

CAP Website Terms and Conditions

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CAP External Privacy Statement

1. Introduction

1.1. For purposes of this Statement:

1.1.1. “**Applicable Laws**” means all laws and regulations, including the Protection of Personal Information Act, 2013 that CAP is required to comply with;

1.1.2. “**CAP**”, “**we**”, “**us**” or cognate terms means the CAP entities and their direct and indirect subsidiaries. To obtain more information on the CAP entities and these subsidiaries, please submit a request to popia@capcommunity.co.za. Details of the

CAP entities can also be found by clicking on this link:

<http://www.capcommunity.co.za/about-us> ;

1.1.3. "**Client**" or "**you**" means any external juristic or natural person who does not fall under the definition of CAP ; and

1.1.4. "**Service**" means a service, a product, an offering, and/or a solution offered by CAP.

1.2. This Statement sets out how your personal information will be used by CAP and applies to any information, including personal and special personal information, you give to CAP or which CAP may collect from third parties.

1.3. It is important that you read this Statement carefully before submitting any personal information to us.

1.4. By submitting any personal information to CAP you provide consent to the processing of your personal information as set out in this Statement.

1.5. The provisions of this Statement are subject to mandatory, unalterable provisions of Applicable Laws;

1.6. Please do not submit any personal information to CAP if you do not agree to any of the provisions of this Statement. If you do not consent to the provisions of this Statement, or parts of the Statement, CAP may not be able to provide its products and services to you.

2. How to contact us If you have any comments or questions about this Statement please contact the Information Officer by sending an email to popia@capcommunity.co.za.

3. Amendment of this Statement

3.1. We may amend this Statement from time to time for any of the following reasons:

3.1.1. to provide for the introduction of new systems, methods of operation, and services;

3.1.2. to comply with changes to any legal or regulatory requirement;

3.1.3. to ensure that our Statement is clearer and more favourable to you;

3.1.4. to rectify any mistake that may be discovered from time to time; and/or

3.1.5. For any other reason which CAP, in its sole discretion, may deem reasonable or necessary.

3.2. Any such amendment will come into effect and become part of any agreement you have with CAP when notice is given to you of the change by publication on our website. It is your responsibility to check the website often.

4. Privacy and indemnity

4.1. CAP takes your privacy and the protection of your personal information very seriously, and we will only use your personal information in accordance with this Statement and applicable data protection legislation. It is important that you take all necessary and appropriate steps to protect your personal information yourself (for example, by ensuring that all passwords and access codes are kept secure).

4.2. We have implemented reasonable technical and operational measures to keep your personal information secure.

4.3. You hereby indemnify and hold CAP harmless from any loss, damages, or injury that you may incur as a result of any unintentional access or acquisition of your personal information to unauthorised persons or the provision of incorrect or incomplete personal information to CAP.

5. Information that we may collect about you

5.1. We may collect the following information about you:

5.1.1. information about your identity, which may include your name, address, contact details, date of birth, place of birth, identity number, VAT number, passport number, details about your employment, tax number, and financial information;

5.1.2. Financial information may include but is not limited to bank details, credit card details, account information, payment information, donation information, and credit history;

5.1.3. information about your household or property, which may include your passwords, the personal information of people linked to your contract(s) and your relationships, vehicles linked to your contract(s), the layout of your property, pets, and additional security service provider contact information;

5.1.4. emergency response information, including your medical aid company, medical aid number, doctor contact details, next of kin contact details, and special medical requirements and instructions;

5.1.5. technical information about technology linked to your contract(s), including but not limited to brand, model, age, health, history, usernames, and passwords;

5.1.6. personal information related to background checks and vetting procedures;

5.1.7. records of correspondence or enquiries from you or anyone acting on your behalf;

5.1.8. details of transactions you carry out with us;

5.1.9. details of contracts, sales, agreements, or leases you carry out with us;

5.1.10. vehicle license plate details;

5.1.11. sensitive or special categories of personal information, including biometric information, such as images, fingerprints, voiceprints, and closed-circuit television recordings.

5.2. Where you provide us with the personal information of third parties, you should take steps to inform the third party that you need to disclose their details to us, identifying us. We will process their personal information in accordance with this Statement. If you provide personal information of your children or persons under 18 you also provide consent to us processing their personal information as set out in this Statement and warrant that you are authorised to provide such consent.

6. How we collect information

6.1. You may provide personal information to us either directly or indirectly (through an agent acting on your behalf, or an introducer), by completing an application for our Services, by requesting further information about our Services, by using our Services, by communicating with us, by applying to competitions, whether in writing, through our website, over the telephone, through social media, or any other means.

6.2. We may also collect your personal information from your appointed agent, any regulator, or other third party that may hold such information.

6.3. We may collect your or your children's personal information (including special personal information) through the use of closed-circuit television camera technology, license plate recognition technology, and other technology that has the ability to collect personal information.

6.4. We may collect or process your personal information if you join a WhatsApp group that is administered by CAP.

7. Use of information collected

7.1. We may use, transfer, and disclose your personal information for the purposes of:

7.1.1. providing you with the Services that you may have or may not have requested, and notifying you about important changes to these Services;

7.1.1.1. Requested Services are Services where the Client has signed an agreement for said Services.

7.1.1.2. Un-requested Services are Services that the Client benefits from even though the Client has not signed an agreement for the Services keeping in mind that CAP was established to protect the general public and provides Services to Client's who do not request Service and who do not donate or pay towards Services.

