

THE PROTECTION OF PERSONAL INFORMATION ACT
STAKEHOLDER/DATA SUBJECT PRIVACY NOTICE

At PINION SA we are committed to protecting your privacy and to ensure that your personal information is collected and used properly, lawfully, and transparently.

The information you share with us as a stakeholder/data subject allows us to provide you with the best experience in respect of our product offerings and services, or as a stakeholder of PINION SA. PINION SA Group has dedicated policies and procedures in place to protect all personal information collected and processed by the PINION SA group.

1. OBJECTIVE

1.1 The objective of this notice is to give effect to the POPI Act and to provide clarity on the following:

1.1.1 What personal information the PINION SA group collects about a stakeholder/data subject and the basis thereof.

1.1.2 How the PINION SA group uses and protects the personal information of a stakeholder/data subject.

1.1.3 How long the PINION SA group keeps the personal information of a stakeholder/data subject.

1.1.4 The rights of a stakeholder/data subject regarding their personal information and

1.1.5 What the stakeholder/data subject should do if he/she does not want to provide the PINION SA group with his personal information.

2. DEFINITIONS

2.1 “The PINION SA Group” means the following entities which gather various information about our clients.

ACS Accounting Trust T/A Pinion Business Solutions

Pinon Advisory (Pty) Ltd

Pinion SA (Pty) Ltd

Pinion Human Capital (Pty) Ltd

Pinion Wealth (Pty) Ltd

2.2 “POPIA” – means the Protection of Personal Information Act 4 of 2013

2.3 “Data subject” means the person to whom the Personal Information relates (also referred to as stakeholder(s)).

2.4 “Deputy Information officers” means Jenilee Imrie (Jenilee.imrie@pinionza.com)

- 2.5 “Information Officer”** means Melanie Joy Sutton (melanie.sutton@pinionza.com)
- 2.6 “Stakeholder(s)”** mean: Employees; Customers; Suppliers; Shareholders; Directors; Independent Contractors.
- 2.7 “Operator”** means employees of the PINION SA group and/or a third party that processes Personal information in terms of a mandate or contract with the PINION SA group.
- 2.8 Personal information**, means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to—
- (a) information relating to the race, gender, sex, pregnancy, marital status, national, 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.
 - (b) information relating to the education or the medical, financial, criminal or employment history of the person.
 - (c) any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person.
 - (d) the biometric information of the person.
 - (e) the personal opinions, views or preferences of the person.
 - (f) correspondence sent by the person that is implicitly or explicitly of a private 15 or confidential nature or further correspondence that would reveal the contents of the original correspondence.
 - (g) the views or opinions of another individual about the person; and
 - (h) 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;
- 2.9 “Privacy Notice or Notice”** means this Notice as amended from time to time.
- 2.10 “Processing”** means any operation or activity or any set of operations, whether or not by means, concerning Personal information, including—
- 2.10.1 the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use.
 - 2.10.2 dissemination by means of transmission, distribution or making available in any other form; or
 - 2.10.3 merging, linking, as well as restriction, degradation, erasure, or destruction of information.
- 2.11 “Registered office address”** means 35 Buffelsfontein Road, Mount Pleasant, PE.

3. PROCESSING OF PERSONAL INFORMATION

3.1 Collection of Personal Information

Section 9 of POPI states that “Personal Information may only be processed if, given the purpose for which it is processed, it is adequate, relevant and not excessive.”

3.1.1 The Personal information that the PINION SA group collects in the ordinary course of business includes:

3.1.2 only information that is adequate, necessary, and relevant to enable the PINION SA group to effectively provide a product, render a service or assist in any manner required.

3.1.3 electronic communications sent to the PINION SA group.

3.1.4 information submitted to the PINION SA group in response to a vacancy advertisement.

3.1.5 technical information, for instance through the use of Cookies, such as – activity data, such as when the stakeholder/data subject completes a survey on the PINION SA website, subscribes to our newsletter, alerts or other services from the PINION SA group.

3.1.6 information from the stakeholder/data subject’s visit to the PINION SA website.

