

# **Fix Legal and Compliance Services Privacy Notice for Clients**

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## 1. Introduction

From the moment you express interest in the services of Fix Legal and Compliance Services ("Fix Legal") to the moment your client journey with us has come to an end, we will collect and use your personal information to provide you with access to our services.

This notice is about the kind of personal information we collect, how we use and store it, as well as your rights in terms of your personal information.

If you have any questions, please contact [Privacy@fixlegal.africa](mailto:Privacy@fixlegal.africa)

## 2. What This Privacy Notice Is About

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| <b>Who does this privacy notice apply to?</b>                 | <p>This notice affects every person who is a client or prospective client of Fix Legal.</p> <p>In terms of the Protection of Personal Information Act ('POPIA'), you are the data subject.</p>   |
| <b>Who are you sharing your information with?</b>             | <p>You are sharing your information with Fix Legal.</p> <p>Our registered address is:<br/>1 Casino Rd,<br/>Modderfontein,<br/>Johannesburg,<br/>1609</p> <p>In terms of POPIA, we process your information in our capacity as the responsible party.</p>   |
| <b>This privacy notice is part of our agreement with you.</b> | <p>This privacy notice forms part of our agreement with you. You should read it along with your Fix Legal contract.</p>  |
| <b>What kind of information we collect and how we use it.</b> | <p>As your service provider, we collect, use and retain your personal information.</p> <p>In most cases, the personal information we collect from you is mandatory. We must collect it to comply with the law or because we need it to provide our services to you.</p> <p>When we collect personal information from you that is not mandatory, we always have a specific purpose.</p> <p>If you choose not to provide us with the personal information we need, it will limit our ability to provide services to you. For example, if you do not provide us</p> |

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|   | with your email address, we may not be able to provide you with a proposal regarding our Legal, Governance, Risk Management and Compliance services.   |
| <b>What personal information is.</b>  | <p>Personal information is all information relating to a specific natural or juristic person.</p> <p>This includes information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to—</p> <ul style="list-style-type: none"> <li>(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;</li> <li>(b) information relating to the education or the medical, financial, criminal or employment history of the person;</li> <li>(c) any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;</li> <li>(d) the biometric information of the person;</li> <li>(e) the personal opinions, views or preferences of the person;</li> <li>(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;</li> <li>(g) the views or opinions of another individual about the person; and</li> <li>(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;</li> </ul> <p>It does not matter whether the information is held on paper or in an electronic or other format, it is still personal information and must be protected.</p> |
| <b>From time to time, we will change how we work with personal information, and we will use this notice to tell you about it.</b> | From time to time, we may have to change this privacy notice to accommodate changes in our business or changes to the law.   |

### 3. What Information We Collect

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| <b>The type of services we provide you with will determine the type of information we collect about you.</b> | The type of client information we collect and share depends on the service(s) we provide to you and any legal requirements. |
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| <p><b>We will collect information directly from you or third-party sources.</b></p> | <p>Most of the time we will collect your information directly from you and/or your officers. However, sometimes we will also collect information from other sources such as regulatory bodies, public records, publicly available information, government-issued sanctions lists or media sources.</p> <p>We may collect information about you from third party sources under the following circumstances:</p> <ul style="list-style-type: none"> <li>• With your consent (e.g. for us to do a credit check);</li> <li>• If the information is derived from a public record (e.g. the Deeds' Registry or CIPC records);</li> <li>• If we need the information to comply with an obligation imposed by law (e.g. income tax laws, anti-money laundering or bribery laws and other regulatory requirements);</li> <li>• If collecting the information from a third party source is necessary for maintaining our legitimate interests; and</li> <li>• If collecting the information directly from you would prejudice a lawful purpose of the collection.</li> </ul> |
| <p><b>Here is a list of the personal information that we collect about you.</b></p> | <p>We collect:</p> <ul style="list-style-type: none"> <li>• the personal information of your relevant business contact person or officers (such as name, contact number, email address, job title, and company department)</li> <li>• company name, contact details and billing details (e.g. physical or postal address)</li> <li>• financial statements</li> <li>• Company registration number</li> <li>• VAT number</li> <li>• in some cases, the names, ID numbers and contact details of your directors, members, shareholders or partners, accountants and/or auditors, and other service providers</li> <li>• financial data</li> <li>• information belonging to your employees</li> <li>• any other information which is relevant for us to provide you with our services.</li> </ul>  |
| <p><b>We also generate information about you in the form of records.</b></p>        | <p>We generate records of:</p> <ul style="list-style-type: none"> <li>• your billing profile</li> <li>• your payment history</li> <li>• any queries or calls you log with us</li> <li>• pricing analysis</li> <li>• your needs analysis.</li> </ul>  |

