

THE PROTECTION OF PERSONAL INFORMATION ACT

POPIA – South Africa’s new data protection law, in brief

The EU’s General Data Protection Regulation (GDPR) is no longer only just a European privacy law, it has also become a global privacy standard and the speed with which this standard is spreading around the world is increasing, ensuring a higher level of protection of end-user privacy on the Internet.

Enforcement of POPAI in South Africa began July 1st 2021

CUSTOMER PRIVACY NOTICE

Introduction

We at GAC Risk Solutions respect your right to privacy and are committed to protect your privacy by ensuring that your personal information is collected and used properly, lawfully, and transparently.

Where we refer to “personal Information”, it’s the term used as defined in the Protection of Personal Information Act, 4 of 2013 (“POPI”).

Where we refer to “Personal Data”, it’s as per the General Data Protection Regulation 2016/679 (“the GDPR”).

Personal Information includes any information about a person that can be used to identify a person directly or indirectly. It includes information like an identification number, name, location information, an online identifier or one or more factors specific to the physical, physiological, genetic, mental, cultural, economic, or social identity of a specific individual.

POPI includes the personal information of juristic persons in its ambit – Therefore, we are fully committed to protect the personal information of juristic persons in the same manner as any other person’s personal information.

Where applicable, this privacy policy applies in addition to any other agreement that you enter into with us including any letter of engagement and/or contract signed that you agreed to when you become our client.

The personal information we collect

- Personal details, such as your name, telephone number, email address, and location.
- Billing information, such as relevant payment information, VAT registration number, company deals and/or physical address.
- Legally required information, which includes any additional information that the law requires from us to verify your identity.

How we collect personal information

- Directly from you upon signed contract agreement and/or when you use our website or any of our services such as our communication/information groups such as WhatsApp and by personally requesting information from you which might be required additionally.
- We collect information from third parties (Limitedly) and only where such information is publicly available or for the purpose of legitimate lawful business purposes.
- Through the use of cookies, which are mainly used to identify visitors that return to our website. You, however, have the full right to prevent us from doing so through a setting on your browser. Cookies only store information from your browser and cannot access data on your device.

How we use your personal information

We use your information only for legitimate business purposes relating to our services and/or business activities. This includes:

- To confirm and verify your identity or to verify that you are an authorized user for security purposes;
- Providing you with our services;
- Sending you relevant information (Newsletters, Incident Reports, Promotions, Invitations to an event etc.);
- Responding to your queries posted on our website, emails, and social groups/platforms where you are a participating member;
- Improving our services and website by analyzing selected information collected, including cookies and other related information;
- For audit and record keeping purposes;
- Referring you to other service providers with whom we have Service Level Agreements;
- Conduct market or customer satisfaction research or for statistical analysis;
- In connection with legal proceedings.

Sharing your personal information

Your personal information will only be shared for the purpose of providing services to you or any other legitimate business purposes relating to our business activities, including but not limited to, the protection of our or your rights, complaints, marketing, or enforcing any agreement between us.

We may disclose your personal information to our service providers who are involved in the delivery of products or services to you. We have agreements in place to ensure that they comply with the privacy requirements as required by the Protection of Personal Information act.

Where the law requires us to do so, we may also share your personal information with third party service providers, employees, business affiliates, agents, contractors, and law enforcement agencies. This information will only be shared on the terms that it is deemed necessary for the third parties to perform their obligations and /or to render their services in its full capacity.

We may transfer your information cross border for our legitimate business purposes, such as for cloud storage and for our billing practices. All information transfers will comply with the applicable laws.

Marketing

When you become a client, you will be added to our mailing list as well as our selected social media platforms. You will have the full right to remove yourself from any/all platforms by yourself (where applicable) should you not wish to participate to the relevant platform(s). Should you not be successful in the self-removal process and/or unsubscribing procedures, you are more than welcome to personally request your removal by sending us an email to: info@gacriskolutions.co.za

If you have unsubscribed or were removed from our mailing list or any other platforms, we may still contact you with regards to providing you with services or to collect outstanding fees. In these instances, the relevant GAC Representative will contact you directly and not through the mailing list.

We use our mailing list to send you important information about our business, account related matters, services we offer, legal development, news, and event invitations.

You can also add yourself to our mailing list on our website: www.gacriskolutions.co.za

Information Security

We are legally obliged to provide adequate protection for the personal information we hold and to stop unauthorized access and use of personal information. We will take all reasonable steps to ensure that your personal information is protected.

Our security policies and procedures cover:

- Computer and network security;
- Secure communications;
- Retention and disposal of information;
- Governance and regulatory issues;
- Strict monitoring access and usage of private information;
- Investigating and reacting to security incidents;
- Access is only permitted to those employees who require it to fulfil their designated duties and responsibilities.

Your Rights: Access to information

You have the right to request a copy of the personal information we hold about you. To do this, simply contact us at the numbers/addresses as provided on our website and specify what information you require. We will need a certified (not older than three months) copy of your ID Document to confirm your identity before providing details of your personal information.

Please note that any such access request may be subject to a payment of a legally allowable fee.

Links on our website

We may include links to/from other third-party websites which do not fall under our supervision. We cannot accept any responsibility for your privacy or the content of these websites, but we display these links to make it easier for you to find information related to specific subjects.

To ensure acquaintance with and awareness of the privacy measures and policies of GAC Risk Solutions, the users/clients/members is urged to take care to read and understand the underlying privacy clause incorporated in these T/C's.

While GAC Risk Solutions and all its employees will take reasonable care to safeguard the information provided by all users/clients/members from unauthorized access or disclosure, GAC Risk Solutions, the director and employees do not guarantee that the safeguards will provide absolute protection to the users/clients/members. None of the above-mentioned entities or persons will and can be held responsible for any damages you or any third party may suffer as a result of the transmission of confidential or disclosed information that you make to GAC Risk Solutions through the internet, or that you expressly or implicitly authorize GAC Risk Solutions to make, or for any errors or any changes made to any transmitted information.

If the user posts unsolicited content or other information to the website or any other GAC generated social group/platform and does not indicate otherwise, the user grants GAC non-exclusive, royalty-free, perpetual, irrevocable, and fully sub-licensable, rights to use, reproduce, modify, adapt, publish, translate, create derivative work from, re-create, distribute, and display such information throughout the world in any media.

Warrants

User/client and/or member warrants that all information provided/posted to GAC is accurate and that by the time of supply of the information to GAC there were no violation to this policy and that it does not infringe the rights of any person or entity. The user/client/member indemnifies GAC for all claims resulting from the receipt by GAC of the information the user/client/member supply. GAC takes no responsibility and assumes no liability for any information posted by the user/client/member or any third-party.

All intellectual property, including copyright, goodwill, or trademarks used on or in relation to the website is owned by GAC Risk Solutions and is protected by law, including but not limited to, the Trademark Act 194 of 1993, the Copyright Act 98 of 1978 as well as the common law of South Africa. None of the materials may be copied, modified, reproduced, published, uploaded, posted, transmitted, or distributed in any form or by any means without the prior written consent of the Company Owner/Director of GAC Risk Solutions. All/any unauthorized use of the copyright, trademarks or other intellectual property rights appearing on our website may result in criminal and/or civil charges.

Lodging a complaint

If you believe that we are using your personal information unlawfully, please let us know first on (info@gacriskolutions.co.za) OR contact us on (079 453 4677)