



**WELGEVONDEN HOME OWNERS' ASSOCIATION
DATA PROTECTION AND PRIVACY POLICY**

POLICY ADOPTION:

Latest date noted/ratified: 30 June 2021

RESPONSIBLE PARTY:

Welgevonden Home Owners' Association

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1 POLICY STATEMENT

In terms of the Protection of Personal Information Act (POPIA), the Promotion of Access to Information Act (PAIA) and the Constitution of the Republic of South Africa, Welgevonden Home Owners' Association undertakes to protect the right to privacy and to process personal information in line with all applicable data protection legislation.

Welgevonden Home Owners' Association acknowledges the rights of data subjects and the 8 conditions for the lawful processing of personal information, found in section 5 and 4 of POPIA respectively, and commits to take all reasonable steps to uphold these rights and implement procedures to ensure that information is processed lawfully at all times.

2 DEFINITIONS

- Association – means the Welgevonden Home Owners' Association.
- Data subject – person to whom the personal information relates: the unit owner, tenant, trustee, employee or visitor.
- Information officer – the party responsible for ensuring that the Home Owners' Association complies with the conditions of POPIA.
- Personal information – information relating to a person including, but not limited to, an ID number, email address, physical address, telephone number, bank details and private correspondence sent by that person.
- Processing – activities concerning personal information which include, but are not limited to, the collection, collation, retrieval, erasure, destruction and dissemination of personal information.
- Responsible party – a party who processes personal information: the Home Owners' Association.
- Record – recorded information regardless of form or medium, in the possession of a responsible party.
- Special personal information – information concerning religious/philosophical beliefs, race, ethnicity, trade union membership, political persuasion, health, sex life, biometric information, criminal behaviour of a data subject.

3 PERSONAL INFORMATION

3 1 How is personal information collected by the Association?

Welgevonden collects personal information via member and employee submissions, from public records and from the third-party security service provider who collects visitor's information at the entrance to the estate.

3 2 What information is collected by the Association?

Welgevonden collects information relating to owners and tenants, including their names, email addresses, contact numbers, identity information and banking information.

Special personal information such as biometric information is also collected with the consent of the data subject. Children's biometric information is not collected.

Visitor and contractors' personal data such as identity information, car registration information and contact details are collected upon entrance to the estate.

3 3 Why is personal information processed by the Association?

Personal information is processed, as obligated by the Companies Act 71 of 2008 and the Association's Constitution, for the proper functioning and governance of the estate. The personal information collected is used to, *inter alia*, communicate with members, enforce security standards on the estate and effect the carrying out of third-party service providers' contracts.

Personal information held by the Association is used solely for the purpose for which it was originally collected and any further processing is done only if compatible with this original purpose.

3 4 Does the Association share personal information with third-parties?

Information will only be shared with third-parties to achieve the original purpose for which it was collected, and all contracts entered into with service providers will contain an agreement in terms of which the service provider undertakes to comply with POPIA and uphold all privacy procedures implemented by Welgevonden.

The Association undertakes to maintain a record of all personal information that has been shared to third parties, and will provide a description of the information shared and the identity of the third-party to whom it was shared at the request of a data subject.

3 5 How is personal information stored by the Association?

Hard copy files containing personal information are stored in a locked cabinet to which only the Information Officer, Estate Manager and Office Administrator has access to. Electronic copies of personal information are stored on a password protected cloud server which is monitored by a POPIA compliant third-party service provider. All personal information stored on the electronic mail or electronic devices of the estate's employees is password protected. Passwords are regularly changed and are not shared with anyone.

Personal information concerning owners and tenants is retained for a period of 5 (five) years from the date that the data subject ceases to be an owner or tenant.

Personal information collected from employees and third-party service providers is retained for a period of 3 (three) year from the date of contract termination.

Personal information collected from visitors is retained for a period of 1 (one) year.

Personal information of trustees is retained indefinitely.

3 6 How is personal information destroyed by the Association?

Upon the expiry of the retention period, hard copies of personal information held by Welgevonden is shredded and disposed of, and electronic copies are removed from the server and deleted from electronic devices.

Any other records of personal information are shredded and disposed of as soon as reasonably practicable after Welgevonden is no longer authorised to retain them.

3 7 How is personal information maintained by the Association?

Welgevonden implements and maintains reasonable and commercially acceptable security procedures and practices to prevent the unauthorised access, destruction, use, modification or disclosure of the personal information held.

All changes made to personal information must be requested by the data subject through use of the required form and are reviewed by the Information Officer.

4 CHANGES TO THIS PRIVACY POLICY

Amendments to this data protection and privacy policy may be necessary subsequent to a change in data protection legislation or a change in our operations. All changes will be made available at our registered office and on our website.