

# BGR DE VILLIERS INC | PRIVACY POLICY



# BGR De Villiers Inc | Privacy Policy

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Effective date: 1 July 2021

BGR De Villiers Inc is committed to protecting the privacy of personal information of our data subjects. The information you share with us as a data subject allows us to provide you with the best experience with our products and services, or as a stakeholder of BGR De Villiers Inc.

It is important that you take all necessary and appropriate steps to protect your data yourself (for example, by ensuring that all passwords and access codes are kept secure).

BGR De Villiers Inc has dedicated policies and procedures in place to protect all personal information collected and processed by us. Please read below for more information on how we collect, process, use and disclose personal information.

Registered address:     BGR De Villiers  
                                  10 Van der Lingen Street  
                                  Paarl  
                                  7646

Information officer contact details: Information officer contact details: CHRIS BOTHA (021) 872 3000

## Collection of data

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

- a) From your employing company
- b) Legislative or company documents
- c) Entity representatives

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

You must not send us personal information about someone else without first getting his or her consent for it to be used and disclosed in the ways set out in this terms and conditions. This is because we will assume 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 taken into account with your other personal information.

## Prospective employees

In applying for a position at BGR De Villiers Inc you may provide us with personal information as part of the application process. We may also obtain personal information while performing the required background check, reference check and credit check if relevant.

The personal information that may be obtained during this process is as follows:

<b>Personal information</b>	<b>Purpose for processing</b>
<b>Contact information</b> such as: Name, -mail address, telephone number and location	To contact and address the applicant.
<b>Education information</b> such as: education History, previous employer, references (views and opinions of others), professional memberships and affiliations	To determine qualifications and work experience. To perform the necessary reference checks.
<b>Other:</b> Language, date of birth and location	To determine seniority, preferred communication language and geographical placement.

### Employees

BGR De Villiers Inc must process personal information of their employees for various legal and employment purposes. The information that will be processed is as follows:

<b>Personal information</b>	<b>Purpose for processing</b>
<b>Personal details</b> such as: full name, ID document, telephone number, e-mail address, physical address, gender, race.	To contact and identify data subject and for employment equity purposes.
<b>Employment Details</b> such as: job title, office location, employment contract, training information, performance and disciplinary records, leave records.	To conclude a contract with the employee, keep records of work progress, leave entitlement and general employment terms.
<b>Financial information</b> such as: bank details, tax number, salary information.	For payroll purposes
<b>Education History and Employment history</b>	To determine credentials and person-job fit

### Clients

In order for us to provide you with the best service, we need to collect and process personal information from you as a customer. This information will consist of the following:

<b>Personal information</b>	<b>Purpose for processing</b>
<b>Contact information</b> such as: name, telephone number, address,	For correspondence, identification purposes and to determine client's language preference for communication. ID – professional obligation, to enable us to provide the

physical address, e-mail address, postal address, ID number and language	accounting/auditing/payroll or tax services for which we were appointed to.
<b>Financial Information</b> such as: financial history, tax number and bank details	Professional obligation, to enable us to provide the accounting/auditing/payroll or tax services for which we were appointed to and for payment purposes.

BGR De Villiers Inc will always keep your personal information confidential, however, you agree and consent that BGR De Villiers 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 BGR De Villiers Inc.
- 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.

### **Individuals screened for COVID 19**

The personal information collected is necessary to comply with the COVID 19 screening as required by the Disaster Management Act and supplementary regulations and directives. This information will be kept confidential unless disclosure is required by law, e.g. should a positive case be identified. This information will be stored and destroyed as soon as it is no longer needed. If you do not provide the information as required, we can limit or refuse you access to our premises.

### **CCTV Monitoring**

The premises of BGR De Villiers are monitored by CCTV footage. This footage is only processed for security purposes and not shared with any person or entity outside the company. CCTV footage is retained for a period of three months after which it is destroyed.

### **Consent**

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

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

Where the legal basis for processing is for the proper performance of the contract, and you fail to provide us with the information or request us to stop processing this information, it may create limitations on our performance of the contract or agreement.

