



KYLAMI ESTATES HOME OWNERS ASSOCIATION

PRIVACY NOTICE

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1. Introduction

We respect the privacy of everyone who resides in, visits, or conducts business with Kyalami Estates Home Owners Association (KEHOA). We would like to inform you about the way we use your Personal Information. We recommend you read this Privacy Notice and Consent so that you understand our approach towards the use of your Personal Information. By submitting your Personal Information to us either directly or through the use of our website or electronic communications with us, you will be treated as having given your permission – where necessary and appropriate – for disclosures referred to in this policy. You acknowledge that you have reviewed the terms of this Privacy Notice and Consent to Use of Personal Information (the “Privacy Notice and Consent”) and agree that we may collect, use, and transfer your Personal Information in accordance therewith.

If you do not agree with these terms, you may choose not to provide any Personal Information, but this may impact on our ability to support you as a resident or supplier. This Privacy Notice and Consent shall be governed by and construed in accordance with the laws of South Africa. This Notice explains how we obtain, use and disclose your personal information, as is required by the Protection of Personal Information Act, 2013 (POPI Act). At KEHOA we are committed to protecting your privacy impact and to ensure that your Personal Information is collected and used properly, lawfully and openly.

2. Who We Are

Kyalami Estates is a secure residential estate with 24-hour security access control. The Estate is managed by a Home Owners Association which is incorporated as a non-profit company. Several companies provide services to KEHOA particularly related to security management.

3. Definition Of Personal Information

According to the POPI Act “Personal Information” means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person. The POPI Act, which has more specific examples if you need them, can be found at the following link:

www.gov.za/documents/download.php?f=204368

4. Collection Of Personal Information

We collect and process your Personal Information for the purpose of protecting the legitimate interests of KEHOA in ensuring a safe and secure environment for all persons present on the Estate from time to time. The type of information we collect will depend on the purpose for which it is collected and used. We will only collect information that we need for that purpose.

We collect information directly from you, where you provide us with your personal details, for example when you register for access or supply a product or services to us or when you submit enquiries to us or contact us. Where possible, we will inform you what information you are required to provide to us and what information is optional.

Examples of information we collect from you are:

- name
- address
- identity number

- email address
- telephone/cell number
- vehicle details

When you visit our website, we may collect information about you using technology which is not apparent to you, for example “cookies”. This enables our own system to recognise you when you visit our website again.

5. How We Use Your Information

We will use your Personal Information only for the purposes for which it was collected or agreed with you, for example:

- For audit and record keeping purposes
- In connection with legal proceedings
- To confirm and verify your identity or to verify that you are an authorised resident for security purposes
- To respond to your queries or comments
- We will also use your Personal Information to comply with legal and regulatory requirements or industry codes to which we subscribe or which apply to us, or when it is otherwise allowed by law.
- Where we collect Personal Information for a specific purpose, we will not keep it for longer than is necessary to fulfil that purpose, unless we have to keep it for legitimate business or legal reasons. In order to protect information from accidental or malicious destruction, when we delete information from our services we may not immediately delete residual copies from our servers or remove information from our backup systems.
- You can opt out of receiving communications from us at any time. Any communications that we send to you will provide you with the information and means necessary to opt out.

Information obtained by way of cookies when you access our website may be used to compile aggregate information about areas of our website that or visited most frequently, to enhance the content of our website and make your use of it easier. You can disable our use of cookies by configuring your browser accordingly.

6. Disclosure Of Personal Information

We may disclose your Personal Information to our business partners who are involved in providing security and access control services to KEHOA as well as to business partners who provide website hosting and development services to us, our professional advisors and auditors to the extent required for the performance of the services they render to us. We have agreements in place with these partners to ensure that they comply with these privacy terms and treat your Personal Information with the same care.

We may share your Personal Information with, and obtain information about you from:

- Third parties for the purposes listed above;

We may also disclose your information:

- Where we have a duty or a right to disclose in terms of law;
- Where we believe it is necessary to protect our rights.

- Where such information is already available in or derived from a public record or you have placed it in the public domain.
- Where it is necessary to prevent fraud or abuse, misuse or unauthorised use of our website.
- Where it is necessary to protect the personal safety of our estate and residents all with the public – if you provide false or deceptive information about yourself or misrepresent yourself as being another person, we may disclose such information to the appropriate regulatory and law enforcement bodies as we deem necessary.

7. Personal Information Security

We are legally obliged to provide adequate protection for the Personal Information we hold and to stop unauthorised access and use of Personal Information. We accordingly use all reasonable endeavours, having regard to accepted technology standards, to have in place and maintain electronic procedures and systems to ensure accuracy and to eliminate the risk of unauthorised access to, loss and misuse of all unlawful alteration of Personal Information. We will, on an on-going basis, continue to review our security controls and related processes to ensure that your Personal Information is secure.

Our security policies and procedures cover:

- Acceptable usage of personal information;
- Access to personal information;
- Computer and network security;
- Governance and regulatory issues;
- Investigating and reacting to security incidents.
- Monitoring access to and usage of personal information;
- Physical security;
- Retention and disposal of information;
- Secure communications;

When we contract with third parties, we impose appropriate security, privacy and confidentiality obligations on them to ensure that Personal Information that we remain responsible for, is kept secure.

We will ensure that anyone to whom we pass your Personal Information agrees to treat your information with the same level of protection as we are obliged to.

8. Access To Your Personal Information

You have the right to request, free of charge, that we confirm whether we hold any of your Personal Information. You also have the right to request a copy of the record of Personal Information we hold about you. To do this, simply contact us at the numbers/addresses listed on our website and specify what information you would like. We are entitled to take all reasonable steps to confirm your identity before providing details of your Personal Information and will accordingly require proof of your identity before providing you with such information.

Please note that any request for a copy may be subject to a payment of a fee (the amount of which we will notify you at the time of the request), as permitted in terms of the POPI Act.

9. Correction Of Your Personal Information

You have the right to ask us to update, correct or delete your personal information, where such information is inaccurate, irrelevant, excessive, out of date, incomplete misleading or was obtained unlawfully. You may also request us to destroy or delete any record of your personal information which we are no longer authorised to retain in terms of the POPI Act. We are entitled to and will take all reasonable steps to confirm your identity before making changes to Personal Information we may hold about you. We would appreciate it if you would take the necessary steps to keep your Personal Information accurate and up to date by notifying us of any changes we need to be aware of.

10. Retention Of Personal Data

KEHOA will retain your data in compliance with the POPI Act only for so long as is necessary to achieve the purpose for which the information was collected and/or processed or as may be required for us to comply with other applicable legislation or in terms of any contract between you and ourselves.

11. Automated Decision Making

KEHOA does not use Automated Decision Making in connection with your personal data.

12. Right To Object

In terms of the POPI Act section 18 (h) (iv) you have the right to object to the processing of your Personal Information as referred to in section 11(3) of the POPI Act.

13. Right To Lodge A Complaint

In terms of the POPI Act section 18 (h) (v) you have the right to lodge a complaint against us to the Information Regulator (South Africa) (IRSA). The IRSA contact details are:

<https://www.justice.gov.za/infoereg/contact.html>

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14. Changes To This Notice

Please note that we may amend this notice from time to time. Please check our website periodically to inform yourself of any changes.

15. How To Contact Us

If you have any queries about this notice or believe we have not adhered to it, or need further information about our privacy practices or wish to give or withdraw consent, exercise preferences or access or correct your personal information, please contact us at the numbers/addresses listed on our website www.kyalamiestates.co.za, or in the KEHOA PAIA Manual.