



**CONSENT FORM OF A DATA SUBJECT FOR
COLLECTING AND PROCESSING PERSONAL
INFORMATION AS PER POPIA**

REVISION NUMBER.

Version 1

DATE

23/06/2021

INFORMED CONSENT

PROVIDED BY

CLIENT OR OTHER PERSON
("the data subject" and also "the signatory")

IN TERMS OF

THE PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013

FOR

PERSONAL INFORMATION TO BE COLLECTED AND PROCESSED

BY

E-THELE SQD NETWORKS (PTY) LTD
("the responsible party" and also "the company")



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1. INTRODUCTION

The Protection of Personal Information Act of 2013 (POPIA) is the central piece of legislation that regulates the lawful collection, storage, use, handling, processing, transfer, retention, archiving, and disposal of a person's Personal Information.

The "Responsible Party", being e-Thele SQD Networks (PTY) Ltd ("the Company") collects and processes Personal Information as part of their business processes. The Company is responsible to collect, store, use, handle, process, transfer, retain, archive and otherwise manage Personal Information in a lawful, legitimate, and responsible manner and in accordance with the provisions set out in POPIA. The Company POPIA Policy sets out the policies and procedures in place to ensure compliance with POPIA. This Company Policy document is available on request from the Company Information Officer.

In order to discharge this duty, the Responsible Party requires your express and informed permission to collect and to process your Personal Information as set out in this document.

2. DEFINITION

"**The Company**" means and includes its affiliated, holding, and subsidiary companies.

"**Consent**" means in relation to POPIA, any freely given, specific, informed, and unambiguous indication of the Data Subject's wishes by which they, by a statement or by a clear positive action, signify agreement to the processing of personal information about them.

"**Data Subject**" means any individual or legal entity to whom the personal information relates.

"**Processing**" means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including—

- the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
- dissemination by means of transmission, distribution or making available in any other form; or
- merging, linking, as well as restriction, degradation, erasure, or destruction of information;

"**Personal Information**" means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, 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 the birth of the person;
- information relating to the education or the medical, financial, criminal, or employment history of the person;
- any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier, or other particular assignment to the person;



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- the biometric information of the person;
- the personal opinions, views, or preferences of the person;
- correspondence sent by the person 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 person; and
- the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person;

3. PURPOSE FOR THE COLLECTION

The purpose for the collection of your Personal Information and the reason for the Company requiring your Personal Information is to enable the Company –

- to comply with lawful obligations, including amongst others, all applicable labour, tax, and financial legislation such as:
 - i. The Financial Advisory and Intermediary Services Act 37 of 2002 (FAIS);
 - ii. The Financial Intelligence Centre Act 38 of 2001 (FICA);
 - iii. The National Credit Act 34 of 2005; and iv. The Broad Based Black Economic Empowerment laws (B-BBEE).
- to give effect to a contractual relationship between the Company and yourself;
- to conduct its business operations; and
- to protect the legitimate interests of the Company, yourself and or any third parties.

All Personal Information which you provide to the Company will only be used for the purposes set out above.

**4. CONSEQUENCE OF WITHHOLDING CONSENT TO COLLECT AND TO PROCESS
PERSONAL INFORMATION**

You are within your rights to withhold consent to the Company collecting and processing your Personal Information. In the event that you withhold consent to providing the Company with your Personal Information, the Company will not be able to engage with you or to enter into an agreement or relationship with you.



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5. STORAGE OF PERSONAL INFORMATION

- All Personal Information, whether hard copy or a soft copy, which you provide to the Company will be held and stored securely and for the purpose for which it was collected.
- The secure storage facilities for the Personal Information will be audited regularly by the Company.
- The Information as contained in soft copies will be stored electronically in a centralised data base.
- Where appropriate, hard copies of Personal Information will be stored and retained safely under lock and key.

6. RETENTION, ARCHIVING, AND DESTRUCTION OF PERSONAL INFORMATION

The POPIA principle that Personal Information is not retained for longer than is necessary for achieving the purpose for which it was collected and subsequently processed, is one by which the Company abides.

The exceptions to the above principle specifically provided in POPIA are where –

- the retention of the record is required or authorised by law;
- the Company reasonably requires the record for lawful purposes related to its functions or activities;
- the retention of the record is required in terms of an agreement between the Company and yourself; or
- the record is retained for historical purposes, with the Company having established appropriate safeguards against the record being used for any other purpose.

When the Company is no longer authorised to retain your Personal Information, it shall destroy or delete such Personal Information or records of Personal Information or de-identify them in a manner that prevents their reconstruction in an intelligible form.