## **Sharing information**

In processing your personal information, we may share it with third party processors under an operator's agreement. These include but are not limited to:

- a) Payment processors
- b) Email management and distribution tools
- c) Data storage providers
- d) Server hosts

As an operator, these service providers will not be able to process or use your data for any reason other than to provide the service as required by us. They also need to implement proper safeguards to ensure the personal information is always secured.

## **Information transfers**

In some cases, the third parties to whom BGR De Villiers Inc may disclose your Personal Information may be located outside your country of residence (for example, in a cloud service, system or server), and may be subject to different privacy regimes.

Where required by applicable law, when BGR De Villiers Inc discloses Personal Information overseas, it will ensure appropriate safeguards are in place to require that your Personal Information will remain protected and that the recipient will handle the information in a manner consistent with this Policy and POPIA.

## **Retention**

BGR De Villiers Inc is required to comply with various different legislative retention periods, which leads to different retention requirements. Your personal information will be kept for no longer than is necessary for compliance or other legitimate business purposes.

## **Your legal rights**

You have the following rights under the Protection of Personal Information Act:

- a) Request access to your personal information
- b) Request a correction or deletion of personal information
- c) Object to the processing of personal information
- d) Lodge a complaint to the Information Regulator

If you want to exercise any of the rights described above, or are dissatisfied with the way we have used your personal information, please contact the information officer.

## **Changes to this policy**

This policy may change from time to time. The latest effective date will be highlighted at the start of the privacy policy.

## **As Operator**

An Operator is a person or entity who processes personal information for a responsible party in terms of a contract or mandate, without coming under the direct authority of that party. This means that the information you process is not for your direct client, employee, supplier, etc. but rather that of another entity/data subject. For example, if you provide payroll services or auditing and accounting services and as such process the information of another entity's employees or personal information.

If BGR De Villiers operates such services on your behalf, the following personal information will be collected and processed in terms of this agreement:

<b>Personal Information</b>	<b>Reason for processing</b>
<b>Payroll:</b> name, surname, ID number, bank details, address, e-mail address, tax number, employment equity information etc. as per Sage input sheet.	To process monthly salary for payroll purposes (Employees of clients that are not directly linked to BGR De Villiers Inc).
<b>Trusts, Wills, Tax and other financial administration:</b> details including but not limited to: names, surnames, ID numbers, Bank details, tax numbers, e-mail address.	To process and administer client trusts, wills, and financial admin (where individuals are included in trusts and wills but are not directly linked to BGR De Villiers Inc).

The information will only be processed for the reasons agreed upon between the Responsible party and the Operator as provided for above. The Operator will not process the information for any other reason or by any other means. It is the responsibility of the responsible party to obtain consent from their data subjects who does not come under directly authority of the Operator in order for the Operator (BGR De Villiers Inc) to perform their duties as set out above.

All personal information received as part of providing the services will be treated as confidential. It may happen that information needs to be shared in order to provide the required services, or as requested by laws and regulations.

The responsible party acknowledges that information may be shared as follows:

<b>Parties' information may be shared with</b>	<b>Reason for sharing information</b>
Providers of services such as IT related services	For storage purposes and access for payroll employees
Group companies	Use of infrastructure
Regulatory bodies	As required by laws and regulations

Where information needs to be provided to outside third parties in compliance with laws and regulations, the operator will ensure that a transparent approach is followed unless prohibited by the specific law or regulation that needs to be complied with. This means that requests for information will be communicated to the responsible party as far as possible.

The following security measures are implemented to protect the integrity of, and access to, the data:

- a) Antivirus, firewalls and company IT policy
- b) Access control to premises and passwords on all computers
- c) Backup Policy
- d) Access controls and confidentiality agreements
- e) Fireproof safe
- f) Documents' password protected

Where there is a breach or suspected breach of personal information, the operator will inform the responsible party as soon as reasonably possible. The following information must be disclosed:

- a) Date of breach;
- b) Extent of breach;
- c) Personal information implicated in breach;

## **Liability of Operator**

As per the Protection of Personal Information Act, the responsible party will be held liable for breach of information unless the operator acted outside their mandate. As such it is important that the Responsible party and the Operator discuss indemnities from the operator to be included in the agreement. For example, requiring the operator to reimburse the responsible party for any penalty that is imposed on it by the information operator where the breach was due to the negligence or non-compliance of the Operator.