

LEXISNEXIS PRIVACY AND CONSENT POLICIES

INTRODUCTION

LexisNexis Risk Management (Proprietary) Limited (“Company”) is committed to meeting international privacy and data protection best practice.

APPLICATION

In accordance with the Electronic Communications and Transactions Act 25 of 2002 (“Act”):

a “data controller” means any person who electronically requests, collects, collates, processes or stores personal information from or in respect of a data subject;

a “data subject” means any natural person from or in respect of whom personal information has been requested, collected, collated, processed or stored, after the commencement of the Act;

“personal Information” means information about an identifiable individual, including, but not limited to

information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the individual;

information relating to the education or the medical, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved;

any identifying number, symbol, or other particular assigned to the individual;

the address, fingerprints or blood type of the individual;

the personal opinions, views or preferences of the individual, except where they are about another individual or about a proposal for a grant, an award or a prize to be made to another individual;

correspondence sent by the individual that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;

the views or opinions of another individual about the individual;

the views or opinions of another individual about a proposal for a grant, an award or a prize to be made to the individual, but excluding the name of the other individual where it appears with the views or opinions of the other individual; and

the name of the individual where it appears with other personal information relating to the individual or where the disclosure of the name itself would reveal information about the individual,

but excludes information about an individual who has been dead for more than 20 years.

The Company, in its role as a data controller, will strive to observe both South African legislation and international guidelines when it requests, collects, collates, processes or stores personal information from or in respect of a data subject. In order for the Company to observe the South African legislation and international guidelines when it requests, collect, collates, processes or stores personal information from or in respect of a data subject, the Company has created the policies and procedures set out in this document.

All employees and contractors of the Company (collectively hereinafter referred to as “Personnel”) are required to adhere to the policies and procedures set out in this document.

Where Personnel are interacting with a customer or other third party where they may have access to personal information in respect of a data subject, such Personnel shall, in addition to adhering to the Company’s policies, also comply with the data protection policies and procedures of the customer or third party, as the case may be. Where a customer or third party does not have specific data protection policies, such Personnel are expected to comply with the policies and procedures set out in this document.

DATA PROTECTION POLICY AND STANDARD PROCEDURES

The Company subscribes to the principles relating to collecting personal information which are contained in Chapter 8 of the Act. In order to uphold these principles, the Company and its Personnel shall:

obtain the express written permission of the data subject for the collection, collation, processing or disclosure of any personal information on that data subject, unless he or she is permitted or required to do so by law;

not request, collect, collate, process or store personal information on a data subject which is not necessary for the lawful purpose for which the personal information is required;

disclose, in writing, to the data subject, the specific purpose for which any personal information is being requested, collected, collated, processed or stored;

not use the personal information for any purpose other than the disclosed purpose without the express written permission of the data subject, unless he or she is permitted or required to do so by law;

for as long as the personal information is used by the Company and for a period of at least one year thereafter, keep a record of the personal information and the specific purpose for which the personal information was collected;

not disclose any of the personal information held by the Company to a third party, unless required or permitted by law or specifically authorized to do so in writing by the data subject;

for as long as the personal information is used by the Company and for a period of at least one year thereafter, keep a record of any third party to whom the personal information was disclosed and of the date on which and the purpose for which it was disclosed;

with the necessary written authorisation from the Company, delete or destroy all personal information which has become obsolete;

use personal information to compile profiles for statistical purposes and may freely trade with such profiles and statistical data, as long as the profiles or statistical data cannot be linked to any specific data subject by a third party;

treat all personal information collected from a data subject in a consistent and confidential way;

include the following statement on the Company website and in all electronic correspondence sent out by or on behalf of the Company, as the case may be:

“DATA PROTECTION POLICY

LexisNexis Butterworths (Proprietary) Limited (“Company”) subscribes to the principles of collecting personal information contained in the Electronic Communications and Transactions Act. In doing so the Company has established a Data Protection Policy to which it and its personnel subscribe. You may access this Data Protection Policy at www.lexisnexisrisk.co.za. The Company may 1) use, collect, collate, process, store and make back-up copies of your personal information which you provide to the Company to render services; 2) supply your personal information to other entities; 3) use your personal information to compile profiles for statistical, advertising and marketing purposes; 4) freely trade with such profiles and advertising, marketing and statistical data, as long as the profiles or advertising, marketing and statistical data cannot be linked to you personally by a third party; and 5) use your personal information to keep you informed about products and services that may be of interest to you. Please tick the relevant box if you do not want your data to be used for any of the aforementioned purposes or inform our Customer Care Department by e-mail at info@lnrm.co.za.

shall only collect and hold personal information that is relevant to carrying out the legitimate purposes and actions of the Company in providing the services and products to its customers;

are responsible for ensuring that data care, maintenance and archiving procedures established by the Company from time to time, are adhered to.

CONCLUSION

In the interests of:

- protecting the personal information of each customer of the Company which is in the possession of the Company;
- protecting the privacy of each customer of the Company;

- conforming with international best practice on data protection;
- maintaining high standards of ethical and professional business conduct;
- protecting and maintaining the good name and standing of the Company; and
- good corporate governance,

Personnel are required to collect, collate, process or store personal information of a data subject in accordance with the policies and guidelines set out in this document. Failure to do so will be regarded as serious misconduct justifying disciplinary action and even dismissal in appropriate circumstances. Personnel will be held personally liable for any claims made against the Company by any third party as a result of any unlawful or improper use or abuse of any personal information provided to the Company by a data subject or any non-compliance with the provisions set out in this policy.