

## **Protection of Personal Information that is Processed by Munro Forensic Actuaries (“Munro”) in terms of the Protection of Personal Information Act 4 of 2013 (“POPIA”)**

### **1. Introduction**

Chapter 3 of POPIA provides for the minimum Conditions for Lawful Processing of Personal Information by a Responsible Party. These conditions may not be derogated from unless specific exclusions apply as outlined in POPIA.

Munro needs Personal Information relating to both individual and juristic persons in order to carry out its business and organisational functions. The manner in which this information is Processed and the purpose for which it is Processed is determined by Munro. Munro is accordingly a Responsible Party for the purposes of POPIA and will ensure that the Personal Information of a Data Subject:

1. is processed lawfully, fairly and transparently. This includes the provision of appropriate information to Data Subjects when their data is collected by Munro, in the form of privacy or data collection notices. Munro must also have a legal basis (for example, consent) to process Personal Information;
2. is processed only for the purposes for which it was collected;
3. will not be processed for a secondary purpose unless that processing is compatible with the original purpose;
4. is adequate, relevant and not excessive for the purposes for which it was collected;
5. is accurate and kept up to date;
6. will not be kept for longer than necessary;
7. is processed in accordance with integrity and confidentiality principles; this includes physical and organisational measures to ensure that Personal Information, in both physical and electronic form, are subject to an appropriate level of security when stored, used and communicated by Munro, in order to protect against access and acquisition by unauthorised persons and accidental loss, destruction or damage;
8. is processed in accordance with the rights of Data Subjects, where applicable. Data Subjects have the right to:
  - a. be notified that their Personal Information is being collected by Munro. The Data Subject also has the right to be notified in the event of a data breach;
  - b. know whether Munro holds Personal Information about them, and to access that information. Any request for information must be handled in accordance with the provisions of this Manual;
  - c. request the correction or deletion of inaccurate, irrelevant, excessive, out of date, incomplete, misleading or unlawfully obtained personal information;
  - d. object to Munro’s use of their Personal Information and request the deletion of such Personal Information (deletion would be subject to Munro’s record keeping requirements);
  - e. object to the processing of Personal Information for purposes of direct marketing by means of unsolicited electronic communications;
  - f. complain to the Information Regulator regarding an alleged infringement of any of the rights protected under POPIA and to institute civil proceedings regarding the alleged non-compliance with the protection of his, her or its personal information.

## **2. Purpose of the Processing of Personal Information by the Company**

As outlined above, Personal Information may only be processed for a specific purpose. The purposes for which Munro processes or will process Personal Information is set out in Appendix 1.

## **3. Categories of Data Subjects and Personal Information/special Personal Information relating thereto**

As per section 1 of POPI, a Data Subject may either be a natural or a juristic person.

Appendix 2 sets out the various categories of Data Subjects that Munro Processes Personal Information on and the types of Personal Information relating thereto.

## **4. Recipients of Personal Information**

Appendix 3 outlines the recipients to whom Munro may provide a Data Subjects Personal Information.

## **5. Cross-border flows of Personal Information**

Section 72 of POPIA provides that Personal Information may only be transferred out of the Republic of South Africa if the:

- a. recipient country can offer such data an “adequate level” of protection. This means that its data privacy laws must be substantially similar to the Conditions for Lawful Processing as contained in POPI; or
- b. Data Subject consents to the transfer of their Personal Information; or
- c. transfer is necessary for the performance of a contractual obligation between the Data Subject and the Responsible Party; or
- d. transfer is necessary for the performance of a contractual obligation between the Responsible Party and a third party, in the interests of the Data Subject; or
- e. the transfer is for the benefit of the Data Subject, and it is not reasonably practicable to obtain the consent of the Data Subject, and if it were, the Data Subject, would in all likelihood provide such consent.

Appendix 4 sets out the planned cross-border transfers of Personal Information and the condition from above that applies thereto.

## **6. Description of information security measures to be implemented by Munro**

Appendix 5 sets out the types of security measures to implemented by Munro in order to ensure that Personal Information is respected and protected. A preliminary assessment of the suitability of the information security measures implemented or to be implemented by Munro may be conducted in order to ensure that the Personal Information that is processed by Munro is safeguarded and processed in accordance with the Conditions for Lawful Processing.

