



GL Attorneys

Est. 2003

PRIVACY POLICY – GL ATTORNEYS

1. DEFINITIONS

- 1.1. “Account number” means any unique identifier that has been assigned to one Data Subject only or jointly to more than one Data Subject, by a financial or other institution which enables the Data Subject to access his, her or its own funds or to access credit facilities.
- 1.2. “Data Subject” for the purpose of this document include all living individuals and juristic persons about whom GL Attorneys holds Personal Information;
- 1.3. “Employee” means any person who works for or provides services to or on behalf of GL Attorneys and receives or is entitled to receive any remuneration and any other person who assists in carrying out or conducting the business of GL Attorneys;
- 1.4. “GL Attorneys” means GL Attorneys Incorporated (Reg No: 2003/011044/21) and shall hereinafter be referred to as “GLA”;
- 1.5. “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;
- 1.6. “PAIA” means the Promotion of Access to Information Act 2 of 2000;
- 1.7. “Person” means any natural or juristic person;
- 1.8. “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:

- 1.8.1. 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;
- 1.8.2. information relating to the education or the medical, financial, criminal or employment history of the person;
- 1.8.3. any identifying number, symbol, email address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
- 1.8.4. the biometric information of the person;
- 1.8.5. the personal opinions, views or preferences of the person;
- 1.8.6. 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;
- 1.8.7. the views or opinions of another individual about the person; and
- 1.8.8. 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.
- 1.9. "POPIA" mean the Protection of Personal Information Act 4 of 2013;
- 1.10. "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:
 - 1.10.1. the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;

- 1.10.2. dissemination by means of transmission, distribution or making available in any other form; or
- 1.10.3. merging, linking, as well as restriction, degradation, erasure or destruction of Personal Information;
- 1.11. “Public body” means –
 - 1.11.1. any department of state or administration in the national or provincial sphere of government or any municipality in the local sphere of government; or
 - 1.11.2. any other functionary or institution when –
 - 1.11.2.1. exercising a power or performing a duty in terms of the Constitution or a provincial constitution; or
 - 1.11.2.2. exercising a public power or performing a public function in terms of any legislation.
- 1.12. “Public record” means a record that is accessible in the public domain and which is in the possession of or under the control of a public body, whether or not it was created by that public body;
- 1.13. “Record” means any recorded information:
 - 1.13.1. regardless of form or medium, including any of the following:
 - 1.13.1.1. writing on any material;
 - 1.13.1.2. 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;
 - 1.13.1.3. 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;

- 1.13.1.4. book, map, plan, graph or drawing;
 - 1.13.1.5. 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;
 - 1.13.2. in the possession or under the control of a responsible party;
 - 1.13.3. whether or not it was created by a responsible party; and
 - 1.13.4. regardless of when it came into existence.
- 1.14. "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.
- 1.15. "Unique Identifier" means any identifier that is assigned to a Data Subject and is used by a responsible party for the purposes of the operations of that responsible party and that uniquely identifies that Data Subject in relation to that responsible party.

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, which you provide 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;

- 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 or our clients.

- 4.2. Where you provide GLA with the Personal Information of Third Parties you should take steps to inform the Third Party that you disclosed their Personal Information to us. GLA will process their Personal Information in accordance with this policy.

5. COLLECTION AND PROCESSING OF YOUR PERSONAL INFORMATION

- 5.1. We will collect Personal Information directly from you and process this information with your consent, unless:

- 5.1.1. the information is contained in or derived from a public record or has deliberately been made public by you;

- 5.1.2. collection of the information from another source would not prejudice any of your legitimate interests;

- 5.1.3. collection of the information from another source is necessary –

- 5.1.3.1. to avoid prejudice to the maintenance of the law by any public body, including the prevention, detection, investigation, prosecution and punishment of offences;

- 5.1.3.2. for the conduct of proceedings in any court or tribunal that have commenced or are reasonably contemplated; or
- 5.1.3.3. to maintain the legitimate interests of GLA or of a Third Party to whom the information is supplied.
- 5.1.4. doing so would prejudice a lawful purpose of the collection or would not be reasonably practicable; or
- 5.1.5. the processing is necessary for the establishment, exercise or defence of a right or obligation in law.

5.2 We may process your Personal Information for the purposes of:

- 5.2.1 carrying out actions for the conclusion or performance of a contract to which you are a party;
- 5.2.2 pursuing the legitimate interests of GLA or of a Third Party to whom the Personal Information is supplied;
- 5.2.3 protecting your legitimate interests as a Data Subject; or
- 5.2.4 complying with any obligation imposed on GLA and its employees by law.

6. DISCLOSURE OF YOUR INFORMATION

- 6.1. Your Personal Information may be shared within GLA and with selected Third Parties who process your Personal Information on GLA's behalf.
- 6.2. 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.

7. UNLAWFUL ACTS BY THIRD PARTIES

A person who knowingly or recklessly, without the consent of the responsible party obtains, discloses, sells or offers to sell an account number of a Data Subject or

procures the disclosure of an account number of a Data Subject to another person may be guilty of an offence.

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

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: infoREG@justice.gov.za