

GARLICHE & BOUSFIELD INC PRIVACY POLICY

We, at GARLICHE & BOUSFIELD INC, recognize the importance of client privacy and the sensitivity of the personal information that we may have on file concerning any individual. As legal practitioners we have a professional and ethical obligation to keep confidential all information we receive within an attorney - client relationship subject to the client's instructions to provide legal services. Further, we are committed to safeguarding the personal information we have or control concerning any individual, and this includes our employee, clients, service providers and anyone who is protected under the Protection of Personal Information Act ("POPIA"), save where we are obliged to disclose such personal information in the course of legal proceedings.

Garlicke & Bousfield Inc is registered as an incorporated company, regulated and authorised to practice as a law firm in Durban, Republic of South Africa.

Your privacy rights

Garlicke & Bousfield Inc manages your personal information in compliance with POPIA and will comply with any other laws of the Republic of South Africa, that promote the security and protection of personal information, as required.

Why we collect personal information

We collect personal information for the purposes of serving the legal and related needs of our clients, as well as in compliance with other legislation of the Republic of South Africa, such as the Financial Intelligence Centre Act ("FICA").

We require information to -

- understand, access and assist our clients with their ongoing legal needs,
- ensure information is accurate and up-to-date,
- collect information through legal means in relation to other individuals for the purposes of providing legal services to clients,
- maintain employee personal information in compliance with labour legislation,
- represent our clients in dispute resolution matters.

What personal information do we collect?

Personal information is any information that identifies an individual. We follow reasonable and prudent business practices to collect, use and disclose your personal information for the following purposes:

- providing legal services;
- when you visit our website, we may collect and store certain information about you;
- when you apply for a job with us;
- when you sign up for newsletters, updates, events and other marketing communications;

We may collect information about you from third parties:

- search services;
- when you interact with us on social media;
- when information is publicly available.

We will only collect special personal information (which includes information about your religion or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life, biometric information, or criminal behaviour) where necessary and only if we are legally permitted to do so. We will take extra measures to protect your special personal information, save when we are obliged to disclose such information as part of a legal process.

How do we collect personal information?

We collect information only by lawful means. When we make directed individual requests for relevant sensitive personal information from a particular organization or business, such as medical professionals or financial institutions, we will obtain written consent. Wherever possible we collect personal information directly from the owner. We may ask you for consent, before or during the first consultation or during the course of us representing you in a matter. Consent may be in writing, verbal or implied as necessary to further a client's legal needs and/or the course of business. Our privacy policy is a notice of the purposes for which we collect, use or disclose your personal information or business contact information.

Dependent on the legal services provided, with consent, we may obtain this relevant information from:

- clients, employees & service providers
- medical professionals
- public registries such the Deeds Office or the Master's Office
- financial institutions (for example to assess financial loss in a litigation or level of family support in a family matter)
- employers (for example, employment evidence for damage assessment)
- motor vehicle and driver licensing authorities

- law enforcement, if relevant
- investigators
- the discovery process
- documents provided to us to represent you.

How long we keep your personal information

We will only keep your personal information for as long as necessary to fulfil the purpose for which it was collected or processed. We may be required to keep your personal information for some time after our attorney – client relationship has ended. This may be so that we can fulfil certain legal, accounting, reporting, or other requirements.

Where we store it

Your personal information is stored by us on secure servers and physical filing systems in the Republic of South Africa.

Consent

- Our practice is to request either written or express oral consent, which may be given in person or over the telephone if the owner's identity is authenticated.
- If the owner volunteers to provide relevant personal information verbally or in writing, we assume that you are consenting to the collection, use and disclosure of your personal information as described in our Privacy Policy, or
- When you initiate contact with us, we may determine that consent has been implied for us to collect, use, and disclose personal information in a reasonable manner.
- In some situations, we will require express consent in writing, by the provision of a letter, application form, electronic signature, or other document authorizing certain activities.
- There are certain circumstances where we are required or permitted by law, to collect, use and disclose personal information without consent. We will handle all personal information confidentially and will substantiate the legal authority to collect, use and disclose personal information in these circumstances.

Under certain circumstances, we will disclose personal information without your consent:

- when we are required or authorized by law to do so, for example if a court issues a subpoena during the course of discovery of documents, and FICA requirements.
- when the use of the information is necessary to respond to an emergency that threatens the life, health or security of an individual or the public.
- when it is necessary to establish or collect our fees or disbursements incurred on your behalf; or
- if the information is already publicly known.

Use of information

We use personal information to provide legal advice and services to clients and to administer our legal practice incidental to providing legal services, such as client billing. With the owner's permission, we may send you information about our other legal services, or about new developments in the law. An owner may, at any time, withdraw his/her consent by notifying us, and we will not send you any such material.