## **7. Objection to the Processing of Personal Information by a Data Subject**

Section 11 (3) of POPI and regulation 2 of the POPIA Regulations provides that a Data Subject may, at any time object to the Processing of his/her/its Personal Information in the prescribed form attached to this manual as Appendix 6 subject to exceptions contained in POPIA.

## **8. *Request for correction or deletion of Personal Information***

Section 24 of POPI and regulation 3 of the POPI Regulations provides that a Data Subject may request for their Personal Information to be corrected/deleted in the prescribed form attached as Appendix 7 to this Manual

## **APPENDIX 1: Processing of Personal Information in Accordance with POPI**

### **For clients:**

- a. Performing duties in terms of any agreement with clients
- b. Make, or assist in making, credit decisions about clients
- c. Operate and manage clients' accounts and manage any application, agreement or correspondence clients may have with Munro
- d. Communicating (including direct marketing) with clients by email, SMS, letter, telephone or in any other way about Munro's products and services, unless clients indicate otherwise
- e. To form a view of clients as individuals and to identify, develop or improve products, that may be of interest to clients
- f. Carrying out market research, business and statistical analysis
- g. Performing other administrative and operational purposes including the testing of systems
- h. Recovering any debt clients may owe to Munro
- i. Complying with the Munro's regulatory and other obligations
- j. Any other reasonably required purpose relating to the Munro business

### **For prospective clients:**

- a. Verifying and updating information
- b. Pre-scoring
- c. Direct marketing
- d. Any other reasonably required purpose relating to the processing of a prospect's personal information reasonably related to the Munro business.

### **For employees:**

1. The same purposes as for clients (above)
2. Verification of applicant employees' information during recruitment process
3. General matters relating to employees:
  - i. Pension (if applicable)
  - ii. Medical aid (if applicable)
  - iii. Payroll
  - iv. Disciplinary action
  - v. Training
  - vi. Any other reasonably required purpose relating to the employment or possible employment relationship.

### **For vendors /suppliers /other businesses:**

- a. Verifying information and performing checks;
- b. Purposes relating to the agreement or business relationship or possible agreement or business relationships between the parties;
- c. Payment of invoices;
- d. Complying with the Munro's regulatory and other obligations; and
- e. Any other reasonably required purpose relating to the Munro business.

## **APPENDIX 2: Categories of Data Subjects and Categories of Personal Information relating thereto**

### **Employees**

- a. Name and contact details
- b. Identity number and identity documents including passports
- c. Employment history and references
- d. Banking and financial details
- e. Details of payments to third parties (deductions from salary)
- f. Employment contracts
- g. Employment equity plans
- h. Medical aid records
- i. Pension Fund records
- j. Remuneration/salary records
- k. Performance appraisals
- l. Disciplinary records
- m. Leave records
- n. Training records

### **Clients and prospective clients**

- a. Postal and/or street address
- b. title and name
- c. contact numbers and/or e-mail address
- d. engagement history
- e. ethnic group
- f. employment history
- g. age
- h. gender
- i. marital status
- j. nationality
- k. language
- l. financial information
- m. identity or passport number
- n. browsing habits and click patterns on Munro websites and portals
- o. Other information not specified, reasonably required to be processed for business operations

### **Vendors /suppliers /other businesses:**

- a. Name and contact details
- b. Identity and/or company information and directors' information
- c. Banking and financial information
- d. Information about products or services
- e. Other information not specified, reasonably required to be processed for business operations

### **APPENDIX 3: Part 3 - Recipients of Personal Information**

- a. Any firm, organisation or person that Munro uses to collect payments and recover debts or to provide a service on its behalf;
- b. Any firm, organisation or person that/who provides the Munro with products or services;
- c. Any payment system that Munro uses;
- d. Regulatory and governmental authorities or ombudsmen, or other authorities, including tax authorities, where Munro has a duty to share information;
- e. Third parties to whom payments are made on behalf of employees;
- f. Financial institutions from whom payments are received on behalf of data subjects;
- g. Any other operator not specified;
- h. Employees, contractors and temporary staff; and
- i. Agents.

### **APPENDIX 4: Cross border transfers of Personal Information**

Personal Information may be transmitted transborder to Munro suppliers in other countries, and Personal Information may be stored in data servers hosted outside South Africa, which may not have adequate data protection laws. Munro will endeavour to ensure that its dealers and suppliers will make all reasonable efforts to secure said data and Personal Information.

