

# **ZINI RIVER ESTATE HOMEOWNERS' ASSOCIATION (“ZREHOA”)**

**PRIVACY POLICY**

2022

*e*

## PRIVACY POLICY

**This Policy is supported or expanded on by way of other policies recorded in the ZREHOA's POPI.**

### **1. PRIVACY POLICY STATEMENT**

- 1.1. ZINI RIVER ESTATE has been designed to provide a gracious and secure lifestyle for its residence and is committed, in line with the Protection of Personal Information Act, No 4 of 2013 ("POPI Act"), to also protect the privacy of all its data subjects which in particular include all members, their households, tenants, visitors invitees, service providers employees or members off the public ("the data subject) with whom ZREHOA interacts.
- 1.2. Personal information is information that personally identifies you (e.g. your full names, your identity number, telephone number, address etc.) but depending on the purpose for which it is required, may include more sensitive information, such as biometrical information and financial information. Any information that is freely available or accessible in public domain or furnished under PAIA or any other law shall not be regarded as sensitive Personal Information.

### **2. GENERAL**

#### **2.1. Validity and binding nature of this Privacy Policy**

- 2.1.1. This Privacy Policy governs your relationship with us and constitutes a valid and binding agreement between you, the data subject, and the ZREHOA.
- 2.1.2. The Electronic Communications and Transactions Act 25 of 2002 ("ECTA") provides for valid and binding contracts to be concluded in electronic format and to be established over the internet. Contracts concluded electronically are thus the functional equivalent of contracts concluded on paper.

#### **2.2. Amended or updated terms**

- 2.2.1. We reserve the right, and may in our sole discretion choose to amend our Privacy Policy at any time and in any manner that we deem appropriate. This includes the right to change, modify, add or remove portions or the whole of our Privacy Policy from time to time.
- 2.2.2. It is your responsibility to check our Website regularly to take notice of any changes we

may have made to this Privacy Policy and ensure that you remain aware of and agree with the provisions of our Privacy Policy. Any amendments hereto shall be effective immediately as of the posting thereof and shall automatically bind you without further notice. Your continued use of our Website, facilities and services following the posting of any amendments to this Privacy Policy shall signify your acceptance of such amendments and your agreement to be bound thereby.

### **3. PROTECTION OF PERSONAL INFORMATION**

- 3.1. We respect your right to privacy, as contained in section 14 of the Constitution of the Republic of South Africa 108 of 1996, and which forms the cornerstone of the Protection of Personal Information Act 4 of 2013 ("POPIA").
- 3.2. In order for us to assist you, it may be necessary for you to share some of your personal information with us from time to time.
- 3.3. We will take all reasonable steps to protect the personal information of users on our Website. For the purposes of this section, "Personal Information" will be understood in accordance with the definition provided in POPIA. Any such Personal Information that you may share with us, and the reasons why such information is required, will depend on the nature and scope of your relationship with us.
- 3.4. We subscribe to the principles for electronically collecting Personal Information outlined in POPIA, and the further legislation referred to therein, and are committed to maintaining the integrity and confidentiality of Personal Information in our possession.
- 3.5. We use suppliers and service providers who we trust to provide services to us and sometimes that may involve sharing your information with them. They operate under strict requirements aimed at keeping your Personal Information secure and confidential and they will only use such information for the purpose for which we have sent it to them.
- 3.6. While we may transfer and outsource your Personal Information for operational reasons and to execute our instructions, all Personal Information submitted or provided by you will be treated confidentially and we will not sell, rent, lease or disclose your Personal Information to unauthorised third parties.
- 3.7. In the event that we are or become legally obliged to do so, we may of course also have to provide your Personal information to appropriate authorities or regulatory bodies.

### **4. PRIVACY STATEMENT**

- 4.1. Your information will not be used for any other purpose than that which is stated in this Privacy Policy. Other than in terms of paragraphs 3.5, 3.6 and 3.7 above, none of your information



held by us will be sold or made available to any third parties not stated herein without your prior written consent, and which shall be in line with the provisions related to the protection of Personal Information as set out in POPIA.