## 4. Why We Collect and Process Your Personal Information

- 4.1 We process your Personal Information, to further our contractual obligations with you. This is our legitimate business interests, as a Responsible Party.

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| <b>For what purpose do we process your Personal Information?</b> | <p>Personal information is essentially processed throughout the client journey. We process your Personal Information for one or more of the following purposes:</p> <ul style="list-style-type: none"> <li>• As part of our lead generation and client recruitment processes</li> <li>• To provide our services to you, to carry out a transaction with you and maintain our relationship;</li> <li>• Billing purposes, to invoice you for our services or send you the necessary documentation and process your payment;</li> <li>• Detection and prevention of fraud, crime, money laundering or other malpractice; and any legal proceedings.</li> <li>• Conduct regulatory and financial audits by internal and external auditors and regulators</li> <li>• Financial, regulatory and tax reporting</li> <li>• Communication, Marketing and Training – sending professional letters, emails or other correspondence and communications to prospective clients, this includes Direct marketing our services to you.</li> <li>• Conduct automated decision-making activities and engage in profiling as part of our business activities.</li> </ul> |
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- 4.2 We process your personal information either because it is in your or our legitimate interest to do so, because we are legally required to do so, or because you have given us permission.

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| <b>When is it in your legitimate interest for us to process your Personal Information?</b> | <p>When you contact us via email, or telephone, we use the information we collect to reply to, investigate, and resolve your query, complaint, or request.</p> <p>When we identify any of our other services which might be of interest to you.</p> |
| <b>When is it in our legitimate interest to process your Personal Information?</b>         | <ul style="list-style-type: none"> <li>• When we verify your information while conducting a compliance assessment.</li> </ul>   |

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|   | <ul style="list-style-type: none"> <li>• In cases where your account is in arrears when we process your information for debt collection purposes.</li> <li>• When we do quality assurance to maintain and improve the quality of the services, we provide to you.</li> <li>• When we conduct market or client satisfaction research.</li> <li>• When we do Information analytics for market research purposes.</li> </ul> |
| <b>When are we legally required to process your Personal Information?</b> | <p>In most circumstances, the Personal Information we collect about you is mandatory for us to comply with the law and for us to provide services to you.</p> <p>We will collect, use, and retain your personal information to ensure that we comply with laws governing insurance, tax, financial reporting amongst others.</p>  |
| <b>When do we rely on consent to process your personal information?</b>   | <p>We require your consent prior to processing your Personal Information when;</p> <ul style="list-style-type: none"> <li>• We send our marketing email or material to you.</li> <li>• You consent for us to use your Personal Information; you may withdraw your consent at any time.</li> </ul>   |