3.1.7 social media tracking that allows platforms such as Facebook to interact with the PINION SA website and give feedback on the stakeholder/data subject’s actions;

3.1.8 Personal information may either be collected directly from you, as stakeholder/data subject, or it may be collected from other sources such as:

- From your employing company
- Through SARS e-filing
- Through the use of cookies on our website
- From related parties within the PINION SA group
- From institutions that you have provided us with the login details to extract information on your behalf
- From related parties to yourself, that you have given permission to share the information with
- From third parties that you have granted consent to share the information with

Where information is not collected directly from you as a stakeholder/data subject, we will take reasonable steps to inform you of the fact that the information was collected and that it will be processed.

We strongly advise against you sending the PINION SA group personal information about someone else without first getting his or her consent for it to be sent to the PINION SA group, utilized and disclosed, as set out in terms hereof. The reason for this is due to that fact the PINION SA group will assume that he or she has consented although we may still ask for confirmation from them. Where you do give us information about someone else, or someone else discloses a connection with you, that information may be considered with your other

personal information.

3.2 Usage of Personal Information

3.2.1 The processing of personal information must be done in terms of the conditions for lawful processing of personal information, as contained in Chapter 3 of the Act.

3.2.2 The PINION SA group processes personal information to provide the services and perform the compliance for which we are contracted with our clients and you as a stakeholder/data subject. These services are compliance services that are required in terms of various laws, to name a few:

- Income Tax Act 58 of 1962.
- Value Added Tax Act 89 of 1991
- Employment Equity Act 55 of 1998
- The Companies Act 71 of 2008 (as amended)
- Trust Property Control Act 57 of 1988
- Close Corporations Act 69 of 1984
- Occupational Health and Safety Act 85 of 1993
- Labour relations Act 66 of 1995
- The Basic Conditions of Employment Act 75 of 1997
- Compensation for Occupational injury and diseases Act 130 of 1993
- Unemployment Insurance Fund Act 63 of 2001
- Skills Development Levy Act 24 of 2010
- Broad Based Black Economic Empowerment Act 53 of 2003
- Customs and Excise Act 91 of 1964
- The Administration of Deceased Estates Act 66 of 1965
- The Wills Act 7 of 1953

3.2.3 The Services provided to the stakeholder/data subjects by the PINION SA group include but are not limited to the following services:

- Various Income Tax returns
- Payroll processing for customers, including submission of PAYE/UIF/SDL/Workmen's Compensation/WSP/ATR/EE returns
- To provide the services to our customers under our contractual obligations
- To benchmark against industry standards

3.3 Access to Personal Information

3.3.1 The following person(s) and/or Juristic Person(s) may have access to the Personal Information of a stakeholder/data subject:

- Executive team members
- Staff that are required to access the information as operators, to perform their duties under the contractual obligations to our customers.
- Deputy information officers
- Information officer
- Independent contractors under a contract of engagement, as operators, to perform their duties under the contractual obligations to our customers.

3.4 Storage of Personal Information

3.4.1 Personal Information of a stakeholder/data subject may be stored as follows:

- Physical documents
- Microsoft server/local server
- Company issued portable devices.
- Various data sites that require the information to perform our contractual duties.

3.5 Maintaining Personal Information

3.5.1 Information subject to change, that is required for legislative purposes to be kept up to date, will be sent to clients to verify and update on an annual basis.

3.5.2 Stakeholder(s)/data subject(s) may request their information and ask for changes/reduction in what is collected by PINION SA group.

3.5.3 Where we receive verifiable information of changes, such changes will be made on our systems.

3.6 Protection of Personal Information

3.6.1 The PINION SA group uses a variety of security measures and technologies to help protect Personal Information of a stakeholder/data subject from unauthorized access, use, disclosure, alteration or destruction in line with applicable Personal Information protection and privacy laws, for example, when the PINION SA group shares the Personal Information of a stakeholder/data subject with any third party(ies) it shall put in place a written agreement which commits the third party(ies) to keep the stakeholder/data subject(s) Personal Information confidential and to put in place appropriate security measures to keep the stakeholder/data subjects Personal Information secure.

