

## **Propmannet (PTY) LTD**

### DATA PROTECTION POLICY

**This Propmannet (PTY LTD) (“Propmannet”) Data Protection Policy (“DP Policy”) applies to how we collect, use and process our clients’ (“your”) personal information and, in some instances, special personal information. Propmannet has enacted this DP Policy to meet its legislative obligations, including those created and imposed by the Protection of Personal Information Act 4 of 2013 (“POPIA”). Please ensure that this DP Policy is carefully read and understood.**

**All of the provisions of this DP Policy are important, but please pay special attention to the parts that are in bold writing. These parts contain information about provisions that have special consequences for you. These parts are only intended to bring such provisions to your attention, and, where necessary, to explain their fact, nature and effect, which may be required to do in terms of applicable legislation.**

#### **1.Scope of the DP Policy**

##### **•Introduction and scope**

- Propmannet (“**Propmannet**” or “**we**” or “**us**” or “**our**”) conducts its business as a consultancy with offices in Benoni (Unit 1, Sunbird Estate, Benoni, 1501). Propmannet is a responsible party as defined in respect of your Personal Information (as defined in clause 3.1 below), and Special Personal Information (as defined in clause 4.1 below), which means that Propmannet determines the purpose of and means for processing your Personal Information.
- Propmannet is committed to protecting and respecting your privacy. We strive to ensure that our use of your Personal Information is lawful, reasonable, and relevant to our business activities, with the ultimate goal of improving our services and your experience.
- We have appointed an Information Officer who is responsible for overseeing questions in relation to the DP Policy. You may contact our Information Officer at [info@propmannet.co.za](mailto:info@propmannet.co.za) to discuss this DP Policy or your rights under data protection legislation that is applicable to you.
- The purpose of this DP Policy is to set out and explain how Propmannet will treat your Personal Information, whether provided by you to us, or collected by us through other means when you engage with us during the ordinary course of business.
- This DP Policy must, as is appropriate, be read together with any agreements between Propmannet and you (the “**Agreements**”) that describe the manner in which we, in specific circumstances, collect or process Personal Information about you. Propmannet reserves the right to introduce, implement and/or amended terms and conditions of use. This will enable you to understand the

manner in which Propmannet will process your Personal Information. This DP Policy supplements such Agreements, but does not supersede them and in the event of any conflict, ambiguity or inconsistency between this DP Policy and the Agreements, such documents shall be construed in the following order of priority:

- this DP Policy;
- the Agreement(s).

**•Your consent to the Processing of your Personal Information**

- We may collect, get, receive, record, organise, collate, store, update, change, retrieve, read, process, use and share your Personal Information in the ways set out in this DP Policy. When we do one or more of these actions with your Personal Information, we are “**Processing**” your Personal Information (and “**process**” has a corresponding meaning).
- If you are concerned about any aspect of this DP Policy as it relates to your Personal Information, please do not continue to engage with us, use our Website or our products and services.**
- We may, where permitted or required to do so by applicable law, process your Personal Information without your knowledge or permission, if sufficient grounds of justification are present, and we will do so in accordance with the further provisions of this DP Policy.

**•What and who does this DP Policy apply to?**

- This DP Policy applies to the processing by us or on our behalf, and our successors-in-title, of the Personal Information relating to you, being a user who accesses and/or uses our Website or our products and services, or a provider of products and services to us, clients, suppliers, former employees, prospective employees and other data subjects that engage with us. This DP Policy applies regardless of the device which you use to access our Website or to engage with us, which device is capable of using, or enabled to use, the Website including, but not limited to, internet-connected mobile devices and tablets (“**Access Device**”).
- This DP Policy does not apply to the processing of Personal Information by other third parties relating to or by means of other parties’ websites, products or services, such as websites linked to, from or advertised on the Website or through our products and services, or sites which link to or advertise the Website or our products, services and employees.

**2.What is Personal Information?**

- “**Personal Information**” refers to private information about an identifiable living natural person or, where applicable, an identifiable existing juristic person. 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). The Personal Information that we collect about you may differ on the basis of your engagement with us or the products and services that you receive from Propmannet or that you provide to Propmannet.

