal Information was collected and/or as permitted or required by applicable law, including POPIA.
- 7.2 NSDV will keep the Personal Information that it Processes on behalf of Data Subjects at its offices or will transfer the Personal Information to third party service providers to store on its behalf. NSDV will ensure that such third-party service providers Process Personal Information in accordance with the provisions of this Policy and POPIA.
- 7.3 NSDV may retain Personal Information for longer periods for statistical, historical or research purposes, and should this occur, NSDV will ensure that appropriate safeguards have been put in place to ensure that all recorded Personal Information will continue to be Processed in accordance with this Policy and the applicable laws.
- 7.4 Once the purpose for which the Personal Information was initially collected and Processed no longer applies or becomes obsolete, NSDV will, unless otherwise required or mandated by applicable laws, ensure that the Personal Information is deleted, destroyed or de-identified sufficiently so that a third party cannot re-identify such Personal Information.

8 SAFE-KEEPING OF PERSONAL INFORMATION

- 8.1 NSDV has implemented appropriate physical, organisational, contractual and

technological security measures to keep all Personal Information secure, including measures protecting any Personal Information from loss or theft, and unauthorised access, disclosure, copying, use or modification.

- 8.2 NSDV will notify a Data Subject and the Regulator in writing (including email) in the event of a security breach (or a reasonable belief of a security breach) in respect of that Data Subject's Personal Information. NSDV will provide such notification as soon as reasonably possible after it has become aware of any security breach of such Data Subject's Personal Information.

9 PROVISION OF PERSONAL INFORMATION TO THIRD PARTIES

- 9.1 NSDV uses a number of suppliers and service providers in connection with the operation of its business who may have access to the Personal Information that NSDV Process, e.g. IT service providers providing software support or cloud services, or service providers assisting NSDV in complying with its obligations under the Financial Intelligence Centre Act. In all cases, your Personal Information is handled and protected in accordance with data protection law.
- 9.2 NSDV may disclose Personal Information to third party service providers where necessary for the purposes of conducting its business and providing its services. Where appropriate, NSDV will enter into agreements with such third-party service providers to ensure that they Process any Personal Information in accordance with the provisions of this Policy and applicable data protection law, including POPIA. NSDV will only disclose Personal Information with the consent of the relevant Data Subject, or where NSDV is permitted to do so without such consent in accordance with applicable laws.
- 9.3 In addition, NSDV may send or disclose Personal Information to a jurisdiction outside of the Republic of South Africa in order to achieve the purpose(s) for which the Personal Information was collected and Processed, including for Processing and storage by third party service providers. When Personal Information is transferred to a jurisdiction outside of the Republic of South Africa, NSDV will obtain the necessary consent to transfer the Personal Information to such foreign jurisdiction, unless it is permitted to do so in terms of POPIA without the consent of the Data Subject. The Data Subject should also take note that the Processing of Personal Information in a foreign jurisdiction may be subject to the laws in that foreign jurisdiction, and may be subject to disclosure to the governments, courts of law, enforcement or regulatory agencies of such other country, pursuant to the laws of such country.

10 DATA SUBJECT RIGHTS

10.1 Data Subjects have the following rights in respect of their Personal Information:

- 10.1.1 to be informed about the collection and use of their Personal Information;
- 10.1.2 to request confirmation as to whether NSDV Processes their Personal Information and to request a copy of it;
- 10.1.3 to object to decisions that NSDV may make based solely on the automated Processing of their Personal Information;
- 10.1.4 in certain circumstances, to object to or restrict the Processing of their Personal Information, provided, that they acknowledge that this may impact NSDV's ability to provide services to them;
- 10.1.5 to request that any inaccurate or incomplete Personal Information in NSDV's possession is rectified or completed;
- 10.1.6 to request the deletion of their Personal Information, acknowledging that this may impact NSDV's ability to provide its services; and
- 10.1.7 to object to NSDV Processing their Personal Information for direct marketing purposes.

10.2 Not all of these rights are absolute, which means that they may only apply in certain circumstances and may be subject to legal exceptions and exemptions. To exercise any of these rights, Data Subjects may contact NSDV at dataprivacy@nsdv.co.za.

