

Smart Office Connexion Gauteng (Pty) Ltd	COMPANY POLICY	LEGAL AND COMPLIANCE
PRIVACY POLICY		
PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013		
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1. INTRODUCTION

The right to privacy is an integral human right recognised and protected by the laws of South Africa. The Protection of Personal Information Act 4 of 2013, (“hereinafter referred to as “POPIA”) is an especially important law and contains many definitions such as definitions pertaining to what is *personal information*, *special personal information*, *record*, *processing*, *direct marketing*, *data subject* and *consent*. POPIA applies to a natural and a juristic person. You will note that some of the words listed in this Policy are in italics because these words are defined in POPIA and those definitions as so defined, apply to this Policy as well. For instance, under POPIA, you are defined as a *data subject*.

Smart Office Connexion Gauteng (Pty) Ltd, (hereinafter referred to as “SOX GP”/ “we”, “us” or “our”) is one of South Africa’s leading suppliers of office automation equipment, information technology, photographic equipment, ancillary and related products and services.

Through the provision of quality goods and services that we provide, SOX GP is necessarily involved in the processing of certain *personal information* and in certain conditions *special personal information* of clients, customers, employees, suppliers, distributors, contractors, vendors and other stakeholders. SOX GP is committed to effectively and lawfully process and manage *personal information* and, (only in certain conditions), *special personal information*, as may be relevant and in accordance with the provisions of POPIA.

It is important that you also read, understand and accept our Terms of Service if you would like to purchase our products and use our services. Our Terms of Service, outline precisely what services and products we provide, how we provide them and what information we process.

We respect the privacy of anyone who accesses our website, all present, past and future clients, customers, distributors, suppliers, contractors, vendors, third parties and contacts, (“you”, “your” or “customer”) **including visitors who visit our website** and those who provide us with their *Personal information* and where necessary *Special personal information*. This Privacy Policy explains how we use your information received **from our websites** and otherwise, and to inform you of your rights.

We will also assist you by informing you when there is new information available in this Policy by posting an appropriate notice on our website. We also use consultants, contractors and some third party service providers to work on our behalf. They too have agreed to comply with POPIA and this Policy.

In order to carry out our goals and objectives in selling our products and services as aforesaid, we will have to, on an ongoing and daily basis process *personal information*, (and at times and strictly in accordance with POPIA), *special personal information*.

In terms of POPIA, you have the right to privacy, including the right to the lawful collection, retention, dissemination and use of your *personal and special personal information*. In accordance with these requirements, we set out below ;

- the reasons why your *personal or special personal information* is processed,
- the conditions under which we will receive and use such information, and
- how your information will be handled.

2. PURPOSE

The purpose of this Policy is to inform you how we collect and use *personal information* about you and in certain circumstances, *special personal information*. Such information is collected **through our website**, through other means such as when you place an order, request one of our sales executives to call on you, that which you provide to us when you contact us and in the performance of a contract. *Personal and special personal information* includes information about you that you voluntarily provide to us .

This Privacy Policy covers the **website** identified below. This is the SOX GP website, and we are the *responsible party*:

www.smartoffice.co.za

SOX GP is committed to protecting your privacy and to ensure that your *information* is collected and used properly, lawfully and in a transparent manner.

This Policy applies to *Records*, (as defined in POPIA) and includes electronic platforms and facilities, social media, websites and / or email, whether owned by, established by, used by, hosted by and / or accessed by us and all and any data *subject(s)*, who may access and make use of the aforementioned platforms and facilities.

Excluded from this policy is information that cannot be used to identify you, information that has been permanently de-identified, information that does not relate or cannot be traced back to you, non-personal statistical information that we may collect and use and such information that you have voluntarily provided in a public forum such as for instance social media platforms, LinkedIn, blog, chat room, community, classifieds or discussion board.

3. APPLICATION

This Policy applies to you as a *data subject*.

4. PROCESSING OF PERSONAL INFORMATION

By providing your *personal information*, (as defined in POPIA) to SOX GP in commerce, you acknowledge that it has been collected directly from you and consent to its processing by us.

