

# Privacy Policy

## Introduction

This Privacy Policy explains how The Association of Corporate Treasurers of Southern Africa (ACTSA) processes your personal information in accordance with the requirements of the Protection of Personal Information Act, 4 of 2013 (“POPIA”). We are committed to protecting your privacy and ensure that your personal information is processed properly, lawfully, and transparently.

The Privacy Policy describes the type of personal information we collect, the purposes for which it is used, your rights regarding personal information about you, security measures and how you can review, object, and correct your personal information held by us.

We encourage all persons to read the Privacy Policy. By using our services or submitting personal information to ACTSA by any other means, you acknowledge that you consent, understand, and agree to be bound by this Privacy Policy and the way ACTSA processes personal information

IF YOU DO NOT AGREE WITH ANY PART OF THIS PRIVACY POLICY, PLEASE DO NOT USE ANY OF THE SERVICES.

## What is Personal Information?

As per the Protection of Personal Information Act, 4 of 2013, **“Personal Information”** means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to-

- (a) Information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;
- (b) Information relating to the education or the medical, financial, criminal or employment history of the person;
- (c) Any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
- (d) The biometric information of the person;
- (e) The personal opinions, views or preferences of the person;
- (f) Correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
- (g) The views or opinions of another individual about the person; and
- (h) The name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person;

In short, personal information is any information that can be used to personally identify a natural or juristic person. If any information we collect can personally identify you or a juristic person, or you or a juristic person are reasonably identifiable from it, we will treat it a personal information.

## What Personal Information Do We Collect?

Personal information that we collect may include but not be limited to:

**General Personal Information** Full name, contact details, email address, ID number, company name, VAT registration, residential address, postal address

**Members Information** In carrying out our duties to perform our services we may collect the following personal information (and the information above) Age, date of birth, disability, language, Special personal information such as gender, race, identifying

	numbers, location information, confidential and private information relating to employees and business operations
<b>Suppliers/Service Providers</b>	Name of company, bank details, address, contact details, email address, VAT number
<b>Employees</b>	Job title, bank details, income tax number, physical address, postal address, contact details, email address, ID number
<b>Prospective Employees</b>	CV's
<b>Visitors to Our Website</b>	Name and surname, email address, private and confidential information

You are not required to provide all this information. However, if you choose not to, we may not be able to provide you the requested service or complete your transaction. If you provide us with personal information of third parties, please make sure that you are authorised to do so.

When you browse our website, we may also collect information about your computer and your visits to the Website such as your IP address, geographical location, browser type, computing device for example tablet, personal computer, smartphone, the website you came from, length of visit and number of page views. We use this information to better understand how visitors use our website and how they can be improved to better meet your needs, as well as to gauge interest in our products and services and to improve our security measures. When you submit a web form such as to request more information, we can link these data to your email address.

Special personal information is processed in accordance with the legal requirements relating to such information. If you submit to us any personal information relating to your:

- racial or ethnic origin;
- political beliefs;
- philosophical or religious beliefs;
- biometric information or;
- your criminal behaviour

It will be handled in accordance with the legal requirements. The information will only be collected and processed:

- with your consent.
- if the processing is necessary for the establishment, exercise, or defence of a right or obligation in law.
- the processing is necessary to comply with an obligation of international public law.
- If any of the authorisations set out in s28 – s33 of POPIA exist.

We will always ensure that the processing of special personal information is done in a way that does not adversely affect your privacy to a disproportionate extent.

We will not use or disclose special personal information for purposes other than those for which it was collected unless we subsequently receive your consent to use it for another purposes.

## **Sources of Personal Information Collected by Association of Corporate Treasurers of Southern Africa**

We collect information directly from you unless it is unreasonable or impracticable to do so. Where possible, we will inform you what information you are required to provide to us and what information is optional.

Generally, the collection will occur when you:

- Contact us in person, by telephone or email.
- Visit our website.
- Connect with us via social media.
- Enter into an employment contract with us
- Through our Bulk Mailers

We may collect personal information about you when you:

- Make enquiries about our products and services.
- Subscribe to receive marketing from us.
- Referrals from third parties
- Request information (eg: brochures) from us
- When you provide information, or use our services, on social media

Unless you choose to do so under a pseudonym or anonymously, we may also collect your personal information when you complete surveys or provide us with feedback.

In some circumstances, it may be necessary for us to collect personal information about you from a third party. Where this occurs, we will rely on the authority of the person to act on behalf and you will be deemed to have consented to your personal information being collected by us and used and disclosed in accordance with this Privacy Policy.

Where you provide us with the information of a third party, you confirm that you have obtained the consent of such person or persons for us to process such information in terms of this Privacy Policy. You further confirm that you have made the other person or persons aware of this Privacy Policy.

You must let us know immediately if you become aware that your personal information has been provided to us without your consent or if you did not obtain the consent of another person or persons to provide us with their personal information.

### **Why Do We Collect Your Personal Information?**

Subject to the terms of this Privacy Policy, we will use your personal information only for the purposes for which it was collected and agreed with you.

