



ASSOCIATED COMPLIANCE

FOR A COMMON PURPOSE

Associated Compliance (Pty) Ltd Privacy statement

30 June 2021

Introduction

This statement is aimed at our clients, potential clients, associates, or any such related persons whose personal information is or may be held by us.

We are an independent compliance practice, operating within the financial services industry, and registered with the Financial Sector Conduct Authority (FSCA). Our client-base consists of authorised financial services providers, being insurance intermediaries and administrators, underwriting managers, and insurance companies. Our primary role is to facilitate the effective management of our clients' compliance risks within the financial sector.

This statement sets out how and why we collect and use personal information and provides details about individuals' rights in relation to such information. It applies to personal information provided to us, both by individuals themselves and by others, i.e., third parties. We may use personal information provided to us for any of the purposes described in this privacy statement or as otherwise stated and agreed to at the point of collection.

"Personal Information" means information relating to an identifiable, living, natural person and where applicable, an identifiable, existing juristic person. This can include, but is not limited to, any identifying number, email address, physical address, telephone number, location information, online identifier, race, gender, pregnancy, marital status, age, physical or mental health, disability, religion, culture of the person; information relating to the education or the medical, financial, criminal or employment history of the person, as well as the personal opinions or views of the person, and correspondence sent by the person that is implicitly or explicitly of a private or confidential nature.

In this privacy statement, we therefore refer to information about you or information that identifies you as "personal information". We may also collectively refer to collecting, handling, protecting, or storing your personal information as "processing" such personal information.

We process personal information for numerous purposes and the type of information we collect will depend on the purpose for which it is collected and used. It is our policy to be transparent about why and how we process such information.

As registered compliance officers, we need to process information about our clients relating to their business' profile and activities, which includes personal information about directors, shareholders, staff members and other mandated individuals, as well as the organisation's policies, opinions, protocols, and strategies, etc. To a certain degree, the personal information that we process is in accordance with the FSCA's requirements and expectations, for example, we have to collect details of a person's gender, race, and home address because the Regulator requires this level of detail for their own processing activities. However, our service offerings to our clients also result in us determining the purpose of and means for processing personal information, because what we are contracted to do for our clients will often go beyond the minimum regulatory standards.

Our legal grounds for processing your personal information

We process personal information in accordance with the following processing conditions:

- To perform our obligations under a contractual arrangement with you. Such obligations will be specified within the service level agreement which we issue to our clients.
- Our legitimate interests in the effective delivery of information and services to our clients and in the effective and lawful operation of our business and the legitimate interests of our clients in receiving professional services from us as part of running their organisation and maintaining a satisfactory level of compliance (provided these do not interfere with your rights).
- Our legitimate interests in developing and improving our business, services, and offerings (provided these do not interfere with your rights).
- To meet relevant regulatory or legal requirements, meaning that we may have a legal obligation to process certain personal information or provide our services in a particular way; or
- Where no other processing condition is applicable, where you have agreed to us processing your personal information for the relevant and specified purpose/s.

Our processing activities

We have categorised our processing activities in order to establish a detailed data inventory, and we have evaluated the personal information we process according to the level of 'sensitivity' or confidentiality.

Collection of personal information

We may collect personal information through various means, for example, from telephone calls, emails, hard copy records, electronic file transfers, as well as from third parties involved in our business dealings with you.

Personal information will be collected directly from you, i.e., the individual to which the information relates (the "data subject"), except if:

- Your personal information is contained in a public record or has deliberately been made public by yourself.
- You have consented to the collection of the information from another source.
- The collection of the information from another source would not prejudice your legitimate interests.
- Where the collection of the information from another source is necessary for the compliance with any applicable laws, for the conduct of any court proceedings, and/or to maintain our legitimate interests; or
- Where such compliance is not reasonably practicable in the circumstances of the particular case.

We are confident that we only request the information that is needed in order for us to perform our contractual obligations, and where we believe that excessive personal information has been willingly provided to us, and where such information does not serve any lawful purpose, we will delete such record/s from our possession without undue delay.

How we use your personal information

Apart from our core services and our performance obligations in terms of our contracts, we may use your personal information to:

- Communicate with you and others as part of our business.

- Send you important information regarding changes to our policies, other terms and conditions, our website and other administrative information.
- Process your fee and other payments.
- Carry out market research and satisfaction surveys.
- Provide marketing information to you (including information about other products and services offered by selected third-party partners or providers) which are either similar to the services we already provide or are aligned to the preferences you have expressed.
- Resolve complaints, and handle requests for data access or correction.

Transferring and disclosing of personal information

Cross-border transfers

We utilise cloud storage for our file back-ups, and one such cloud is located within the European Union, which falls within the jurisdiction of the General Data Protection Regulation (GDPR). This regulation in EU law on data protection and privacy in the European Union (EU) and the European Economic Area (EEA) addresses the transfer of personal data outside the EU and EEA areas. We therefore believe that an adequate level of protection is provided for your personal information.

Third Party Providers

We may transfer or disclose the personal information we collect to third party contractors, service providers and/or consultants, who support our business in providing its services and help provide, run, and manage our IT systems.

The third party providers we use can include bookkeepers, auditors, data analysts, IT management, data backup, security, and cloud storage services.

These third party providers may also use their own third party subcontractors that in turn have access to your personal information. In such cases, the use of third party providers will be strictly monitored to take all reasonable steps in ensuring that the subcontractors maintain appropriate levels of security and confidentiality, to process personal information in line with our instructions.