10.3 Data Subjects may, at any time, submit a written request to review any Personal Information relating to them that is Processed by NSDV, including but not limited to details of Personal Information that NSDV has collected, used or disclosed, and details of such disclosure. NSDV will provide access to such Personal Information to the extent required by law and in accordance with NSDV's PAIA and POPIA Manual, prepared in accordance with the Promotion of Access to Information Act, No 2 of 2000 ("PAIA"), which is accessible at <https://nsdvlaw.com/paia-manual/>.

11 KEEPING PERSONAL INFORMATION ACCURATE

NSDV will ensure that all Personal Information is kept as accurate, complete and up-to-date as reasonably possible. NSDV may not always expressly request the Data Subject to verify and update his/her/its Personal Information, unless this process is specifically necessary.

NSDV will, however, assume that the Data Subject will notify NSDV from time to time in writing of any updates required in respect of his/her/its Personal Information.

12 **COSTS TO ACCESS TO PERSONAL INFORMATION**

Copies of the Data Subject's Personal Information may be accessed by such Data Subject at the fees that NSDV is entitled to charge in accordance with PAIA.

13 **USE OF COOKIES**

13.1 A cookie is a small text file that is placed on your device (computer, tablet or mobile phone) by your browser when you visit a website. Cookies help the website remember information about your visit, such as your preferences, and may collect certain information about your browsing activity.

13.2 NSDV uses cookies to improve your experience on our website, personalise content, analyse website usage, enhance security, and (where applicable) deliver more relevant marketing. Some cookies are essential for the website to function properly; others are optional.

13.3 Consent

13.3.1 NSDV displays a cookie consent banner on your first visit (and subsequent visits if you have not previously made a choice). This banner allows you to accept or reject non-essential cookies on a granular basis. By accepting non-essential cookies through the banner, you consent to their use as described below. You may withdraw your consent at any time by clicking the cookie settings icon (usually in the bottom corner of the website) or by adjusting your browser settings.

13.3.2 You can manage or delete cookies through your browser settings at any time. Please note that disabling essential cookies may affect the functionality and availability of certain parts of the website.

13.4 NSDV uses the following categories of cookies:

13.4.1 Essential / Functional Cookies

These cookies are strictly necessary for the website to function and to remember your basic preferences (such as language settings or region). We place these cookies on the basis of our legitimate interest in providing a functional service and

do not require your consent.

13.4.2 Performance / Analytics Cookies

These cookies help us understand how visitors use our website (for example, which pages are most visited, how long users stay, and how they navigate the site). This information allows us to improve and optimise the user experience. We require your consent before placing these cookies. Examples may include Google Analytics or similar tools.

13.4.3 Marketing / Tracking Cookies

These cookies allow us or our third-party partners to deliver more relevant advertising, measure the effectiveness of marketing campaigns, and track users across websites for similar marketing purposes. They may create anonymous user profiles but do not directly collect identifiable personal information. We require your consent for these cookies.

13.4.4 Security Cookies

These cookies help us detect and prevent security risks, authenticate users, and protect user data from unauthorised access. These are treated as essential cookies.

13.5 Further Information

For a detailed list of the specific cookies we use, including their names, providers, purposes, duration, and whether they are first- or third-party, please refer to our Cookie Settings / Cookie Declaration (accessible via the cookie banner).

14 LINKS TO OTHER WEBSITES

NSDV may sometimes provide you with links to other websites, but these websites are not under our control. We are not liable to you for any issues arising in connection with their use of your information, the website content or the services offered to you by those websites.

15 CHANGES TO THIS POLICY

NSDV reserves the right to make amendments to this Policy from time to time and will use reasonable efforts to notify Data Subjects of such amendments.

16 CONTACTING US

Should you have any questions regarding our Policy, including any questions relating to how your Personal Information is Processed or otherwise wish to exercise your rights under this Policy or POPIA, please contact us at dataprivacy@nsdv.co.za.

Our Information Officer is Lili Nupen. Her contact details are: nupen@nsdv.co.za

You also have the right to contact or address any complaints to the Regulator although we would appreciate the opportunity to first address any complaints directly with you.

The Regulator's contact details are:

The Information Regulator (South Africa)

Physical address:

Woodmead North Office Park,

54 Maxwell Drive Woodmead, Johannesburg, 2191

Email contacts:

Complaints: PAIAComplaints@inforegulator.org.za

General enquiries: enquiries@inforegulator.org.za