We will only process your personal information for lawful purposes as set out below:

- To conclude or perform in terms of a contract.
- To comply with an obligation imposed by law on us as the responsible party.
- To protect your legitimate interests

- To pursue our legitimate interests or the legitimate interest of a third party to whom the information is supplied.
- If you have consented to the processing

Unless otherwise stated specifically the information may be used for the following purposes:

- to administer a service to you
- employee management and administration
- Transact with suppliers or service providers
- to gather contact information
- to respond to your enquiries and/or requests
- Internal accounting and administration
- Facilitate participation in loyalty programs.
- Identification of fraud and error
- Regulatory reporting and compliance
- To comply with our legal obligations and any applicable customs/immigration requirements relating to your travel

We do not sell, re-sell or distribute your personal information for re-sale.

We strive to maintain the quality, accuracy, and completeness of your personal information which we process. The quality of personal information degrades over time, and you can assist us by contacting us if there are any changes to your personal information or if you become aware that we have inaccurate personal information of you. We will not be held responsible for any losses arising from poor quality personal information which is inaccurate or incomplete, that is provided to us by yourself or person acting on your behalf.

#### **Disclosure of Personal Information to Third Parties**

We do not sell, rent, or trade any personal information to any third parties. We will only disclose your personal information to third parties as per the information set out in this Privacy Policy. We have notified all third parties who process your personal information on our behalf either through signed operator agreements or notification that we comply with the requirements of POPIA and expect them to treat your personal information with the level of security they would treat their own and in accordance with the requirements of POPIA (especially the requirements of Condition 7 – Security Safeguards).

We will not disclose any personal information without your consent unless we reasonably believe that the disclosure is required in terms of an obligation imposed by law, if it is necessary for the proper performance of a public law duty by a public body or to protect your legitimate interest or the legitimate interest of us or a third party (for example, to prevent a threat to your or another's health and safety).

#### **Transborder Flow of Personal Information**

In certain instances, we may disclose your personal information to third parties that are based in foreign countries. The transfer of this information will only be completed if:

- the third party who is the recipient of the information is subject to a law, binding corporate rules or binding agreement which provide an adequate level of protection.
- You consent to such transfer.

- The transfer is necessary for the performance of a contract between you and us, or for the implementation of pre-contractual measures taken in response to a request from you.
- the transfer is necessary for the conclusion or performance of a contract concluded between us and the third party that is in your interest; or
- The transfer is for your benefit and
  - it is not reasonably practicable to obtain the consent of the data subject to that transfer; and
  - if it were reasonably practicable to obtain such consent, the data subject would be likely to give it.

Although we will take every precaution, it is possible that your personal information will be transferred to a third party in a foreign country that is in a jurisdiction where you will not be able to seek redress under POPIA and does not have an equivalent level of data protection as in your jurisdiction. We will not be held liable for how such third parties process your personal information.

## **Security**

We are committed to protecting the security of personal information. While no security measures can guarantee against compromise, we use a variety of security technologies and procedures to help protect data from unauthorised access, use, or disclosure

We hold your personal information in:

- Computer systems
- Electronic databases

We have implemented and maintain appropriate technical and organisational measures to ensure a level of security appropriate to protect personal information and prevent:

- loss of, damage to or unauthorised destruction of personal information; and
- unlawful access to or processing of personal information.

Our website is protected by secure SSL server, and we have antivirus software as well as firewalls in place for further protection.

## **Retention of Data**

ACTSA will retain personal information only for as long as is necessary for the purposes set out in this Privacy Policy unless there is a valid technical, legal, or business reason for it to be deleted, destroyed or de-identified.

We may keep some of your personal information:

- For as long as it is required by law
- If it is required by a code of conduct
- If it is reasonably needed for lawful purposes related to our functions and activities; or
- If it is reasonably required for evidentiary purposes

If we ever require retaining your personal information for any other reason other than those mentioned above, we will inform you of the reasons and only keep it once we have obtained your consent to do so.

### **Direct Marketing Communications**

We may communicate with you using email and other channels as part of our effort to market our products or services, administer or improve our products or services, or for other reasons not stated in this Privacy Policy. You can withdraw consent to receive such direct marketing communications, as permitted in the legislation.

If you no longer wish to receive such correspondence, you may opt-out or UNSUBSCRIBE by clicking on the relevant link in any email communication you may have received. Further, you may express your communication preferences by contacting us by using the contact information in this Privacy Policy.

When we approach potential new clients, we will request their consent to send marketing information prior to sending such information.

### **Cookies, Device Data, and How it is Used**

Cookies are small files that websites save to your hard disk or to your web browser's memory. A cookie contains limited information, usually a unique identifier and the name of the website. When you use our website, we may use them to track how many times you have visited the website, to track the number of visitors to the website, your activity within the website, unique identifiers associated with your device, to store data you provide and to store technical information related to interactions with the website. Our cookies can only be read by the Association of Corporate Treasurers of Southern Africa, they do not contain any code or viruses and they do not contain any personal information.

We may automatically collect the following information about your use of the website through cookies, web beacons, and other technologies:

- Domain name.
- Browser type and operating system.
- Web pages you view.
- Links you click.
- IP address.
- Length of time to visit the website.
- Referring URL or the webpage that led you to the website.

