

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

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## 1. Introduction

From the moment we enquire about using your goods or services, to the moment our business relationship ends, we collect and use your personal information so that, for instance, we can use your goods or services.

This notice is about what kind of personal information we collect, how we use and store it, and the rights you have 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

<b>Who does this privacy notice apply to?</b>	<p>This notice affects every person who is a supplier, service provider and/or potential supplier or service provider 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: 1 Casino Rd, Modderfontein, Johannesburg, 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 with the terms and conditions that apply to any agreement we might have with you.</p>
<b>What kind of information we collect and how we use it.</b>	<p>Because we use your goods or services, we collect, use and retain your personal information.</p> <p>In most circumstances, the personal information we collect from you is mandatory. This means that we must collect it to comply with the law or because we need it to perform in terms of our agreement with you.</p> <p>When we collect personal information from you that is not mandatory, we always have a specific purpose for collecting that information.</p>

	If you choose not to provide us with the personal information we need, it will limit our ability to perform in terms of our agreement. For example, if you do not provide us with your banking details, we may not be able to pay you for the goods or services you supplied.
<b>What personal information is.</b>	<p>Personal information is all information relating to a specific individual.</p> <p>This includes contact information, information relating to your race, gender, sex, pregnancy status, marital status, ethnic or national origin, sexual orientation, physical or mental health, disability, religion, belief, culture, language, education background, financial information, criminal behaviour, employment history, personal opinions, views or preferences, and private or confidential correspondence.</p> <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

<b>The type of services we provide you with will determine the type of information we collect about you.</b>	The type of supplier/service provider information we collect and share depends on the nature of the goods or services you supply and any legal requirements.
<b>We will collect information directly from you or third-party sources.</b>	<p>Most of the time we collect your information directly from you. However, sometimes we also collect information from other sources such as a registered credit bureau, public records, publicly available information, government-issued sanctions, lists, or media sources. We may collect information about you from third-party sources when:</p> <ul style="list-style-type: none"> <li>• you give us your consent;</li> <li>• we can find the information from a public record (e.g., CIPC records);</li> <li>• we require the information to comply with a legal obligation (e.g., income tax laws, anti-money laundering or bribery laws and other regulatory requirements);</li> <li>• it is necessary to collect the information from a third-party source to maintain our legitimate interests; and</li> </ul>

	<ul style="list-style-type: none"> <li>• it is in our legal interest not to collect the information from you (e.g., if we need to verify information about you in a background check).</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>• your company name, contact details and billing details (e.g., physical and postal addresses, banking details)</li> <li>• your CIPC number</li> <li>• your VAT number</li> <li>• BBBEE certificate details</li> <li>• tax compliance status issued by SARS or a Tax Clearance certificate</li> <li>• company profile</li> <li>• proof of insurance</li> <li>• proof of registration with a professional body</li> <li>• details of previous projects</li> <li>• in some cases, the names, ID numbers and contact details of your directors, members or partners, your business contact person or officer</li> <li>• personal information about your agents if you appointed agents (such as a person or company who manages your property)</li> <li>• any other information that is relevant so that you could supply us with specific goods or 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>• minutes of meetings and reports about a potential supplier/service provider's suitability to supply us with goods or services</li> <li>• online profiles of all our registered suppliers which we use for payment and other day-to-day administration purposes</li> <li>• our purchasing patterns with all of our suppliers</li> <li>• correspondence between all potential suppliers or suppliers and our employees</li> <li>• any queries or calls you log with us</li> <li>• your billing profile</li> <li>• your payment history</li> <li>• pricing 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.

<p><b>We need your personal information to manage our relationship with you and run our business.</b></p>	<p>We need your personal information to manage our relationship with you and to run our business. Your personal information is used to:</p> <ul style="list-style-type: none"> <li>• assess your application to become a supplier/service provider (this includes assessing whether you have a conflict of interest, whether you comply with South African legislation, and whether you have the minimum requirements necessary to be a supplier);</li> <li>• communicate with you about the goods or services you supply;</li> <li>• process your invoice for payment and/or set off our debt against payments due by you;</li> <li>• send you legal documents;</li> <li>• ensure the quality of the goods we buy from you;</li> <li>• monitor and audit your and our compliance with our contract;</li> <li>• monitor your service to us and our service to you;</li> <li>• deal with any safety incidents (such as a product recall); and</li> <li>• create, manage and maintain our supplier databases, including organisational charts.</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.

