

Primerio Law Incorporated Protection of Personal Information (POPI) Privacy Policy (“Privacy Policy”)

1. Overview

1.1. Through this policy:

1.1.1. Primerio Law Incorporated ensures adherence and compliance with the Protection of Personal Information Act 4 of 2013 (“**POPIA**”).

1.1.2. Establishes processes to cater for proper retention of company confidential record retention and disposal.

1.2. Data Subjects should note that in using this site and other linked sites or portals, you Consent to the Processing of your Personal Information by Primerio Law Incorporated in accordance with the provisions contained herein, subject to the POPIA and provide your Consent thereto. If you do not Consent to Primerio Law Incorporated’s Privacy Policy, then please do not use this site.

2. Definitions:

2.1. “**Consent**” means any voluntary, specific and informed expression of will in terms of which permission is given for the Processing of Personal Information;

2.2. “**Child**” means a natural person under the age of 18 years who is not legally competent, without the assistance of a competent person, to take any action or decision in respect of any matter concerning him- or herself;

2.3. “**Data Breach**” means any incident in terms of which reasonable grounds exist to believe that the Personal Information of a Data Subject has been accessed or acquired by any unauthorised person;

2.4. “**Data Subject**” has the meaning ascribed thereto under POPIA;

2.5. “**De-identify**” has the meaning ascribed thereto under POPIA;

2.6. “**Direct Marketing**” means to approach a Data Subject, either in person or by mail or electronic communication, for the direct or indirect purpose of (a) promoting or offering to supply, in the

ordinary course of business, any goods or services to the Data Subject; or (b) requesting the Data Subject to make a donation of any kind for any reason;

- 2.7. **"Operator/s"** means a person or entity who Processes Personal Information for a Responsible Party in terms of a contract or mandate, without coming under the direct authority of that Responsible Party;
- 2.8. **"Personal Information"** has the meaning ascribed thereto under POPIA and specifically includes any form of information that can be used to identify a Data Subject;
- 2.9. **"Processing"** has the meaning ascribed thereto under POPIA and Process/ed has a corresponding meaning;
- 2.10. **"Record"** has the meaning ascribed thereto under POPIA;
- 2.11. **"Regulator"** means the Information Regulator established in terms of section 39 of POPIA;
- 2.12. **"Responsible Party"** means a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means for Processing Personal Information.
- 2.13. **"Third-Party"** means any independent contractor, agent, consultant, sub-contractor or other representative of Primerio Law Incorporated.

3. Retention of Personal Information

- 3.1. Primerio Law Incorporated may keep Records of the Personal Information, correspondence, or comments it has collected in an electronic or hardcopy file format. In terms of POPIA, Primerio Law Incorporated may not retain Personal Information for a period longer than is necessary to achieve the purpose for which it was collected or Processed and is required to delete, destroy or de-identify the information as soon as is reasonably practicable once the purpose has been achieved.
- 3.2. This prohibition will not apply in the following circumstances:
 - 3.2.1. where the retention of the Record is required or authorised by law or by any Government authority;

- 3.2.2. Primerio Law Incorporated requires the Record to fulfil its lawful functions or activities;
 - 3.2.3. retention of the Record is required by a contract between the parties thereto;
 - 3.2.4. the Data Subject (or competent person, where the Data Subject is a Child) has Consented to such longer retention; or
 - 3.2.5. the Record is retained for historical, research, archival or statistical purposes provided safeguards are put in place to prevent use for any other purpose.
- 3.3. Accordingly, Primerio Law Incorporated will, subject to the exceptions noted in this Privacy Policy, retain Personal Information for as long as necessary to fulfil the purposes for which that Personal Information was collected and/or as permitted or required by applicable law.
- 3.4. Where Primerio Law Incorporated retains Personal Information for longer periods for statistical, historical, archival or research purposes, Primerio Law Incorporated will ensure that appropriate safeguards have been put in place to ensure that all Recorded Personal Information will continue to be Processed in accordance with this Policy and applicable laws.
- 3.5. Once the purpose for which the Personal Information was initially collected and Processed no longer applies or becomes obsolete, Primerio Law Incorporated will ensure that the Personal Information is deleted, destroyed or de-identified. In instances where we de-identify your Personal Information, Primerio Law Incorporated may use such de-identified information indefinitely.
- 3.6. Records within the following known categories will require retention, namely:
- 3.6.1. Documents related to required internal and external audits;
 - 3.6.2. Customer agreements and contracts;
 - 3.6.3. Electronic communication (email);
 - 3.6.4. Relevant financial documents; and
 - 3.6.5. Personal Information obtained from clients during the course and scope of fulfilling a mandate.