We may also use session cookies, which are deleted when you close your browser, to store your user identification, to facilitate your movement around the website and other information useful in administering the session.

You may modify your browser settings to decline cookies or to notify you when a cookie is being placed on your computer or device. If you choose not to accept cookies, you may not be able to experience all the features of our website.

### **Your Rights**

The Right to be Notified

- You have the right to be notified when your personal information has been accessed or acquired by an unauthorised person.
- When this occurs, we will notify the Information Regulator and you of the breach as soon as reasonably possible after discovering the breach.
- This will be communicated to you in one of the following ways:
  - By mail (to last known address)
  - By email (to last known email address)
  - Placed in a prominent position on our website.
  - Published in the news or media.
  - As may be directed by the Information Regulator.

#### The Right to Establish Whether We Hold Your Personal Information and to Request Access to Such Information

- You have the right to be informed of whether we process personal information of you, receive a copy of such information and how we process your personal information.
- You can also request the above relating to any third parties.
- To do this, please use the contact details set out at the bottom of this Privacy Policy and specify what information you require.
- We will try and provide you with suitable means of accessing the requested information, where you are entitled to it.
- Note that you will be requested to provide identification before we can consider such requests.
- Requests for the personal information we hold will be done free of charge however a fee may apply for such information processed by third parties.
- There may be instances where we cannot grant access to your personal information. If we refuse access, we will give written reasons for the refusal.

#### The Right to Request Correction, Destruction or Deletion of Personal Information

- You may request us to correct or delete any information that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading, or obtained illegally.
- If you believe that any personal information that we hold about you is excessive or has been unlawfully obtained or that we are no longer authorised to retain it, you may ask us to destroy or delete it.
- If we do not agree that there are grounds for action, you may ask us to add a note to the personal information stating that you disagree with it.
- We will require a copy of your identification document to confirm your identity before we will release this information.

- Once this is completed, we will notify you of such

#### The Right to Object to Processing in Certain Circumstances

- You may object at any time to the processing of your personal information in the prescribed form on reasonable grounds to your situation unless legislation prohibits such objection.
- You can object to the processing of your personal information for the purposes of direct marketing at any time.

#### The Right to Submit a Complaint to the Information Regulator

- Any person may submit a complaint to the Information Regulator alleging interference with the protection of the personal information of a data subject.
- Interference with the protection of personal information means:
  - Any breach of the 8 conditions for the lawful processing of personal information
  - Non-compliance with section 22 (notification of security compromise), 55 (duty of confidentiality), 69 (direct marketing), 70 (directories), 71 (automated decision making) or 72 (transborder flow of information)
  - A breach of the provisions of a code of conduct.

#### The Right to Institute Civil Proceedings

- You (or the Information Regulator at the request of yourself) may institute civil proceedings for damages against you for a breach which you deem to be interference with the protection of your personal information.

#### The Right to Restrict the Processing of Personal Information

We will restrict the processing of Personal Information in the following circumstances:

- You have contested the accuracy of personal information, for a period which enables us to verify the accuracy of the information,
- The processing is unlawful, and you oppose the destruction or deletion and request us to restrict it instead.
- You have requested us to transmit the personal data into another automated processing system.

All requests must be made in the prescribed manner and form. The various forms are available from the Information Regulator.

#### **Complaints to the Information Regulator**

If you would like to make a complaint to the Information Regulator about the processing of your personal information, complete Form 5 available on the website of the Information Regulator. The Information Regulator's details are as follows:

Physical Address	JD House, 27 Stiemans Street Braamfontein Johannesburg
Postal Address	Postal Address PO Box 31533 Braamfontein 2017
Complaints	<a href="mailto:Complaints.IR@justice.gov.za">Complaints.IR@justice.gov.za</a>
General Information	<a href="mailto:infoereg@justice.gov.za">infoereg@justice.gov.za</a>

### Links to Other Websites

Our website may contain links to other websites. Although we try to link only to websites that share our high standards and respect for privacy, we do not control and are not responsible for the content, security or privacy practices employed by other websites. You should review the Privacy Policies of those websites to determine how they protect and use personal information. You hereby acknowledge and agree that ACTSA is not responsible for the privacy practices, data collection policies & procedures, or the content of such third-party sites, and you hereby release ACTSA from any and all claims arising out of or related to the privacy practices, data collection policies and procedures, and/or the content of such third-party sites.

### Declaration and Informed Consent

By receiving this Privacy Policy, you confirm that you understand the contents herein and consent to us processing your personal information as set out in this Privacy Policy. If you do not agree to anything contained herein and do not consent to the processing of your personal information, kindly contact us at the details set out below.

### Changes to this Privacy Policy

We may occasionally update this Privacy Policy. When we do, we will revise the “last updated” date as set out below. You should revisit this page periodically to become aware of the most recent amendments.

This Privacy Policy was last updated on 30 July 2021.

### Contact Us

If you have questions regarding this Privacy Policy or our handling of personal information, please contact us as follows:  
Email: [admin@actsa.org.za](mailto:admin@actsa.org.za)