- 4.2. By agreeing to the terms and conditions contained in this Privacy Policy, you consent to the use of your Personal Information in relation to:
  - 4.2.1. The provision and performance of any services obtained from us.
  - 4.2.2. Informing you of changes made to our services offered.
  - 4.2.3. The provision of marketing related services to you by us.
  - 4.2.4. Responding to any queries or requests you may have.
  - 4.2.5. Developing a more direct and substantial relationship with data subjects for the purposes described in this paragraph.
  - 4.2.6. Understanding general user trends and patterns so that we can develop and support existing and ongoing marketing strategies.
  - 4.2.7. For security, administrative and/or legal purposes.
  - 4.2.8. The creation and development of market data profiles which may provide insight into market norms, practices and trends to help us improve our offering to you. Such information will be compiled and retained in aggregated form but shall not be used in any manner that may compromise the identity of a data subject.
  - 4.2.9. For any other purpose relating to providing products and services, and when we have a legal duty to use or disclose your information.
- 4.3. Other than in terms of paragraphs 3.5, 3.6 and 3.7 above, the Personal Information that we collect from our data subjects will only be accessed by our employees, representatives, service providers, consultants and other Homeowners on a need-to-know basis, and subject to reasonable confidentiality obligations binding such persons.
- 4.4. We store your Personal Information directly, or alternatively, store your Personal Information on, and transfer your Personal Information to, a central database. If the location of the central database is located in a country that does not have substantially similar laws which provide for the protection of Personal Information, we will take the necessary steps to ensure that your Personal Information is adequately protected in that jurisdiction.
- 4.5. Your information will not be stored for longer than is necessary for the purposes described in this Privacy Policy or as required by applicable law.



## 5. COLLECTION OF TECHNICAL INFORMATION

- 5.1. Technical information refers to all information that does not by itself identify a specific individual data subject.
- 5.2. As you navigate our Website, certain technical information may be passively collected by our web server through the use of 'cookies' and/or 'server logs' and by proceeding to use the Website you accordingly acknowledge and agree to this.

## 6. LOG FILES ON OUR WEBSITE

- 6.1. When you visit our Website, even if you do not request any services, we may collect information, such as your IP (Internet Protocol) address through which you access the internet, the name of your ISP (Internet Service Provider), your browser, the website from which you visit us, the pages on our Website that you visit and in what sequence, the date and length of your access to our Website, and other information concerning your computer's operating system, language settings, and broad demographic information. This information is used to help improve our Website, analyse trends, and to administer/run our Website effectively.
- 6.2. This information is aggregated as anonymous data and does not identify you specifically. However, you acknowledge that this data may be able to be used to identify you if it is aggregated with other Personal Information that you supply to us. This information is not shared with third parties and is used only by us on a need-to-know basis. Any individually identifiable information related to this data will never be used in any way different to that stated above, without your explicit permission.

## 7. COOKIES

- 7.1. The Website may use cookies and tracking technology depending on the features offered and as may be necessary from time to time.
- 7.2. A 'cookie' in this context refers to a file that is stored on your hard drive and which contains information about the preferences that you may have expressed during previous visits to the Website.
- 7.3. Cookies and tracking technology are useful for gathering information such as browser types, operating systems, tracking the number of visitors and/or users on the Website, and understanding how visitors and/or users use the Website.
- 7.4. Cookies help us personalise your online experience. Most web browsers automatically accept cookies, but you should be able to refuse cookies, or selectively accept certain cookies by adjusting the preferences in your browser settings.



- 7.5. Usage of a cookie is in no way linked to any Personal Information while you are browsing the Website and in general, Personal Information cannot be collected via cookies and other tracking technology. However, if you have previously provided or exposed personally identifiable information, cookies may be tied to such information.