•**We may process various types of Personal Information about you, as follows:**

- Identity Information**, which includes information concerning your name, username or similar identifier, title, occupation, interests, date of birth, gender, race and legal status, as well as copies of your identity documents, photographs, identity number, and car registration number;
- Contact Information**, which includes your billing addresses, delivery addresses, e-mail addresses and telephone numbers;
- Technical Information**, which includes your internet protocol (IP) address, your login data, 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;
- Usage Information**, which includes information as to your access to and use of the Website, products and services, such as what links you went to, what content you accessed, the amount of content viewed and the order of that content, as well as the amount of time spent on the specific content and what products and services you access and use when engaging with Propmannet;
- Location Information**, which includes geographical information from your Access Device (which is usually based on the GPS or IP location); and
- Marketing and Communications Information**, which includes your preferences in respect of receiving marketing information from us and our third parties, and your communication preferences.

•Propmannet may also process, collect, store and/or use aggregated data, which may include historical or statistical data (“**Aggregated Data**”) for any purpose, including for know-how and research purposes. Aggregated Data may be derived from your Personal 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 Personal Information in a manner that has the result that it can directly or indirectly identify you, we will treat the combined data as Personal Information, which will be managed in accordance with this DP Policy.

### 3. How **we collect your Personal Information**

- We collect your Personal Information in the following ways:
  - through direct or active interactions with you;
  - through automated or passive interactions with you;
  - from third parties and public sources; and

#### •**Direct or active collection from you**

- We may require that you submit certain information:
  - to enable you to access portions of the Website;
  - to subscribe to our publications;
  - to request marketing or information about our events to be sent to you;
  - to apply for job opportunities;
  - to make contact with our partners and employees;
  - to grant you access to our premises;

- to enable you to facilitate the conclusion of an agreement with us; and
  - that is necessary for our fulfilment of our statutory or regulatory obligations.
- We also collect Personal Information directly from you when you communicate directly with us, for example when you complete certain application forms (including client onboarding forms such as KYC forms CDD checks, and vendor forms), via e-mail, telephone calls, feedback forms, registering for and attending events, giving us your business card, site comments or forums.

### **•Passive collection from your Access Device when browsing our Website**

- We may passively collect certain of your Personal Information from the Access Device that you use to access and navigate the Website, by way of various technological applications, for instance, using server logs to collect and maintain log information.
- The Personal Information that we passively collect from your Access Device may include your Identity Information, your Contact Information, your Technical Information, your Profile Information, your Usage Information, your Location Information and your Marketing and Communications Information, or any other Personal Information which you permit us, from time to time, to passively collect from your Access Device.

## **6.How we use your Personal Information**

- We use your Personal Information for the following purposes:
  - to comply with our regulatory reporting obligations;
  - to comply with our statutory obligations, including client identification and verification as part of our KYC and CDD obligations, and screening clients and visitors' health when accessing our premises to comply with Covid-19 regulations and protocols;
  - in relation to supplier information, to create supplier profiles on our systems, pay suppliers, and for general supplier administration;
  - 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.
  - to retain and make information available to you on the Website;
  - to maintain and update our client, or potential client databases;
  - to maintain and update our supplier database;
  - to establish and verify your identity on the Website;
  - to operate, administer, secure and develop the Website and the performance and functionality of the Website;
  - 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 DP Policy and/or the Terms and/or the Agreements;

- to inform you about any changes to the Website, this DP Policy or other changes that are relevant to you;
- to create user profiles, compile and use statistical information (including non-personal information) about you and other users and their access to the Website and to analyse and compare how you and other users make use of the Website, including (without limitation) their browsing habits, click-patterns, preferences, frequency and times of use, trends and demographic information including recommendations to users and tailoring information and content for users;
- to offer you information and content which is more appropriately tailored for you as far as reasonably possible;
- to provide you with the latest information about our products and services or events provided that you have agreed to receive such information;
- for security, administrative and legal purposes;
- for client relations purposes, which may include storage of clients' birthdates;
- pitching, opportunity tracking and reporting;
- campaign tracking and reporting;
- to communicate with you and retain a record of our communications with you and your communications with us;
- to fulfil any contractual obligations that we may have to you or any third party;
- to invite you to webinars, functions or events that we may host;
- to analyse and compare the types of Access Devices that you and other users make use of and your physical location; and
- 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 the use of the Website, our business activities or such other purpose for which it was collected.