<p><b>We process some personal information because it is in your legitimate interest to do so.</b></p>	<p>When you contact us by email or telephone, we use the personal information we collect to reply to, investigate, and resolve your query, complaint, or request.</p>
<p><b>We process some personal information because it is in our legitimate interest to do so.</b></p>	<p>We process your personal information by:</p> <ul style="list-style-type: none"> <li>• verifying your information through a background check;</li> <li>• analysing our monetary expenditure with you to ensure that we obtain our goods and services in an efficient, on-demand manner and to help us detect fraud and inconsistencies. When we do analytics,</li> </ul>

	<p>we will use your information anonymously as far as we can. We will only provide results of our analytics to third parties if it is anonymous; and</p> <ul style="list-style-type: none"> <li>• monitoring the correspondence between you and our employees to ensure compliance with our internal policies.</li> </ul>
<b>We are legally required to process some personal information.</b>	<p>We will process your personal information to ensure that we comply with income tax, financial reporting laws, and other legislation. We will use your personal information to:</p> <ul style="list-style-type: none"> <li>• perform internal, external, and compliance audits;</li> <li>• create financial and tax reports;</li> <li>• detect and prevent fraud, crime, money laundering or other malpractice; and</li> <li>• engage in any legal proceedings.</li> </ul> <p>Here are some legislation, reports and regulations that determine why we process your personal information:</p> <ul style="list-style-type: none"> <li>• Financial Intelligence Centre Act 38 of 2001</li> <li>• Income Tax Act 58 of 1962</li> <li>• Electronic Communications and Transactions Act 25 of 2002</li> <li>• Prescription Act 68 of 1969</li> <li>• Companies Act 71 of 2008</li> </ul>
<b>We process some personal information with your consent.</b>	<p>If you consent to receiving our newsletter, we will send it to you. You can unsubscribe at any time by following the unsubscribe link at the bottom of the email, or by contacting us.</p> <p>We will ask for your consent before we do a credit check on you should the National Credit Act 34 of 2005 and its regulations require that we obtain consent.</p>

## 5. How We Share Your Information

<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 supplier obligations requires information to be shared within associated companies for the execution of day to day business activities.</li> </ul>
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	<ul style="list-style-type: none"> <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 generation, Information analytics, legal and other professional consultants).</li> </ul>
<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>	<p>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.</p>
<b>What Cross Boarder Transfer measures are in place?</b>	<p>We do not transfer or transfer information outside the borders of South Africa</p>

## 6. How We Store Your Information

<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

<b>What reasonable security measures are in place to protect your personal information?</b>	<p>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.</p> <p>We base our security measures on the sensitivity of the personal information that we hold.</p>
<b>How often we monitor our systems for vulnerabilities and attacks?</b>	<p>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).</p>
<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

<b>We want you to handle the personal information of others with care and respect.</b>	<p>This notice applies to your personal information, but it must also inform the way in which you treat the personal information of other suppliers, job applicants, clients, and employees.</p> <p>We also have client, job applicant and employee privacy notices which will give you a good idea of how their information must be treated, however the principles are the same.</p> <p>These notices are supported by specific rules, procedures and policies that apply to employees who handle the personal information of employees, clients, service providers, and job applicants.</p>
<b>You may ask us about your personal information.</b>	<p>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.</p>

<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> <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>	<p>You have the right to unsubscribe from any direct marketing we send you.</p>
<b>You have the right to lodge a complaint with the Information Regulator.</b>	<p>You can contact the Information Regulator at <a href="mailto:inforeg@justice.gov.za">inforeg@justice.gov.za</a></p>