- Where you submit *personal* and/or where absolutely necessary *special personal information* to us in **via our website** or by email or in any written document, (“*record*”), such as for instance your name, address, registration number, identity number, telephone number, email address, debit card details for purposes of debit order payments into our bank account or where applicable, your bank account details) the following principles are observed in the processing of that information:
- SOX GP will only collect such information for a purpose consistent with the purpose for which it is required. The specific purpose for which information is collected will be apparent from the context in which it is requested.
- SOX GP will only process *personal and where absolutely necessary special personal information* in a manner that is adequate, relevant and not excessive in the context of the purpose for which it is processed.
- *Personal and where absolutely necessary and subject to POPIA, such information* will only be processed for a purpose compatible with that for which it was collected in the first place, unless you have agreed to an alternative purpose in writing or we are permitted in terms of legislation of general application or in terms of the exceptions in POPIA itself, to process such *information*.

As we have stated, SOX GP will only retain your *personal and/or special personal information* for as long as it is necessary to fulfil the purposes for which it was obtained in the first place and generally for no longer than 3 (three) years from the date on which it was last used.

In addition to the above, we will have to observe retention periods required or authorised by law or if you have consented to the retention of such records for a longer period. During the period of retention, we will continue to abide by our non-disclosure obligations and will not share or sell your information.

In summary;

- SOX GP will not sell any *personal or special information* relating to you to any third party.
- If *personal information* or *special personal information* is released with your consent SOX GP will retain a record of the information released, the third party to which it was released, the reason for the release and the date of release, for a maximum period of 3 (three) year from the date on which it was last used.
- SOX GP will destroy or delete any *personal information* before this time that is no longer needed for the purpose it was initially collected, or subsequently processed.
- As permitted by the Electronic Communications and Transactions Act 25 of 2002, SOX GP may use *personal information* collected to compile profiles for statistical

purposes. No information contained in the profiles or statistics will be able to be linked to you.

- Your *personal information* and where absolutely necessary your *special personal information* will not be retained any longer than is necessary for achieving the purpose for which the information was collected or subsequently processed, unless-
- retention of the record is required or authorised by law;
- we reasonably require the record for lawful purposes related to our functions or activities;
- retention of the record is required in terms of a contract between the parties thereto; or
- you have consented to the retention of the record.

We may retain your *personal information* for longer periods for purely historical, statistical or research purposes in which event we will establish appropriate safeguards against the records being used for any other purposes.

5. STATUS AND AMENDMENTS

If you do not agree with this Policy, then you may not purchase our products from us or use our services. If you accept this Policy, you are deemed to have read, understood, accepted and agreed to be bound by all of the terms contained herein. It may be necessary from time to time to change some of these terms. As stated herein, we will inform you of any changes by posting an appropriate notice on your website. If you do not accept these changes, you will need to inform us in writing and stop using our services. If you continue to use the services following notification of a change to the terms, the changed terms will apply to you and you will be deemed to have accepted such terms.

6. ACCOUNTABILITY

We will ensure that we comply with POPIA and the general principals outlined in this Policy.

SOX GP takes the privacy and protection of your *personal information* and *special personal information* very seriously and will only process such information in accordance with POPIA and the terms of this Policy.

In turn where SOX GP provides any of its *personal information* to a *responsible party* or *operator*, then such person will be required as a condition of receiving such information, to process such *personal information* in accordance with POPIA and the terms of this Policy.

The relevant data privacy principles relating to the processing of *personal information* and/or *special personal information* how so ever we receive your information will apply without exception, save where POPIA provides for such an exception.

We have appointed an Information Officer as well as Deputy Information officers. This information is available in our POPIA and PAIA Manuals.

7. PROCESSING LIMITATION: WHAT PERSONAL INFORMATION DO WE COLLECT AND WHY

Your *personal information* will only be *processed* as long as the purpose for which it is *processed* is adequate, relevant and not excessive.

As already stated herein, *special personal information* will only be processed where absolutely necessary and in accordance with POPIA. Your biometric information may for instance be needed for access and security purposes if you visit our premises. Your temperature may be scanned if required for COVID-19 purposes.

If you visit our website, you can do so without telling us who you are.

If you wish to place an **order online** or request a quotation, that we contact you telephonically, via email, social media platforms, provide you with a purchase order or conclude any written contracts and/or service contracts with you, we may require you to voluntarily provide us with your *personal information*, which may include information such as your name, company registration number or date of birth, email address or telephone number. We may also require your VAT number, postal address, postal code, bank details and **unique user ID**.