**•Propmannet will obtain your prior permission before collecting or using your Personal Information and/or Special Personal Information for any other purpose.**

#### **7. Compulsory Personal Information and consequences of not sharing it with us**

- The following information is compulsory Personal Information:
  - your name and surname;
  - your contact details, such as your email address and/or your telephone number.

•Depending on the nature of your engagement or relationship with us, other types of Personal Information may be necessary, including:

- names and registration numbers as contained in documents issued by the Companies and Intellectual Property Commission and the South African Revenue Service; and
- information which may be necessary to ensure our compliance with the Financial Intelligence Centre Act, 38 of 2001.
- All other Personal Information is optional. If you do not agree to share the above-mentioned compulsory Personal Information with us, then you will not be able to engage with us, supply your products or services to us or make full use of our products and services. If you do not agree to share your optional information with us, then you might not be able to engage with us fully, be paid for your products and services or receive complete and accurate products and services from us or enjoy all of the features and functionality on the Website.
- In the clause above, you agree and accept that there is certain compulsory Personal Information you must provide us with if you want to engage with us fully, supply your products or services to us and/or enjoy all of the features and functionality on the Website. If you decide not to provide us with such compulsory Personal Information, you agree that we may limit our engagement with you, our procurement of your goods and services and certain features and functionality on the Website.**

#### **8.Sharing of your Personal Information**

- We will not intentionally disclose your Personal Information, whether for commercial gain or otherwise, other than with your permission, as permitted by applicable law or in the manner as set out in this DP Policy.
- You agree and give permission for us to share your Personal Information under the following circumstances:
  - with our agents, advisers and suppliers that have agreed to be bound by applicable data protection legislation and this DP Policy or similar terms, which offer the same level of protection as this DP Policy;
  - with our employees, suppliers, consultants, contractors and agents if and to the extent that they require such Personal Information in order to process it for us and/or in the provision of services for or to us, which include know-how and research, pitching to other clients to obtain further instructions; reporting purposes (e.g. the South African Revenue Service); hosting, development and administration, technical support and other support services relating to the Website or the operation of our business. We will authorise any Personal 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;
  - to enable us to enforce or apply our Terms and/or any Agreement you have with us;
  - to enable us to monitor web traffic: web servers serving the website automatically collect information about pages you visit. This information is used for internal review, to tailor information to individual visitors and for traffic audits;

- for statistics purposes: we may perform statistical analyses in order to measure interest in the various areas of the Website (for product development purposes);
- to protect our rights, property or safety or that of our clients, employees, contractors, suppliers, agents and any other third party;
- 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:
  - comply with the law or with any legal process;
  - protect and defend the rights, property or safety of Propmannet, or our clients, employees, contractors, suppliers, agents or any third party;
  - 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 DP Policy; and/or
  - protect the rights, property or safety of members of the public (if you provide false or deceptive information or misrepresent yourself, we may proactively disclose such information to the appropriate regulatory bodies and/or commercial entities).

•We will get your permission before disclosing your Personal Information to any third party for any other purpose, if we are required by law to do so.

## **9.Storage and transfer of your Personal Information**

- We store your Personal Information on:
  - our servers; or
  - on the servers of our third party service providers, such as IT systems or hosting service providers.

•In the event of the scenarios contemplated in clauses 9.1.2 and 9.1.4, we will ensure that we have entered into written agreements with those third party service providers governing our relationship with them that require them to secure the integrity and confidentiality of Personal Information in their possession by taking appropriate, reasonable technical and organisational measures.

•From time to time, Propmannet and its service providers may need to transfer to and/or store your Personal Information on servers in a jurisdiction other than where it was collected (i.e. outside of South Africa) and we hereby notify you that such jurisdiction may not have comparable data protection legislation.