## 5. How We Share Your Information

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| <b>When are we obliged to share your Personal Information?</b> | <p>Here are some of the instances when we are required to share your information:</p> <ul style="list-style-type: none"> <li>• When you consent to the sharing of your Personal Information</li> <li>• When fulfilling client obligations requires information to be shared within associated companies for the execution of day to day business activities;</li> <li>• When required by law or a court (e.g. SARS, FSCA, the FIC etc.);</li> <li>• In connection with, any joint venture, merger, sale of company assets, consolidation or restructuring, financing, or acquisition of all or a portion of our business by or to another company and to our advisors and the advisors of the other company in such transactions.</li> <li>• we may share your information with companies who provide services on our behalf so we can do business (e.g. tax, auditors, IT, accountants, lead</li> </ul> |
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|   | generation, Information analytics, legal and other professional consultants); and  |
| <b>With whom do you share my Personal Information?</b>                                | <p>We may share your Personal Information with the following parties (as applicable):</p> <p><b>Authorities:</b> to respond to a request for information by a competent authority in accordance with, or required by any applicable law, regulation, or legal process; or where necessary to comply with judicial proceedings, court orders or government orders</p>   |
| <b>What reasonable measures are in place when we share your Personal Information?</b> | When sharing your Personal Information with our service providers or other parties, we take reasonable efforts to ensure that they implement appropriate physical, administrative and technical safeguards to protect your Personal Information and are not permitted to use Personal Information for any purpose other than the purpose for which they are provided with or given access to Personal Information. |
| <b>What Cross Boarder Transfer measures are in place?</b>                             | We do not transfer or transfer information outside the borders of South Africa.  |

## 6. How We Store Your Information

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| <b>How long do we retain your Personal information?</b> | <p>We retain your personal information for as long as we have a legitimate reason to keep it.</p> <p>These periods vary depending on the type of personal information, the reason why we originally collected it and if there is a specific retention period required by law.</p> <p>In the absence of a specific legal requirement, we will keep Personal Information for a reasonable period.</p> |
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## 7. How We Keep Your Information Secure

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| <b>What reasonable security measures are in place to protect your personal information?.</b> | We are committed to protecting your Personal Information from accidental or unlawful destruction, loss, alteration, unauthorized access, or disclosure by using a combination of physical, administrative, and technical safeguards and contractually requiring our service providers to whom we disclose your Personal Information to do the same. |
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|  | We base our security measures on the sensitivity of the personal information that we hold.  |
| <b>How often we monitor our systems for vulnerabilities and attacks?.</b>                        | We regularly monitor our systems for vulnerabilities. No system is perfect, and we cannot guarantee the security of your Personal Data and you are required to take reasonable steps to protect your Personal Data (e.g., by not sharing your passwords, choosing strong passwords and other measures). |
| <b>How will we keep you informed of any breaches that may affect your personal information?.</b> | <p>If something should happen, we have taken steps to minimise the threat to your privacy, and we will let you know if your personal information has been compromised.</p> <p>We will also let you know how you can help minimise the impact of the breach.</p>   |

## 8. Your Personal Information Rights

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| <b>We want you to handle the personal information of others with care and respect.</b> | This notice applies to your personal information, but it must also inform the way in which you treat the personal information of others.   |
| <b>You may ask us about your personal information.</b>                                 | You have the right to know when we collect and use your personal information, and to ask us what we know about you and what we do with that information.   |
| <b>You may access your personal information.</b>                                       | <p>You may ask to access your own personal information by contacting <a href="mailto:Privacy@fixlegal.africa">Privacy@fixlegal.africa</a></p> <p>We may take up to one month to respond to your request and may charge a fee in some circumstances. We will let you know if this is the case.</p>  |
| <b>You have control over your personal information.</b>                                | <p>You may:</p> <ul style="list-style-type: none"> <li>ask that we update incorrect personal information, or complete personal information that may be incomplete;</li> <li>ask that we delete your personal information;</li> <li>ask to receive your personal information in a structured, commonly used and machine-readable format;</li> <li>ask that we reuse your personal information for your own purposes across different services;</li> <li>object to the processing of your personal information under certain circumstances;</li> <li>object to automated decision-making and profiling;</li> </ul> |

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|  | <ul style="list-style-type: none"> <li>• ask that a human review any automated decisions that we make about you, express your point of view about it, and obtain an explanation of the decision. You may challenge any automated decision made about you; and</li> <li>• ask that we restrict our use of your personal information.</li> </ul> |
| <b>You have the right to unsubscribe.</b>                                      | You have the right to unsubscribe from any direct marketing we send you.   |
| <b>You have the right to lodge a complaint with the Information Regulator.</b> | You can contact the Information Regulator at <a href="mailto:inforeg@justice.gov.za">inforeg@justice.gov.za</a>  |