We may collect and use this *personal information* to provide you with products, services, and customer support, to invoice you for products and services you have requested, to market products and services which we think may be of interest to you with your permission, or to communicate with you for other purposes which are evident from the circumstances or about which we inform you when we collect your *personal information*.

On receipt of the request or query, SOX GP may thereafter use and process your *personal information* for the purpose of the query and for a variety of related purposes, which will all depend on the query or request, and which without detracting from the generality thereof may include;

- for the purposes of managing any information pertaining to you;
- for further processing or general administration purposes;
- for legal or contractual purposes;
- to help us improve the quality of services;
- to help us detect and prevent fraud;
- for the purposes of recovering unpaid monies and / or any other amount due to us;
- for the purpose of debt collection;

- for the purposes of research, analytical and statistical purposes;
- for the purposes of identifying and / or verifying your details;
- for the purposes of providing information, products and / or services or details in connection therewith or pertaining thereto, if you have requested same;
- for trade application and / or purchasing purposes
- for invoice generation
- debtor control purposes
- credit control purposes.

If we provide services to you or deliver product to you, we will require your physical address. You may also provide us with your information on a voluntary basis such as when you take advantage of promotions or subscribe to our special offers or additional products.

We may use the information that you provide to us for such purposes as indicated to you at the time you agree to provide the information.

Processing will only take place as a necessary means to carry out actions for the conclusion or performance of a contract and we will take all reasonable steps in order to protect your legitimate interests.

Website usage information may be collected using “cookies” which allows us to collect standard internet visitor usage information. When you access our website, we may send one or more cookies which are small text files, (a kind of computer file that is structured as a sequence of lines of electronic text) containing a string of alphanumeric characters to your computer to collect certain usage information. We use session cookies which will disappear after you close your browser and persistent cookies which remain after you close your browser and which can be removed manually and may be used by your browser on subsequent visits to our website. We use information gathered by cookies to improve the website. This information helps us to know how and when our site is visited and which pages are viewed.

Third party vendors, including Google, use cookies to serve ads based on a user’s prior visit/s to our website. You may see a SOX GP advert when browsing the internet because you visited our site.

SOX GP may use standard technology to collect information about the use of our website. This technology is not able to identify you but simply allows us to collect statistics.

The following classes of information may be collected in respect of users who have enabled cookies:

The browser software used;

IP address; and

Date and time of activities while visiting the website.

If you do not wish cookies to be employed to customize your interaction with this website, it is possible to alter the manner in which your browser handles cookies. Please note that, if this is done, certain services on this website may not be available.

You may also opt out of Google's use of cookies by visiting the [Google advertising opt-out page](#).

Our website may contain electronic image requests (called a "single-pixel gif" or "web beacon" request that allow us to count page views and to access cookies. Any electronic image viewed as part of a web page (including an ad banner) can act as a web beacon. Our web beacons do not collect, gather, monitor or share any of your *personal information*. We merely use them to compile anonymous information about our website.

We automatically receive and record Internet usage information on our hosting company's server logs from your browser, such as your internet protocol address ("IP Address"), browsing habits, click patterns, version of software installed, system type, screen resolutions, colour capabilities, plug-ins, language settings, cookie preferences, search engine keywords, JavaScript enablement, the content and pages that you access on the website, and the dates and times that you visit the website, paths taken, and time spent on sites and pages within the website ("usage information"). Please note that other websites visited before entering our website might place personal information within your URL (a Uniform Resource Locator) during a visit to it, and we have no control over such websites. Accordingly, a subsequent website that collects URL information may log some personal information.

8. PURPOSE SPECIFICATION

We will use your *personal information* only for the purposes for which it was collected. We may also need to confirm and verify your *personal information* and where necessary your *special personal information* for security purposes, to conduct market or customer satisfaction research or for statistical analysis, audit and record keeping purposes.

We will take reasonable steps to ensure that you are aware of the purpose of the collection of your information unless the provisions set out in POPIA are applicable.

Should we use a record of *personal information* concerning you to make a decision about you we will retain the record for such period as may be required or prescribed by law or a code of conduct; or if there is no law or code of conduct prescribing a retention period, retain the record for a period which will afford you a reasonable opportunity, taking all considerations relating to the use of the *personal information* into account, to request access to the record.