## **APPENDIX 5 – Description of information security measures**

Munro undertakes to institute and maintain the data protection measures to accomplish the following objectives outlined below. The details given are to be interpreted as examples of how to achieve an adequate data protection level for each objective. Munro may use alternative measures and adapt to technological security development, as needed, provided that the objectives are achieved.

### **1. Access Control of Persons**

Munro shall implement suitable measures in order to prevent unauthorized persons from gaining access to the data processing equipment where the data are processed.

### **2. Data Media Control**

Munro undertakes to implement suitable measures to prevent the unauthorized manipulation of media, including reading, copying, alteration or removal of the data media used by Munro and containing personal data of clients.

### **3. Data Memory Control**

Munro undertakes to implement suitable measures to prevent unauthorized input into data memory and the unauthorised reading, alteration or deletion of stored data.

### **4. User Control**

Munro shall implement suitable measures to prevent its data processing systems from being used by unauthorised persons by means of data transmission equipment.

### **5. Access Control to Data**

Munro represents that the persons entitled to use Munro's data processing system are only able to access the data within the scope and to the extent covered by their respective access permissions (authorisation).

### **6. Transmission Control**

Munro shall be obliged to enable the verification and tracing of the locations / destinations to which the personal information is transferred by utilization of Munro's data communication equipment / devices.

### **7. Transport Control**

Munro shall implement suitable measures to prevent Personal Information from being read, copied, altered or deleted by unauthorized persons during the transmission thereof or during the transport of the data media.

### **8. Organisation Control**

Munro shall maintain its internal organisation in a manner that meets the requirements of this Manual.

**APPENDIX 6**

**Objection to the Processing of Personal Information in terms of Section 11(3) of the Protection of Personal Information Act, 2013**

**Regulations Relating to The Protection of Personal Information, 2018**

**Note:**

- 1 Affidavits or other documentary evidence as applicable in support of the objection may be attached.
- 2 If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.
- 3 Complete as is applicable

<b>A</b>	<b>DETAILS OF DATA SUBJECT</b>
Name(s) and surname/ registered name of data subject:	
Unique Identifier/ Identity Number	
Residential, postal or business address:	
Contact number(s):	
Fax number / E-mail address:	
<b>B</b>	<b>DETAILS OF RESPONSIBLE PARTY</b>
Name(s) and surname/ registered name of data subject:	
Residential, postal or business address:	
Contact number(s):	
Fax number / E-mail address:	
<b>C</b>	<b>REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f) (Please provide detailed reasons for the objection)</b>

Signed at ..... this ..... day of .....20...

.....  
Signature of data subject/designated person

## APPENDIX 7

Request for Correction or Deletion of Personal Information or Destroying or Deletion of Record of Personal Information in terms of Section 24(1) of the Protection of Personal Information Act, 2013 Regulations Relating to the Protection of Personal Information, 2018

[Regulation 3]

Note:

1. Affidavits or other documentary evidence as applicable in support of the request may be attached.
2. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.
3. Complete as is applicable.

Mark the appropriate box with an "x".

Request for:

- Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.
- Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information

<b>A</b>	<b>Details of Data Subject</b>
Name(s) and surname/ registered name of data subject:	
Unique Identifier/ Identity Number	
Residential, postal or business address:	
Contact number(s):	
Fax number / E-mail address:	
<b>B</b>	<b>DETAILS OF RESPONSIBLE PARTY</b>
Name(s) and surname/ registered name of data subject:	
Residential, postal or business address:	
Contact number(s):	

Fax number / E-mail address:	
<b>C</b>	<b>Reasons for Objection in Terms of Section 11(1)(D) to (F) (Please Provide Detailed Reasons for The Objection)</b>
<b>D</b>	<b>Reasons for *Correction or Deletion of the Personal Information about the Data Subject in Terms of Section 24(1)(a) which is in Possession or Under the Control of the Responsible Party; and or Reasons for *Destruction or Deletion of a Record of Personal Information about the Data Subject in Terms of Section 24(1)(b) which the Responsible Party is no longer Authorised to Retain. (Please Provide Detailed Reasons for the Request)</b>