We do not disclose or sell personal information or business contact information to any third party to enable them to market their products and services.

Who do we release information to?

When we release information about the owner, it is done to serve specific needs, while providing legal services. With the owner's consent, we may provide information to:

- Our staff and agents who use the information to for the reasonable business purpose of providing legal services.
- To a third party we contract with to provide administrative services to the law firm (like computer back-up services or archival file storage) and the third party agrees to comply with our privacy policy and privacy laws.
- Professionals working with us such as investigators, paralegals, and experts.
- Financial institutions.

Accuracy of information

The owners of the personal information have the right to request a correction of the personal information that we hold about them. We rely on the owner to provide us with accurate and up-to-date personal and business contact information for the purposes of providing legal services and to maintain contact with them. If during the course of our professional relationship, any information changes, the client/employee/service provider must inform us so that we can make any necessary changes.

How do we protect your personal information?

In order to protect your personal information, we will:

- not collect, use or disclose personal information for any purpose, other than that which we require to identify clients/employees/service providers, or which is required in the course of litigation or dispute resolution processes;
- only disclose personal information to those persons who have a need to know, for the purposes stated in this Privacy Policy;

- keep personal information only for as long as needed to fulfil the stated purpose or as required by law;
- maintain personal information in as accurate, complete and up-to-date a form as possible;
- keep personal information physically secure, for example, in locked or secure offices, rooms and/or filing cabinets;
- maintain technological safeguards such as passwords or encryption for sensitive personal information.

Access to personal information

A client/employee/service provider may request access to the personal information we have about them. The request must be in writing and directed to the director directly responsible for that matter. We will charge a reasonable fee for retrieval and copying of personal information. If the retrieval or copying or your request is extensive, we will notify the client of the fee prior to retrieval and copying.

Denial of access, by a client/employee/service provider, to their personal information?

There are exceptions to rights of access to personal information.

By law, we must deny access when:

- the file contains personal information on a third party and the information cannot be removed to maintain the privacy of the third-party information;
- we are required or authorized by law (for example, when a record containing personal information about you is subject to a claim of legal professional privilege by one of our clients).

We have the right to deny access to information and may deny access when:

- the information relates to existing or anticipated legal proceedings against a client/employee/service provider, including unpaid accounts for professional legal services rendered or disbursements due to Garlicke & Bousfield Inc.

If we deny a request for access to, or refuse a request to correct information, we shall explain why. In all cases we will attempt to mediate a resolution if possible.

Your rights

You have rights to access, amend, delete or destroy personal information pertaining to you that is in possession of Garlicke & Bousfield Inc. In certain circumstances, Garlicke & Bousfield Inc may opt to, or be required to, refuse or decline requests to exercise these rights.

You have the right to object, on reasonable grounds to the processing of your personal information and to file a complaint with the Information Regulator.

You have the right to not have your personal information processed for direct marketing. This means we are prohibited from processing your personal information for the purposes of direct marketing unless you give us your consent, or you are an existing customer of ours. You are entitled to object to the use of your personal information for the purposes of direct marketing.

We encourage you to contact us to update your personal information as and when it changes.

To exercise any other rights, please contact our Information Officer.

Retention of your personal information

We keep your personal information for no longer than necessary for the purposes for which the personal information is processed or as required by law or regulation. The length of time we retain personal information for depends on the purposes for which we collect and use it and/or as required to comply with applicable laws and to establish, exercise or defend our legal rights.

Use of cookies

What are cookies?

We may place small text files called 'cookies' on your device when you visit our website. These files do not contain personal data, but they do contain a personal identifier allowing us to associate your personal data with a certain device.

The types of cookies we use:

We use the following types of cookies on our website:

- essential cookies – these are cookies that allow our website to perform its essential functions. Without these cookies, some parts of our website would stop working.
- site analytics cookies – these are cookies that monitor how our website is performing, and how you interact with it. We use them to know how best to improve our website or services.
- functional cookies – these are cookies that remember who you are as a user of our website. We use them to remember any preferences you may have selected on our website, like saving your username and password or settings.

If you prefer, you can usually adjust your browser settings to remove or reject browser cookies. Please note that removing or rejecting cookies could affect the availability and functionality of our services.

Changes to this privacy statement

We may review and change our Privacy Policy from time to time in order to update our privacy commitment to you in keeping with current privacy laws. This amended Policy will be posted on the website. Unless otherwise stated the current version will apply each time you access our website.

How to contact us

If you have any questions about this Privacy Policy, or want to exercise the rights set out in this Privacy Policy, please contact:

The Information Officer: Shannon Budhram
Garlicke & Bousfield Inc.
7 Torsvale Crescent, La Lucia Ridge Office Estate, Durban
Telephone: 031 570 5465
Cell: 083 637 1854
Email: shannon.budhram@gb.co.za