•If the location to which Personal Information is transferred and/or is stored does not have substantially similar laws to those of South Africa, which provide for the protection of Personal Information, we will take reasonably practicable steps, including the imposition of appropriate contractual terms to ensure that your Personal Information is adequately protected in that jurisdiction.

- Please contact us if you require further information as to the specific mechanisms used by us when transferring your Personal Information outside of South Africa or to a jurisdiction that is different to the one in which we collected your Personal Information.

## 10. Security

- We take reasonable technical and organisational measures to secure the integrity of your Personal Information and using accepted technological standards to prevent unauthorised access to or disclosure of your Personal Information, and protect your Personal Information from misuse, loss, alteration and destruction.

- We review our information collection, storage and processing practices, including physical security measures periodically, to ensure that we keep abreast of good practice.

- 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.

- Despite the above measures being taken when processing Personal Information and Special Personal Information, subject to the provisions of this clause 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 or destruction of your Personal Information and/or Special Personal Information.**

- Propmagnet has implemented policies and procedures to address actual and suspected data breaches and undertakes to notify you and the relevant regulatory authorities of breaches in instances in which Propmagnet is 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 Personal Information and Special Personal Information will not be secure when processed by means of technology. We do not promise that we can keep your Personal Information and Special Personal 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.**

## 11. Retention of your Personal Information



- We may keep your Personal Information for as long as you continue to engage with us, provide services or products to us, access the Website and content and/or use our products and/or services or for as long as reasonably necessary or until you contact us and ask us to destroy it.
- Aside from clause 11.1 above and any other clause in this DP Policy, we may retain and process some or all of your Personal Information if and for as long as:
  - we are required or permitted by law, a code of conduct or a contract with you to do so;
  - we reasonably need it for lawful purposes related to the performance of our functions and activities;
  - we reasonably require it for evidentiary purposes; or
  - you agree to us retaining it for a specified further period.

•To determine the appropriate retention period for Personal Information, Propmannet will consider, among other things, the nature and sensitivity of the Personal Information, the potential risks or harm that may result from its unauthorised use or disclosure, the purposes for which we process it and whether those purposes may be achieved through other means. Propmannet will always comply with applicable legal, regulatory, tax, accounting or other requirements as they pertain to the retention of Personal Information.

## **12. Maintenance of your Personal Information**

- Where required by law, Propmannet will take all reasonable steps to ensure that your Personal Information is accurate, complete, not misleading and up to date.

•We also acknowledge that you may have rights of access to, and the right to rectify, your Personal Information, and rights to object to the processing of your Personal Information in certain circumstances (clause 14 below contains further information about these rights).

•You must let us know if any of the Personal Information that we have about you is incorrect, incomplete, misleading or out of date, by notifying us at the contact details set out in clause 1.1.3 above or where applicable, by notifying your Propmannet contact.

•Where required by law, we will take reasonable steps to correct or update your Personal Information accordingly, having regard to the purpose for which such Personal Information was collected or used.

## **13. Your rights**

- Data protection legislation may confer certain rights on you in respect of your Personal Information. We aim to be clear about what Personal Information we collect so that you can make meaningful choices about

what Personal Information you make available to us. You may, for example:

- **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.
- **Request access to your Personal Information** (commonly known as a “data subject access request”), which indicates what Personal Information we have about you.
- **Request the correction of your Personal Information**, in order to ensure that any incomplete or inaccurate Personal Information is corrected.
- **Request erasure of your Personal Information**, where there is no lawful basis for the retention or continued processing of it.
- **Object to the processing of your Personal 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.
- **Request restriction of processing of your Personal Information**. This enables you to ask Propmannet to suspend the processing of your Personal Information in limited circumstances, which may differ by jurisdiction.
- **Withdraw consent which you previously gave to the processing of your Personal Information** at any time. You may withdraw your consent for us to process your Personal Information at any time. The withdrawal of your consent can only be made by you on condition that such withdrawal of your consent:
  - does not affect the processing of your Personal Information before the withdrawal of your consent; or
  - does not affect the processing of your Personal Information if the processing is in compliance with an obligation imposed by law on us; or
  - does not affect the processing of your Personal Information where such processing is necessary for the proper performance of a public law duty by a public body; or
  - does not affect the processing of your Personal Information as required to finalise the performance of a contract in which you are a party; or
  - does not affect the processing of your Personal 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.
- Withdrawal of consent may limit our ability to provide certain products and services to you or the ability of a third party to provide certain products or services to you, but will not affect the continued processing of your Personal Information in instances in which your consent is not required.
- **Institute civil proceedings** regarding an alleged interference with the protection of your Personal Information processed in accordance with this DP Policy.]

