



groenewald lubbe  
national debt collection lawyers

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## **PRIVACY POLICY – GROENEWALD LUBBE INCORPORATED**

### **1. DEFINITIONS**

- 1.1. “Data Subject” for the purpose of this document include all living individuals and juristic persons about whom Groenewald Lubbe Incorporated holds Personal Information;
- 1.2. “Employee” means any person who works for or provides services to or on behalf of Groenewald Lubbe Incorporated and receives or is entitled to receive any remuneration and any other person who assists in carrying out or conducting the business of Groenewald Lubbe Incorporated;
- 1.3. “Groenewald Lubbe Incorporated” means Groenewald Lubbe Incorporated and shall hereinafter be referred to as “GLA”;
- 1.4. “Information Officer” means the person appointed by GLA as Information Officer in terms of section 56 of POPIA and who will have the ultimate responsibility to ensure that GLA complies with the provisions of POPIA;
- 1.5. “PAIA” means the Promotion of Access to Information Act 2 of 2000;
- 1.6. “Personal Information” means information relating to an identifiable, living, natural person, and (where applicable) an identifiable, existing juristic person, including, but not limited to, the following:
  - 1.6.1. information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, wellbeing, disability, religion, conscience, belief, culture,

- language and birth of the person;
- 1.6.2. information relating to the education or the medical, financial, criminal or employment history of the person;
  - 1.6.3. any identifying number, symbol, email address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
  - 1.6.4. the biometric information of the person;
  - 1.6.5. the personal opinions, views or preferences of the person;
  - 1.6.6. 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;
  - 1.6.7. the views or opinions of another individual about the person; and
  - 1.6.8. 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.
- 1.7. "POPIA" mean the Protection of Personal Information Act 4 of 2013;
- 1.8. "Processing" means any activity that involves use of Personal Information. It includes 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; or
  - 1.8.3. merging, linking, as well as restriction, degradation, erasure or destruction of Personal Information;

- 1.9. “Record” means any recorded information:
  - 1.9.1. regardless of form or medium, including any of the following:
    - 1.9.1.1. writing on any material;
    - 1.9.1.2. information produced, recorded or stored by means of any tape- recorder, computer equipment, whether hardware or software or both, or other device, and any material subsequently derived from information so produced, recorded or stored;
    - 1.9.1.3. label, marking or other writing that identifies or describes any thing of which it forms part, or to which it is attached by any means;
    - 1.9.1.4. book, map, plan, graph or drawing;
    - 1.9.1.5. photograph, film, negative, tape or other device in which one or more visual images are embodied so as to be capable, with or without the aid of some other equipment, of being reproduced;
  - 1.9.2. in the possession or under the control of a responsible party;
  - 1.9.3. whether or not it was created by a responsible party; and
  - 1.9.4. regardless of when it came into existence.
- 1.10. “Responsible party” is the party who determines the purpose of and the means for processing personal information in terms of POPIA. GLA is the responsible party.
- 1.11. “Special Personal Information” means personal information as defined in Section 26 of POPIA and includes information concerning the religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health, sex life or biometric information of a data subject; or the criminal behaviour of a data subject to the extent that such information relates to the alleged commission by a data subject of any offence; or any proceedings in respect of any offence allegedly committed by a data subject or the disposal

of such proceedings.

## **2. PURPOSE OF THIS POLICY**

- 2.1. This policy sets out how your Personal Information will be used by GLA and applies to any information, including Personal Information and Special Personal Information, which you give to GLA or which GLA may collect from Third Parties.
- 2.2. It is important that you read this policy carefully before submitting any Personal Information to GLA.
- 2.3. If you do not consent to the processing of your Personal Information, you may withdraw such consent provided that the lawfulness of the processing will not be affected thereby.

## **3. PRIVACY AND SECURITY**

- 3.1. GLA takes your privacy and the protection of your Personal Information very seriously, and will only use your Personal Information in accordance with this policy and applicable legislation.
- 3.2. We have implemented reasonable technical and operational measures to keep your Personal Information secure.

## **4. INFORMATION WHICH GLA MAY COLLECT ABOUT YOU**

- 4.1. We may collect the following information about you:
  - 4.1.1. Personal Information and Special Personal Information;
  - 4.1.2. Records of correspondence or enquiries from you or anyone acting on your behalf; and
  - 4.1.3. Details of transactions you carry out with us.
- 4.2. Where you provide GLA with the Personal Information of Third Parties you should take steps to inform the Third Party that you need to disclose their details to us,

identifying us. GLA will process their Personal Information in accordance with this policy.

## **5. HOW GLA COLLECTS INFORMATION**

5.1. You may provide your Personal Information to GLA.

5.2. We may collect your Personal Information from a Third Party.

## **6. USE OF INFORMATION COLLECTED**

6.1. We may process your Personal Information for the purposes of:

6.1.1. Carrying out actions for the conclusion or performance of a contract to which you are a party;

6.1.2. Pursuing the legitimate interests of GLA or of a Third Party to whom the Personal Information is supplied; and

6.1.3. Complying with any obligation imposed on GLA by law.

## **7. DISCLOSURE OF YOUR INFORMATION**

7.1. Your Personal Information may be shared within GLA and with selected Third Parties who process your Personal Information on GLA's behalf.

7.2. GLA may also disclose your Personal Information to any appropriate authority, including those in foreign jurisdictions, if GLA is required to do so in terms of legislation.

## **8. RETENTION OF YOUR INFORMATION**

8.1. GLA shall not retain your Personal Information any longer than is necessary for achieving the purpose for which the Personal Information was collected and processed.

8.2. GLA will, however, retain your Personal Information in accordance with any

retention period set out in legislation.

## **9. ACCESS TO, CORRECTION AND DELETION OF YOUR PERSONAL INFORMATION**

- 9.1. You may request GLA to confirm, free of charge, whether your Personal Information is held by GLA.
- 9.2. You may, at a prescribed fee, request details of your Personal Information held by GLA. Fees to obtain a copy or a description of Personal Information held about you are prescribed in terms of PAIA. You may also request the correction of your Personal Information held by GLA.
- 9.3. You have a right in certain circumstances to request the destruction or deletion of and, where applicable, to obtain restriction on the processing of Personal Information held about you.
- 9.4. You may object to the processing of your Personal Information at any time.

## **10. WHERE AND HOW TO CONTACT US**

If you have any requests or questions under this policy, please contact our Information Officer.

31 Harley Street, Randburg, 2125

Tel: 011 919 8000

Email: [info@gla.co.za](mailto:info@gla.co.za)

## **11. COMPLAINTS**

Should you believe that GLA has utilised your Personal Information contrary to the provisions of POPIA or any other applicable legislation, you may lodge a complaint with the Information Regulator.

Tel: 010 023 5200

Fax: 086 500 3351

Email: [infoereg@justice.gov.za](mailto:infoereg@justice.gov.za)