7. DISCLOSURE AND TRANSFER OF PERSONAL INFORMATION TO OTHERS

The Company may from time to time transfer and/or disclose your Personal Information to other parties, including its group companies or subsidiaries, and / or approved third party product and service providers and related companies or agents.

Such disclosure shall always be subject to a written agreement concluded between the Company and such other person (“the recipient”) obligating the recipient to comply with strict confidentiality, with all the information security conditions and provisions as contained in the Company POPIA Policy and as contained in POPI itself.

8. TRANSFER OF PERSONAL INFORMATION OUTSIDE OF SOUTH AFRICA

The Company does not transfer any Personal Information outside of the borders of South Africa. In the event that the Company, at a future date, elects to transfer Personal Information outside of the South African borders, it undertakes to transfer your Personal Information only to a person in a country that has in place similar privacy laws to POPIA and in addition, where the party to whom the transfer is to be made, is bound contractually to no lesser terms and obligations than those imposed by POPIA.



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9. YOUR RIGHT TO OBJECT TO THE PROCESSING OF YOUR PERSONAL INFORMATION

You have the right to have your Personal Information processed in accordance with the eight conditions of lawful processing of Personal Information as set out in POPIA.

In terms of Section 11(3) of POPIA and in the prescribed manner, you have the right, unless legislation provides for such processing, to object at any time to the Company processing your Personal Information, on reasonable grounds and relating to your particular situation.

On receipt of your notice of objection together with the reasons thereof, the Company is responsible to place any further processing of your Personal Information on hold until the reason for the objection has been addressed and either –

- the objection is resolved and withdrawn, or
- the objection is upheld and accepted by the Company.

In the event that the objection is upheld, no further processing of your Personal Information shall be done by the Company.

In addition to the right to notify us of your objection to the processing of your Personal Information, you have the right to submit a complaint directly to the Information Regulator in terms of Section 74 of POPIA, alleging interference with the protection of your Personal Information.

10. YOUR RIGHT TO WITHDRAW YOUR CONSENT TO THE PROCESSING OF YOUR PERSONAL INFORMATION BY THE COMPANY

In terms of Section 11(2) of POPIA, you have the right to withdraw your consent to the Company processing your Personal Information, provided that the lawfulness of the processing of your Personal Information before such withdrawal or the processing of Personal Information – if the processing is necessary to carry out actions for the conclusion or performance of a contract to which you are a party - will not be affected.

11. YOUR RIGHT TO ACCESS YOUR PERSONAL INFORMATION

You have the right at any time to request the Company to provide you with:

- the details of any of your Personal Information that the Company holds, including any record relating to your Personal Information; and
- the details of the manner in which the Company has used and processed your Personal Information

Such request shall be made in writing to the Information Officer of the Company.



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12. YOUR RIGHT TO REQUEST CORRECTION, DESTRUCTION, OR DELETION

You have the right to request the Company, where necessary, to correct and/or delete your Personal Information that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading, or obtained unlawfully.

You also have the right to request the Company to destroy or to delete a record of your Personal Information that the Company is no longer authorised to retain.

13. ACCURACY OF INFORMATION

POPIA requires that all your Personal Information and related details as supplied are complete, accurate, and up to date. Whilst the Company will always use its best endeavours to ensure that your Personal Information is reliable, it is your responsibility to advise the Company of any changes to your Personal Information, as and when these changes may occur.

14. DIRECT MARKETING, ADVERTISING, AND PROMOTIONAL ACTIVITIES

The Company undertakes not to further process your Personal Information for the purpose of marketing to you or providing you with third party products or other optional products. Should you not wish to receive communications pertaining to the services, goods, or benefits provided by the Company you are requested to complete the "Consent for Direct Marketing".

15. INFORMATION OFFICER

The Company Information Officer details are:

Information Officer
Unit 8 Lower Ground, Central Park,
13 Esdoring Hook.
Highveld Technopark,
Centurion, South Africa

+27 (12) 665 3158
informationofficer@ethele.co.za



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DECLARATION AND INFORMED CONSENT

I consent to providing the Personal Information required, to e-Thele SQD Networks (PTY) Ltd, on the understanding that the Company is responsible to abide by the principles set out in POPIA, in the Company POPIA Policy, and in this document.

I declare that all Personal Information being supplied by me to e-Thele SQD Networks (PTY) Ltd is accurate, up to date, not misleading, and that it is complete in all material respects.

I undertake to advise e-Thele SQD Networks (PTY) Ltd immediately of any changes to my Personal Information, should any of the details change.

By providing e-Thele SQD Networks (PTY) Ltd with my Personal Information, I consent and give the Company permission to process and further process the Personal Information, as and when required, that I supply to the Company, understanding the purposes for which the Personal Information is required and for which it will be use.

Name and Surname: _____

Signature: _____

Date: _____