SOX GP will permanently destroy or delete a record of *personal information* and *special personal information* or *de-identify* it as soon as reasonably practicable should there be no purpose to retain it such as set out herein or for purposes of legal proceedings or purposes of proof.

SOX GP will restrict processing of *personal information* and *special personal information* if you contest its accuracy or request its restriction, (we will inform you before lifting the restriction on processing), to enable you to verify the accuracy of the information, if we no longer require the *personal or special personal information* for achieving the purpose for which the information was collected or subsequently processed.

9. FURTHER PROCESSING

We may share your personal information with an affiliate, in which event the affiliate will be required to honour this Policy.

As already stated above, SOX GP uses service providers under contract who assist us with our business operations such as picking, packing and delivery by an onsite service provider, our employees on a need-to-know basis, debt collection, credit bureaus to report account information as permitted by law, fraud prevention and marketing. Banking partners as required by credit card association rules for inclusion on their list of terminated merchants (in the event that you utilize the Services).

We will only disclose your *personal information* to our other service providers who are involved in the delivery of products or services to you. We have carefully selected our business partners who provide products and services which may be of benefit to you, and which will only be done on a need-to-know basis; and operators such as contractors who perform services on our behalf which will only be done on a need-to-know basis and in terms of appropriate agreements. We have agreements in place to ensure that they comply with the privacy requirements as required by POPIA. This Privacy Policy records your consent to us passing your personal information onto those third parties or affiliates.

Our contracts provide that these service providers only use your information in connection with the services they perform for us and not for their own benefit.

Further processing of personal information is permitted where:

- You have consented
- Your information is available in or derived from a public record
- You made the information public
- If we have to disclose it due to industry codes
- Where we have a duty or right in terms of law
- For the conduct of existing or future proceedings in any court or tribunal
- Where we believe it is necessary to protect our rights
- To prevent any violation of our terms of service
- To provide you with on-going after sales service
- To protect the safety of any individual or the general public
- Fraud detection, investigation and detection
- To obtain legal services
- If we are required to comply with a subpoena or court order

- Where necessary in the interests of or protection of our legitimate interests, another person or third party.
- A service provider needs to process the information for the purpose of investigating or preventing any act of fraud, bribery, loss or corruption
- further processing is compatible with the purpose of collection

If SOX GP needs to transfer your *personal information* across the South African borders, it will before it does so, enquire whether there are adequate levels of protection and whether they uphold the principles for the reasonable and lawful processing of such *personal information* unless it is a country where the GDPR applies.

Personal information may be stored on **servers located outside South Africa** in a foreign country whose laws protecting personal information may not be as stringent as POPIA. You hereby consent thereto.

SOX GP on receipt and in response to a query or request from you may transmit via its **website**, or by way of email, telephone or via social media, its own personal information, which personal information on receipt by the requesting or receiving party, may only be used for the purpose relating to the initiating of the request or query and for no other purpose. Furthermore, the recipient undertakes that it will not use this *personal information* for any other purpose or share this information with any other party, save where it has been given express permission to do so by SOX GP.

If a *data subject* is under the age of 18, such person's *personal information* will only be processed if the minor's parent or legal guardian gives the required consent or permission to the processing of the *personal information* that was provided to us.

In order to determine whether further processing is compatible with the purpose for which the *personal information* was originally collected, SOX GP will take and consider the following factors as prescribed by POPIA namely:

- the relationship between the purpose of the intended further processing and the purpose for which the information has been collected;
- the nature of the information concerned;
- the consequences of the intended further processing for the data subject;
- the manner in which the information has been collected; and
- any contractual rights and obligations between the parties.

In light of the above, SOX GP will not constantly revert to you in order to obtain the relevant consent to further process the *personal information*, provided that the further processing is in accordance or compatible with the provisions of POPIA and as detailed above. Where it is not, SOX GP will once again approach you to obtain consent for further processing.

10. INFORMATION QUALITY

SOX GP will make every effort to ensure the integrity and accuracy of your *personal information*, however, this may not at all times be possible. Accordingly, you hereby accept responsibility for keeping your *personal information* up to date and undertake to inform us of any changes. We ask that you kindly do so in writing and by way of a formal PAIA process which is accessible on **???? TBA**. We may also contact you in order to verify the information you have given for your and our security purposes.

11. OPENESS

SOX GP will maintain information manuals of its processing operation and provide certain information to you on request in accordance with PAIA. We will inform you when your *personal information* is collected.