- 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.

#### **14.Changes to this DP Policy**

To the extent allowed by the law, this DP Policy may be amended and updated from time to time in our sole discretion, without notice, provided that if we do so, we will post the revised policy on the Website and we will take reasonably practicable steps to inform you of the updated DP Policy. Accordingly, please check this DP Policy for changes periodically. If you continue to engage with us, provide products or services to us or access or use the Website and/or products and services after amendments are made to the DP Policy and displayed on this Website, you will be deemed to have accepted the updated DP Policy.

- You may opt out of receiving direct marketing communication from us at any time by requesting us (in any manner, whether telephonically, electronically, in writing or in person) to stop providing any direct marketing communication to you. You may send your opt-out requests to [info@propmannet.co.za](mailto:info@propmannet.co.za).

#### **15.Third Party Sites**

- This DP Policy does not apply to the websites of any other parties, or the applications, products or services such websites advertise and which may be linked to our Website, or websites that link to or advertise on our Website.

- We are not responsible for the privacy practices of such third party websites, or for any claims, loss or damage arising from these.

- We advise you to read the DP Policy of each third party website and decide whether you agree to their privacy practices and policies, as these third party websites may also be collecting or sharing your Personal Information and Special Personal Information.

#### **17.Consumer Protection Act, Protection of Personal Information Act and other laws**

- If this DP Policy or any provision in this DP 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 DP Policy contravenes any provision of the Consumer Protection Act, POPIA or such other laws. Therefore all provisions of this DP 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.

- No provision of this DP Policy:
  - 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;
  - 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
  - limits or excludes any warranties or obligations which are implied into this DP 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.

## 18. **General**

- You agree that this DP Policy, our relationship and any dispute of whatsoever nature relating to or arising out of this DP Policy whether directly or indirectly is governed by South African law, without giving effect to any principle of conflict of laws.
  
- You agree that we may, at any time, transfer, cede, delegate or assign any or all of our rights and obligations under this DP Policy without your permission. We will notify you if we transfer, cede, delegate or assign any rights or obligations to a third party, but we do not have to notify you if we transfer, cede, delegate or assign any rights or obligations to any person which acquires all or part of our business and/or assets. We may in certain instances, also sub-contract our obligations, for example, engaging with external IT service providers or printers. Where we engage such sub-contractors, we will do so without your permission and we do not have to notify you if we sub-contract any of our obligations.
  
- Subject to clause 18.2, this DP Policy shall apply for the benefit of and be binding on each party's successors and assigns.
  
- Our failure to exercise or enforce any right or provision of this DP Policy shall not constitute a waiver of such right or provision.
  
- Each provision of this DP Policy, and each part of any provision, is removable and detachable from the others. As far as the law allows, if any provision (or part of a provision) of this DP Policy is found by a court or authority of

competent jurisdiction to be illegal, invalid or unenforceable (including without limitation, because it is not consistent with the law of another jurisdiction), it must be treated as if it was not included in this DP Policy and the rest of this DP Policy will still be valid and enforceable.

**19. Queries and contact details of the Information Regulator**

- Should you feel that your rights in respect of your Personal Information have been infringed, please address your concerns to the Information Officer at [info@propmannet.co.za](mailto:info@propmannet.co.za). If you feel that the attempts by Propmannet to resolve the matter have been inadequate, you may lodge a complaint with the South African Information Regulator by accessing their website at [justice.gov.za/inforeg](http://justice.gov.za/inforeg).

- If you are located outside of South Africa, you may contact the appropriate regulator in your country of domicile.