



## **CONSENT AND ACKNOWLEDGMENTS IN TERMS OF THE PROTECTION OF PERSONAL INFORMATION ACT NO 4 OF 2013 (POPI)**

### **Introduction**

The Protection of Personal Information (POPI) Act aims to give effect to the constitutional right to privacy by balancing the right to privacy against that of access to information. The POPI Act requires that personal information pertaining to individuals be processed lawfully and in a reasonable manner that does not infringe on the right to privacy.

The information below, sets out how personal information will be processed by MJ Minter Inc. (hereafter referred to as "MJ Minter"). The use of the words "the party" for the purposes of this document shall be a reference to any party dealing or communicating with MJ Minter and/or concluding any agreement, whether of employment, of service provider or client, or in any other legal capacity, with the inclusion of each party referred to or included in terms of such exchange or agreement.

### **What personal information do we collect and for what purpose do we collect it?**

#### *Employees of MJ Minter:*

Should you be a MJ Minter employee, MJ Minter may process personal information about you, the data subject, related to names and surnames, gender, marital status, nationality, health, disability, well-being or medical history, identity numbers, colour, race or ethnic group, email address, physical address, telephone number, private correspondence, employment history, language, culture, criminal history or financial history and account numbers.

The purpose of processing such personal information about you is to communicate directly with you, to give effect to the contract of employment with you, to protect your legitimate interests through such performance and to comply with relevant statutory provisions.

#### *Clients of MJ Minter:*

Should you be a client purchasing products and/or services from MJ Minter, MJ Minter may process personal information about you, the data subject, related to names, surnames, nationality, email address, physical address, telephone number and account numbers.

The purpose of processing such personal information about you is to communicate directly with you, for marketing purposes, to carry out actions towards performance of the specific commercial agreement concluded between yourself and MJ Minter, to protect your legitimate interests through such performance and to comply with relevant statutory provisions.

### **How is the personal information collected?**

As part of the processing of personal information about you, MJ Minter will collect such information from you, through your status as employee, client, business relation, or otherwise. It may also collect such information from statutory institutions such as the Companies and Intellectual Property Commission (CIPC), the South African Revenue Service (SARS) Information, from a relevant public or equivalent entity, from its own records related to previous services provided to you.

## **To whom might we disclose the collected information?**

As part of the processing of personal information about you, MJ Minter may disclose such personal information to statutory institutions such as the CIPC, SARS, relevant public or equivalent entities on whose behalf MJ Minter may act as intermediary, or other third parties agreed to in writing with you, the data subject.

## **Consent and permission to process personal information.**

Through reading this statement you are explicitly requested to resolve whether you consent to MJ Minter processing your personal information by responding to the consent request below. Should you not consent to MJ Minter processing your personal information, the consent request allows for the data subject to opt out. *Should you not respond, your consent for MJ Minter to process your personal information is implied.*

<https://forms.office.com/r/Egav9n2aKk>

Should you choose to opt out from MJ Minter processing your personal information, you understand that withholding consent or failure to disclose personal information will result in MJ Minter being unable to perform its functions and/or any services or benefits you may require from MJ Minter. You also indemnify and hold MJ Minter harmless in respect of any claims against MJ Minter by any other person on whose behalf you have consented should they claim that you were not so authorized.

You furthermore understand that in terms of the POPI Act and other laws of the country, there are instances where your express consent is not necessary in order to permit the processing of personal information, which may be related to police investigations, litigation or when personal information is publicly available. You will not hold MJ Minter responsible for any improper or unauthorized use of personal information that is beyond its reasonable control.

## **Your rights regarding the processing of personal information.**

You may withdraw consent to the processing of personal information at any time, and should you wish to do so, you must provide MJ Minter with reasonable notice to this effect. Please note that withdrawal of consent is still subject to the terms and conditions of any contract that is in place between yourself and MJ Minter. Should the withdrawal of consent result in the interference of legal obligations, then such withdrawal will only be effective if MJ Minter agrees to same in writing.

MJ Minter specifically draws to your attention the fact that the withdrawal of consent may result in it being unable to provide the requested information and/or products and/or services and/or other benefits. Further, please note that the revocation of consent is not retroactive and will not affect disclosures of personal information that have already been made.

In order **to withdraw consent**, please contact the MJ Minter Information Officer, Janine van Graan, at [janinevg@mjminter.co.za](mailto:janinevg@mjminter.co.za)

## **Accuracy of your personal information.**

Where personal information has changed in any respect, or where you are made aware of information recorded incorrectly, you are encouraged to notify MJ Minter so that its records may be updated. MJ Minter will largely rely on you to ensure that personal information is correct and accurate.

## **Use of personal information for marketing purposes.**

Insofar it concerns direct marketing communications, you can ask us not to send you these at any time through following the unsubscribe instructions contained in the marketing communication, or by sending a clear message in this regard to the MJ Minter Information Officer at [janinevg@mjminter.co.za](mailto:janinevg@mjminter.co.za)

## **Your access to the personal information held by this practice.**

You have the right to request a copy of your personal information that MJ Minter may have in its possession and you are entitled to request the identity of which third parties have received and/or processed personal information for the purpose agreed to. A reasonable cost may be incurred. Should you wish to view the original information, one of our staff members must be present to maintain the integrity of the record, and a reasonable fee may be charged for this access.

Please contact the Information Officer should you wish to access your information at [janinevg@mjminter.co.za](mailto:janinevg@mjminter.co.za) With any request for access to personal information, MJ Minter will require you to provide personal information in order to verify identification and therefore the right to access the information.

## **Limitations on access to your personal information.**

Please note however, that any request in this regard may be declined if:

- the information comes under legal privilege in the course of litigation,
- the disclosure of personal information in the form that it is processed may result in the disclosure of confidential information,
- giving access may cause a third party to refuse to provide similar information to MJ Minter,
- the information as it is disclosed may result in the disclosure of another person's information,
- the information contains an opinion about another person and that person has not consented, or
- the disclosure is prohibited by law.

## **Security of your personal information.**

There are reasonable safeguards in place which include a combination of physical, technological and administrative measures that are appropriate to the level of sensitivity of the information. These measures are aimed at protecting the information against loss and theft as well as unauthorised access, disclosure, copying, use or modifications.

## **How long is this information kept and how is it disposed of?**

We keep the records, as required by law and professional guidelines only. When information is no longer needed, it is destroyed in a manner according to set procedures that govern the storage and destruction of personal information.

## **Lodging of complaints**

Should you believe that this practice has not responded to your access request or has not handled your information in the agreed manner, please contact our Information Officer, Janine van Graan, first. You may also choose to make a complaint to the Information Regulator.

### Information Officer:

Janine van Graan  
021 702 7800  
[janinevg@mjminter.co.za](mailto:janinevg@mjminter.co.za)

### Information Regulator:

010 023 5200  
[Complaints.IR@justice.gov.za](mailto:Complaints.IR@justice.gov.za)  
<https://www.justice.gov.za/infoereg/contact.html>