



PRIVACY POLICY

FOR

THE KILLARNEY GARDENS PROPERTY OWNERS ASSOCIATION

1. Introduction

This Privacy Policy sets out the basis on which any Personal Information we collect from you (owner, resident, employee and/or service provider to the Killarney Gardens Property Owners Association) or that you provide to us, will be used, stored and processed by us (hereinafter referred to as "collect" or "collection"), and also includes the collection of Personal Information.

We request that you read this Privacy Policy carefully to understand our practices regarding your Personal Information (as defined below) and how we intend to process it.

In adopting this Privacy Policy, we wish to ensure you that the use of your Personal Information by ourselves is lawful, reasonable, and relevant to our activities as the Killarney Gardens Property Owners Association.

We will take reasonable steps to prevent unauthorised access to, or disclosure of your Personal Information. However, we cannot guarantee that your Personal Information shall be secure, despite our best efforts to protect it, as required by law. By interacting with us in person, by mail or electronic communication or by using our website, you agree to the terms and conditions set out in this privacy policy.

Below we explain how and when we shall collect and use Personal Information. If at any time you have enquiries that are not dealt with in this Privacy Policy, please contact our **Information Officer** whose details are as follows:

Name: Melt Loubser
Contact Number: (021) 557 7600
Contact email address: rene.vanzyl@faircape.com

2. To whom this Privacy Policy shall apply

This Privacy Policy applies to: -

- Owners in the Killarney Gardens Property Owners Association;
- Tenants in the Killarney Gardens Property Owners Association;
- Residents the Killarney Gardens Property Owners Association;
- Visitors to the Killarney Gardens Property Owners Association; and
- Service providers in respect of the Killarney Gardens Property Owners Association.

3. Where do we collect Personal Information?

Personal information is collected when: -

- you register (see below); and
- when you become a resident (either as a tenant or as an owner of a Unit Erf within the Killarney Gardens Property Owners Association).

4. What Personal Information do we collect?

We collect: -

- (i) **identifying information** – such as your name, date of birth and identification number;
- (ii) **contact information** – such as your telephone number and email address;

(iii) **physical and postal address**

(iv) **demographic information** – such as your gender or marital status.

The following does *not* constitute “Personal Information”:

- information that you have provided voluntarily in an open, public environment or forum including any blog, chat room, community, classifieds, or discussion board (because the information has been disclosed in a public forum); and
- it is no longer confidential and does not constitute Personal Information subject to protection under this Privacy Policy).

5. Sensitive Personal Information

We may also collect sensitive Personal Information including your: -

- **financial information** – such as your bank account details; and
- **medical information** – such as information about your physical or mental health.

6. What Personal Information do we collect?

In respect of owners, tenants and visitors

When you become an owner or a tenant of a Unit Erf within the in the Killarney Gardens Property Owners Association; *alternatively*, when you visit an owner or a tenant of a Unit Erf within the in the Killarney Gardens Property Owners Association, we will obtain certain Personal Information from you, which may include: -

- your name and surname;
- your email address;
- your telephone number;
- your company name, company registration number, and VAT number;
- your postal address or street address; and

- your username and password.

We will use this Personal Information to fulfil your account and provide additional services and information to you as we reasonably deem appropriate in connection with your ownership or your tenancy of a Unit Erf, and for any other purposes as set out in this Privacy Policy.

When you enter the premises

When you enter the within the in the Killarney Gardens Property Owners Association's premises for any reason whatsoever, there will always be information we automatically process such as CCTV footage of you during your entrance and whilst you remain on the within the in the Killarney Gardens Property Owners Association's premises.

7. Acceptance

You must accept all the terms of this Privacy Policy when you interact with the Killarney Gardens Property Owners Association, in any way. If you do not agree with anything in this Privacy Policy, then you may not interact with the Killarney Gardens Property Owners Association, in any way.

By accepting this Privacy Policy, you are deemed to have read, understood, accepted, and agreed to be bound by all of the terms and conditions as stipulated herein.

8. Changes to this policy

We may change the terms of this Privacy Policy at any time.