## 8. EXTERNAL LINKS

- 8.1. The Website, including but not limited to the services made available via the Website (if any), may contain links to other third-party websites (including without limitation, social media platforms, payment gateways, appointment scheduling and/or live chat platforms) operated by parties other than us ("Third-Party Websites"), and over which we have no control. You are advised to use caution and discretion when searching or accessing such Third-Party Websites or clicking on Third-Party Website links.
- 8.2. Kindly take note that if you select a link to any Third-Party Website, you may be subject to such Third-Party Website's terms and conditions and/or other policies, which are not under our control or responsibility.
- 8.3. Users should evaluate the security and trustworthiness of any Third-Party Website before disclosing any Personal Information to them. We do not accept any responsibility for any loss or damage in whatever manner, howsoever caused, resulting from your disclosure to third parties of Personal Information.
- 8.4. Kindly be aware that ZRE+HOA is not responsible for the privacy practices or content of Third-Party Websites in any manner whatsoever.

## 9. SECURITY

- 9.1. We take your privacy and the security of your Personal Information seriously.
- 9.2. For this purpose, we –
- 9.2.1. have implemented reasonable and up-to-date security safeguards;
- 9.2.2. have in place reasonable technical (electronic) and organisational (non-electronic) security measures to protect your Personal Information against accidental or intentional manipulation, loss, misuse, destruction or against unauthorised disclosure or access to the information we process; and
- 9.2.3. regularly monitor our systems for possible vulnerabilities and attacks.
- 9.3. However, no data transmission over the internet can be guaranteed to be one hundred percent secure at all times. Thus, although we use reasonable endeavours to ensure the integrity, security and confidentiality of Personal Information submitted and/or obtained from



you, we cannot be held responsible for security breaches occurring in relation to the personal technology devices of users, such as, but not limited to, personal computers, tablets and mobile phones due to the lack of adequate virus protection software and/or spyware.

- 9.4. In addition to the above, subject to the provisions of POPIA and related legislation, the ZREHOA will not be held liable under any circumstances if Personal Information shared by yourself, in the manner as contemplated herein but which takes place at your own risk, is compromised, disseminated or otherwise disclosed through conduct outside our reasonable control, for example by means of hacking, infection by viruses, trojan horses or any other computer programming routines or software that are intended to damage, detrimentally interfere with, surreptitiously intercept or expropriate any system, data or Personal Information.
- 9.5. While we cannot prevent all security threats, or ensure and/or warrant the security of any Personal Information you provide us, we will continue to maintain and improve these security measures over time in line with legal and technological developments and will let you know of any breaches which affect your Personal Information.

## 10. YOUR RIGHTS AND PREFERENCES

- 10.1. You have the right to know what Personal Information we have about you, to correct it and to opt-out of any direct marketing.
- 10.2. In addition to the above, you have the right to:
- 10.2.1. ask what Personal Information we hold about you;
  - 10.2.2. ask what information was sent to our suppliers, service providers or any other third party;
  - 10.2.3. ask us to update, correct or delete any out-of-date or incorrect Personal Information we hold about you;
  - 10.2.4. unsubscribe from any direct marketing communications we may send you; and/or
  - 10.2.5. object to the processing of your Personal Information.
- 10.3. Please take note that it can take us up to 21 (TWENTY ONE) days to respond to your request in terms of this paragraph.
- 10.4. If you want us to delete all Personal Information we have about you, you will probably have to terminate all agreements you have with us. We cannot maintain our relationship with you without having some of your Personal Information.
- 10.5. We can refuse to delete your information if we are required by law to retain it or if we need it



to protect our rights.


## 11. CONTACT US

We welcome your comments regarding this Privacy Statement, please contact us by e-mail:

This Privacy Policy is available on Zini River Estate Homeowners Association's website at:  
[www.ziniriverestate.com](http://www.ziniriverestate.com)

Information Officers Name	Mrs. Rose Brown
Information Officers Email	estatemanager@zrehoa.co.za
Deputy Information Officers Name	Mrs. Jenny-Lynn Broadhurst
Deputy Information Officers Email	bookkeeper@zrehoa.co.za

The Information officer recommended the adoption of the policy:

DESIGNATION	APPROVAL DATE	SIGNATURE
Board of directors	30 August 2022	

Next review date: \_\_\_\_\_