Other instances where personal information may be disclosed

The following list includes but is not limited to some of the instances where we may disclose the personal information obtained from you:

- When any regulatory authority for the various financial sectors requests same.
- To comply with any regulation passed under relevant legislation, or any legal process.
- To enforce and protect our rights and property (including intellectual property) and/or where we have a legitimate interest to do so.
- When you have expressly authorised us to do so; or
- If we undergo a change in ownership.

We do not and will not sell or provide personal information to third parties for independent use. Where we share personal information with our business associates, if that information is required to provide the product or service you have requested, our business associates will adhere to using your information only as directed by us.

Security

Protecting your personal information

We have implemented generally accepted standards of technology and operational security in order to protect personal information from loss, misuse, alteration, or destruction.

We update and test our security technology on a regular basis. Access to your personal information is restricted and only those employees who need to know that information in order to provide services to you, will have access to it. In addition, we have trained our employees about the importance of confidentiality and information security.

Although we use appropriate security measures once we have received your personal information, the transmission of data over the internet (including by email) is never completely secure. We endeavour to protect personal information, but we cannot guarantee the security of data transmitted to or by us.

Retention of your personal information

We will retain personal information for the period necessary to fulfil the intended and agreed purposes unless a longer retention period is required or permitted by law or agreed to by you.

Our website

We use Google Analytics to collect statistical information about how our website (www.associatedcompliance.co.za) is used, how many users we have, which parts of our site are most popular, what browsers are used (so we can maximize compatibility), the country or region where our users are located, and the demographics and interests of our users. This enables us to better understand who is using our website with the aim of improving your experience and our services.

Google Analytics services involve the use of cookies that collect information such as your IP address or other identifiers, browser information, and information about the content you view and interact with to record how you use our digital services.

Web browser cookies and similar tracking technologies, such as tags, scripts, and beacons, are small pieces of code (referred to as cookies hereafter) which are sent as a small text file by a website to your computer or mobile device where it is stored by your web browser. Web browser cookies may store information such as your IP address or other identifiers, your browser type, and information about the content you view and interact with on our website. By storing such information, web browser cookies can remember your preferences and settings for online services and analyse how you use online services. Find out more about cookies on <http://www.allaboutcookies.org/>

Managing Cookies and Local Storage on Your Device

You can choose how web browser cookies are handled by your device via your browser settings, including to refuse or delete all cookies. Some devices allow you to control this via your device settings. If you choose not to receive cookies at any time, the website may not function properly, and certain services will not be provided. Each browser and device are different, so check the settings menu of your browser or device to learn how to change your advertising settings/cookie preferences.

By using our website, you agree to the use of the above cookies. To find out more about the Google Analytics services used on our digital services or to opt out, please visit: <https://tools.google.com/dlpage/gaoptout>.

Links to other sites

Our website may contain links to other sites that are not operated by us. If you click on a third-party link, you will be directed to that party's website. The fact that we provide a link to a website is not an endorsement or authorisation of that third party, and we will not be held legally responsible for any personal information that you reveal to a third party which has a link on our website. It is important that you refer to that third party's privacy statement before you reveal any of your personal information.

If we ask you to provide certain information by which you can be identified when using our website, i.e., to enable you to send us a query or a request by means of an email, via our Contact Us page, it will only be used in accordance with the intended purpose.

We take reasonable and necessary precautions to secure your transactions on our website however, we cannot guarantee the confidentiality of your transactions. Using our website is entirely at your own risk.

Our Regulatory Reviews

When emailing our monthly Regulatory Review (previously known as the 'AC Newsletter') to our subscribers via their nominated email address, we utilise Everlytic's bulk email service. This service allows us to monitor the delivery rate as well as the number of subscribers who access or download our Regulatory Reviews, which enables us to better understand our audience with the aim of improving our services.

Your legal rights in relation to personal information

If you believe you are a data subject and/or we have any of your personal information, you may have a legal right to:

- Request confirmation, free of charge, as to whether or not we hold any personal information about you.
- Receive details of your personal information that we hold and obtain information about the identity of all third parties who have, or have had, access to your information. You may be charged a prescribed fee for this; however, you will be notified of this upfront.
- Request for your personal information to be amended or corrected where it is inaccurate or incomplete.
- Request us to delete your personal information in the following cases:
 - the personal information is no longer necessary in relation to the purposes for which it was collected and processed.
 - our only legal ground for processing is consent, and you withdraw such consent.
 - your personal information has been unlawfully processed; or
 - your personal information must be erased to comply with a legal obligation to which we are subject.

Where the Promotion of Access to Information Act (PAIA) sets out grounds for refusal of access to certain records, we may decline to disclose information that has been requested. You will however be notified in writing should we not be in a position to provide the requested personal information to you.

Changes to this privacy statement

We may update this privacy statement at any time, for any reason and without notice to you, by publishing an updated version on our website, and from the stated revision date our amended privacy statement will then be applicable. We will however communicate any material changes thereto to our clients.

Contact us

Should you wish to submit a request to exercise a legal right in relation to your personal information, or if you would like to submit a complaint about the handling of your personal information, or if you have any queries, please contact us via the following details:

Information Officer: Mr Craig Ormrod

Tel: 011 678 2533
Email: info@associatedcompliance.co.za
By post: P O Box 9655, Devon Valley, 1715