Examples of PINION SA group security measures include:

- Office 365 security provisions and multifactor authentication
- Firewall on server
- Antivirus program(s)
- Encryption methods
- HR policies and employment contracts that contractually require our employees (operators) to adhere to strict security compliance rules. Severe non-compliance measures in place
- Non-Disclosure Agreement for all service providers that may have access to the personal information, where we contract service providers in to assist us with performing our duties (operators)
- Operator agreements

3.6.2 The transmission to the PINION SA group of Personal Information via the internet or mobile phone network connection may not be completely secure and any transmission is at the stakeholder/data subject's risk.

3.6.3 despite the security measures that the PINION SA group has in place to protect Personal Information of a stakeholder/data subject (as per examples above) the stakeholder/data subject acknowledges that it may be accessed by an unauthorised third party because of an illegal activity.

3.6.4 from time to time the PINION SA group may provide links to websites that it does not own or control. This notice does not apply to those websites. If a stakeholder/data subject chooses to access those website links, the stakeholder/data subject must check the legal and privacy policies posted on that website to understand their privacy practices.

3.6.5 The PINION SA group undertakes to inform the stakeholder/data subject of any breach of access of Personal Information, what the was breached was and the effect that this breach of access could have on the stakeholder/data subject.

3.7 Retention of Personal Information by the PINION SA group:

3.7.1 The PINION SA group will always keep the Personal Information of a stakeholder/data subject for the period required by law and where it needs to do so in connection with legal action or an investigation in which it is involved, whereafter, the Personal Information will be destroyed:

- Physical documents will be shredded.
- Electronic documents will be permanently deleted.

3.8 Disclosure of Personal Information

3.8.1 PINION SA group will only disclose the required personal information to the legal regulators of the Legislative Acts that we are contracted to perform the work on behalf of the clients to.

3.8.2 Disclosure of personal information to other 3rd parties, not required by laws will only be disclosed with the written or recorded verbal consent of the data subject.

3.8.3 The PINION SA group may disclose Personal Information of a stakeholder/data subject to its operators, employees and business partners.

3.8.4 Any third parties for the re-organising of any part of the PINION SA group.

3.8.5 The PINION SA group may be required to disclose your Personal Information to the following third parties.

- Banks
- Stats SA
- Lenders
- SARS e-filing, u-filing, Employment Equity

3.8.7 Personal Information of companies/entities/minors that the data subject is director/shareholder/trustee/legal guardian of are subject to the same.

3.9 The stakeholder/data subject's rights regarding Personal Information

3.9.1 The stakeholder/data subject is entitled to:

- 3.9.1.1 request the PINION SA group for access to Personal Information the PINION SA group holds:
- 3.9.1.2 request the correction and/or deletion of Personal Information.
- 3.9.1.3 request the restriction of the processing of Personal Information or object to the processing.
- 3.9.1.4 withdraw consent to the processing of Personal Information.
- 3.9.1.5 withdraw consent to receive direct marketing messages.
- 3.9.1.6 request for the receipt or the transfer to another organization of Personal Information that he has provided to the PINION SA group.
- 3.9.1.7 lay complaints where his privacy rights have been violated or if he has suffered because of unlawful processing of Personal Information.

3.10 Consent

Where the legal basis for us processing your personal information is consented to as above, it will be included in a contract or agreement concluded with you as the stakeholder/data subject. This consent may be withdrawn at any time; however, this withdrawal of consent will not make any processing we undertook before your withdrawal unlawful. You will not suffer any damage for withdrawing your consent.

You may withdraw your consent by contacting our information officer, whose details are provided in the definitions of this privacy policy.

Please bear in mind that where the legal basis for processing is for the proper performance of a contract and you fail to provide us with any requested information or request us to stop processing this information, it may create limitations on our performance in respect of the contract or agreement.

PINION SA Group will keep your personal information confidential at all times, however, you agree and consent that we may:

- a) Communicate with you electronically in relation with the service or product being provided (email, fax, telephone or through any other relevant or secured electronic platform)
- b) Obtain any relevant personal information, from any person or institution, necessary to comply with the agreement between you and any of the entities in the PINION SA Group.
- c) Obtain credit information from any person or institution where necessary.
- d) Verify the information provided herein and to contact other third party for purposes of the same.
- e) Disclose personal information to regulatory or government agencies in accordance with the relevant legislation or directive.
- f) Use personal information to market new or other products of the company which may be suitable or relevant to you.