If we undergo a change in ownership, or a merger with, acquisition by, or sale of assets to, another entity, we may assign our rights to the *personal information* we process to a successor, purchaser, or separate entity. We will disclose the transfer on the website. If you are concerned about your *personal information* migrating to a new owner, you may ask to have your *personal information* deleted.

12. SECURITY SAFEGUARDS

We will take appropriate, reasonable, technical and organisational measures to provide adequate protection for the *personal information* and *special personal information* we hold and to stop unauthorized access and use of such *information*. We will, on an on-going basis, continue to review our security controls and related processes to ensure that your *information* remains secure.

Our security policies and procedures cover:

- Physical security
- Computer and network security
- Access to personal information
- Secure communications
- Security in contracting out activities or functions
- Retention and disposal of information
- Acceptable usage of personal information
- Governance and regulatory issues
- Monitoring access and usage of private information
- Investigating and reacting to security incidents.

When we contract with third parties, we impose appropriate security, privacy and confidentiality obligations on them to ensure that *personal information* that we remain responsible for, is kept secure.

We will ensure that anyone to whom we pass your *personal information* agrees to treat your information with the same level of protection as we will.

We have installed computer safeguards such as firewalls and data encryption and we authorize access to personal information only for those employees who require it to fulfil their responsibilities in terms of their employment contracts.

Personal information collected by us is stored in a secure operating environment and can only be accessed by those employees, consultants, contractors or volunteers exclusively for purposes of their obligations under contract.

We process information only in South Africa and no other country. We have suppliers in China.

We make all reasonable effort to keep our social media and electronic platforms including its website secure at all times, however we advise that we cannot guarantee the security of any information provided to us through our **website**, e-mail, internet or social media sites or which you authorise us to collect from third parties. Accordingly, we cannot be held responsible for any loss or unauthorised use or interception of information transmitted via these social media and electronic platforms or sites, including the Internet, which is beyond our reasonable control.

Our website may contain links to other websites outside of our control. We are not responsible for the content, privacy or security of these other third party-controlled websites.

We make use of social plugins of social networks such as Facebook, YouTube, LinkedIn, Google and Twitter. We have no influence on or control over the extent of the data retrieved by these networks' interfaces and we can accordingly not be held responsible or liable for any processing or use of *personal information* transmitted via these plugins.

All of our social media and electronic platforms including its website and telephone facilities and your use of them will be monitored on a regular basis including the recorder and interception of content placed on or stored on said facilities which is done for security, integrity and quality assessment purposes and by using such electronic platforms and facilities you expressly acknowledge notice of such monitoring and interception and give consent thereto in accordance with the Regulation of Interception of Communications and Provision of Communication-Related Information Act 70 of 2002 ("RICA"). We have implemented the appropriate technical, organisational and security measures which are required in order to protect your Personal Information and related data which it holds from and / or against unauthorised access, accidental or wilful manipulation, loss or destruction.

Our database is within a Microsoft Server and is hosted in the cloud in South Africa, or in our access-controlled server room, behind a firewall.

13. HOW TO CONTACT US

If you have any queries about this Policy, if you need further information about our privacy practices, if you wish to withdraw consent, exercise preferences or access or correct your

personal information, please contact us at the numbers/addresses listed in our POPIA and PAIA Manuals.

14. YOUR RIGHTS

Your rights include the right;

- to be notified that your *personal information* is being collected;
- that your personal information has been accessed or acquired by an unauthorised person(s) for instance in a hacking or cyber-attack;
- to establish if we hold your *personal or special personal information*;
- to request access to your *personal and/ or special personal information*;
- to ask that we were necessary, correct, update or delete your *personal information*;
- to object, on reasonable grounds, to the processing of your *personal information*;
- to object to the processing of your *personal information* for purposes of direct marketing, direct marketing by means of unsolicited electronic communications;
- not to be subject, in certain circumstances, to a decision which is based solely on the automated processing of your *personal information*; and
- to submit a complaint to the Information Regulator if you believe that there has been interference with the protection of your *personal information or special personal information*.

We encourage you however, to first make immediate contact with our information officer at any time if you are dissatisfied with the manner in which we are processing your personal and special personal information. On receipt of your written objection, we will suspend further processing until the cause of your objection has been resolved.