4. Any other copies used for backup are not subject to this policy unless relevant to POPI, in which case they are to be dealt with in the appropriate manner to comply with the POPI Privacy Policy. Also excluded from the list above are any documents or Records already contained in a Third Party system and subject to their own relevant policies.
5. Any information which is received and Processed is typically covered by the following business practices:
 - 5.1. Emails received in the course of normal business correspondence, which may contain the sender's personal information as part of their email signature is deemed as having provided tacit permission to use this information in the normal course of business.
 - 5.2. Personal information that is used for contracts signing and authorization.
6. We do not acquire more information about you than is necessary for us to provide our services efficiently.
7. Where reasonably possible to do so, a Data Subject will be notified when their personal information is updated, changed or destroyed.
8. The information which you provide us through the use of our website will be Processed purely for the purposes provided to you at the point of collection or in this Privacy Policy, as an example we may use your Personal Information to contact you or work related matters. We ensure all our employees are aware of their responsibilities to protect the privacy of your Personal Information and we have internal privacy policies and controls in place to safeguard your Personal Information.
 - 8.1. we may, however, on occasion use your information for the following purposes: (a) for business development; (b) market research; (c) to provide you with details of promotions, products, offers and services.
 - 8.2. We may need to transfer your information to Third Parties for purposes of our business operations, however in the instance that the transfer is not for purposes of business operations, we will not transfer your information to other Third Parties without your Consent unless it is required by law.

- 8.3. Should you provide us with your details on this website or by virtue of being a customer of Primerio Law Incorporated you Consent to allow Primerio Law Incorporated to utilise your Personal Information for Direct Marketing purposes.
- 8.4. Each time we send you marketing information by e-mail or SMS text messaging, we will provide an opportunity for you to unsubscribe from receiving further information from us. Primerio Law Incorporated will not use your Personal Information to send you marketing materials if you have requested not to receive them.
- 8.5. If you request that we stop Processing your Personal Information for marketing purposes, Primerio Law Incorporated shall do so.
- 8.6. Please also note that you may have provided your details to Primerio Law Incorporated outside of the use of this website, in which instance we may already have permission to provide marketing communications to you.

9. **How we protect the information we Process**

- 9.1. We have implemented privacy and security controls for the purpose of protecting the Personal Information we collect and to provide for the use thereof within our organisation.
- 9.2. The repository is secured via standard security policies and subject to limited access only to authorized personnel.

10. **The accuracy of your information**

- 10.1. We shall assume that in the absence of evidence to the contrary, the Personal Information you provide us with is accurate. You may also update, correct or direct queries relating to your Personal Information held by Primerio Law Incorporated in writing to us at info@primerio.international.

11. **Links**

- 11.1. Our web-site contains links to other web sites belonging to Third Parties, which we do not control. When you leave our web-site please ensure that you have read that Third Party site's privacy policy.

12. Changes to the Privacy Policy

12.1. We reserve the right, at our sole discretion, to modify, add or remove sections of this Privacy Policy at any time and your continued use of this website, following the changes to this Privacy Policy, will be deemed as your acceptance and Consent thereof.

13. Data Breach

13.1. A Data Breach could happen for many reasons, which include:

13.1.1. loss or theft of data or equipment on which Personal Information is stored;

13.1.2. inappropriate access controls allowing unauthorised use;

13.1.3. equipment failure;

13.1.4. human error;

13.1.5. unforeseen circumstances, such as a fire or flood;

13.1.6. deliberate attacks on systems, such as hacking, viruses or phishing scams; and/or

13.1.7. alteration of Personal Information without permission and loss of availability of Personal Information.

13.2. Should it be discovered that Personal Information may have been accessed or acquired by an unauthorized person, every effort will be made to appropriately notify the Regulator and the Data Subject as soon as reasonably possible after Primerio Law Incorporated has become aware of any Data Breach in respect of a Data Subject's Personal Information.

14. Which Laws Apply

14.1. This Privacy Policy will be governed by the laws of the Republic South Africa. You Consent to the jurisdiction of the South African courts for any dispute which may arise out of this Privacy Policy.