7.1.2. managing your account or relationship and complying with your instructions or requests;

7.1.3. detecting and preventing fraud and money laundering and/or in the interest of security and crime prevention;

7.1.4. assessing and dealing with complaints and requests;

7.1.5. operational, marketing, communicating, auditing, legal and record keeping requirements;

7.1.6. verifying your identity or the identify of your beneficial owner;

7.1.7. transferring or processing your personal information outside of the Republic of South Africa to such countries that may not offer the same level of data protection as the Republic of South Africa, including for cloud storage purposes and the use of any of our websites;

7.1.8. complying with Applicable Laws, including lawful requests for information received from local or foreign law enforcement, government, and tax collection agencies;

7.1.9. recording and/or monitoring your telephone calls and electronic communications to/with CAP in order to accurately carry out your instructions and requests, to use as evidence and in the interests of crime prevention;

7.1.10. conducting market research and providing you with information about CAP's Services from time to time via email, telephone, or other means (for example, events);

7.1.11. where you have unsubscribed from certain direct marketing communications, ensuring that we do not sent such direct marketing to you again;

7.1.12. disclosing your personal information to third parties for reasons set out in this Statement or where it is not unlawful to do so;

7.1.13. monitoring, keeping record of and having access to all forms of correspondence or communications received by or sent from CAP or any of its employees, agents, or contractors, including monitoring, recording, and using as evidence all telephone communications between you and CAP;

7.1.14. facilitating a recruitment process; and

7.1.15. improving or evaluating the effectiveness of CAP's business or Services.

7.2. We may from time to time contact you about Services available from CAP or specific subsidiaries that we believe may be of interest to you, by email, phone, text, or other electronic means, unless you have unsubscribed from receiving such communications. You can unsubscribe from receiving such communications by sending an email to popia@capcommunity.co.za.

8. Disclosure of your information

8.1. Your personal information may be shared with CAP's subsidiaries, our agents and subcontractors, and selected third parties who process the information on our behalf.

8.2. We may also disclose your personal information to third parties in the following circumstances:

8.2.1. To any other of CAP's subsidiaries or other third parties to –

8.2.1.1. assess and monitor any of your applications for CAP's Services;

8.2.1.2. provide Services;

8.2.1.3. determine which Services may be of interest to you and/or to send you information about such Services, unless you object or choose not to receive such communications;

8.2.1.4. have a better understanding of your circumstances and needs to provide and improve CAP's products and services;

8.2.2. to any relevant person and/or entity for purposes of prevention, detection, and reporting of fraud and criminal activities, the identification of the proceeds of unlawful activities, and the combatting of crime;

8.2.3. to any regulator or supervisory authority, including those in foreign jurisdictions, if CAP is required to do so in terms of Applicable Laws;

8.2.4. to a prospective buyer or seller of any of our businesses or assets;

8.2.5. to any person if we are under a duty to disclose or share your personal information in order to comply with any Applicable Laws, or to protect the rights, property, or safety of CAP, Clients or other third parties; and/or

8.2.6. To your agent or any other person acting on your behalf, or an introducer.

8.3. We may transfer your information to another of CAP's entities, an agent, subcontractor, or third party who carries on business in another country, including one that may not have data privacy laws similar to those of the Republic. If this happens, we will ensure that anyone to whom we pass your information agrees to treat your information with the same level of protection as if we were dealing with it.

8.4. If you do not wish us to disclose this information to third parties, please contact us at the contact details set out above. We may, however, not be able to provide Services to you if such disclosure is necessary.

9. Retention of Your Information

9.1. We may retain your personal information until it serves no purpose, unless you object, in which case we will only retain it if we are permitted or required to do so in terms of Applicable Laws or providing Services. However, as a general rule, we will retain your information in accordance with retention periods set out in Applicable Laws, unless we need to retain it for longer for a lawful purpose. (For example, for the purposes of complaints handling, legal processes, and proceedings.)

10. Access to, correction and deletion of your personal information

10.1. You may request details of personal information that we hold about you under the Promotion of Access to Information Act, 2000 ("**PAIA**"). Fees to obtain a copy or a description of personal information held about you are prescribed in terms of PAIA. Confirmation of whether or not we hold personal information about you may be requested free of charge. If you would like to obtain a copy of your personal information held by CAP, please review our PAIA Manual located at www.capcommunity.co.za.

10.2. You may request the correction of personal information CAP holds about you. Please ensure that the information we hold about you is complete, accurate, and up-to-date. If you fail to keep your information updated, or if your information is incorrect, CAP may limit the products and services offered to you or elect not to open the account.

10.3. You have a right in certain circumstances to request the destruction or deletion of and, where applicable, to obtain restriction on the processing of personal information held about you. If you wish to exercise this right, please contact us using the contact details set out above.

10.4. You have a right to object on reasonable grounds to the processing of your personal information where the processing is carried out in order to protect our legitimate interests or your legitimate interests, unless the law provides for such processing.

11. Complaints

11.1. Should you believe that CAP has utilised your personal information contrary to Applicable Laws, you undertake to first attempt to resolve any concerns with CAP.

11.2. If you are not satisfied with such a process, you may have the right to lodge a complaint with the Information Regulator, using the contact details listed below:

Tel: 012 406 4818 Fax: 086 500 3351 Email: infoereg@justice.gov.za.