We will notify you of any changes by transmitting a notice to your chosen *domicilium citandi et executandi*, or by placing a notice in a prominent place at the Killarney Gardens Property Owners Association, or by sending you an electronic mail detailing the changes that we have made and indicating the date upon which the Privacy Policy was last updated.

9. Our website

We collect the following information from you when you visit our website: -

9.1 From browser

We automatically receive and record Internet usage information on our server logs from your browser, such as your Internet Protocol address (IP address), browsing habits, click patterns, version of software installed, system type, screen resolutions, colour capabilities, plug-ins, language settings, cookie preferences, search engine keywords, JavaScript enablement, the content and pages that you access on the website, and the dates and times that you visit the website, paths taken, and time spent on sites and pages within the website (usage information). Please note that other websites visited before entering our website might place Personal Information within your URL during a visit to it, and we have no control over such websites. Accordingly, a subsequent website that collects URL information may log some Personal Information.

9.2 Cookies

We may place small text files called 'cookies' on your device when you visit our website. These files do not contain Personal Information, but they do contain a personal identifier allowing us to associate your Personal Information with a certain device. These files serve a number of useful purposes for you, including: -

- granting you access to age restricted content;
- tailoring our website's functionality to you personally by letting us remember your preferences;
- improving how our website performs;
- allowing third parties to provide services to our website; and
- helping us deliver targeted advertising where appropriate in compliance with the applicable laws.

Your internet browser generally accepts cookies automatically, but you can often change this setting to stop accepting them. You can also delete cookies manually. However, no longer accepting cookies or deleting them will prevent you from accessing certain aspects of our website where cookies are necessary.

9.3 Third party cookies

Some of our business partners use their own cookies or widgets on our website. We have no access to or control over them. Information collected by any of those cookies or widgets is governed by the privacy policy of the company that created it.

9.4 Targeted content

While you are logged onto the website, we may display targeted adverts and other relevant information based on your Personal Information. This follows from an automated process and not because we share personal information with any advertiser, unless you have consented thereto.

9.5 The web hosting service provider

Our hosting company will host our website in a secure server environment that uses a firewall and other advanced security measures to prevent interference or access from outside intruders. We authorise access to Personal Information only for those employees who require it to fulfil their job responsibilities.

10. Purpose for collection

We may use or process any information that you provide to us for the purposes indicated when you agreed to provide it to us. Processing includes gathering your Personal Information, disclosing it, and combining it with other Personal Information. We generally collect and process your Personal Information for various purposes, including, but not limited to: -

- **security** – such as securing the premises of the Killarney Gardens Property Owners Association to ensure that all owners and tenants are safe;
- **goods or services** – to provide goods or services (such as municipal services);
- **the Association's operations** – such as the daily running of the Killarney Gardens Property Owners Association; ensuring compliance with the rules of the Killarney Gardens Property Owners Association and collecting levies; and

- **legal purposes** – such as compliance with any statutory obligations imposed on the Killarney Gardens Property Owners Association and compliance with its governance documentation.

11. Justification to collection and processing of information

We will generally notify you that we will collect Personal Information. However, we may rely on other justification grounds for processing your Personal Information, as required. These include instances where the processing of Personal Information is necessary for concluding a contract, complying with an obligation imposed by law, protecting the interest of the data subject; or is necessary for the legitimate interests of an employer.

12. Our obligations

We may use your personal information to fulfil our obligations to you as the Killarney Gardens Property Owners Association.

13. Messages and updates

We may, in so far as it is relevant to you and in the interests of the Killarney Gardens Property Owners Association's good governance, use your contact details to send administrative messages and electronic mail updates to you about matters in the Killarney Gardens Property Owners Association.

14. Sharing

We may share your Personal Information with a security services provider, emergency services or any of our other goods or services providers. We will ensure that an agreement is in place with the service provider in which that party undertakes to process your Personal Information only for the purposes that we stipulate.

We may also disclose your Personal Information as required by law, in particular the Community Schemes Ombud Services Act, 9 of 2011.

We may further disclose Personal Information if required: -

- by a subpoena or court order;
- to comply with any law;
- to protect the safety of any individual or the general public; and
- to prevent violation of our customer relationship terms.

No Personal Information will be disclosed to anyone save for as provided for in this Privacy Policy.

15. Employees

We may need to disclose certain Personal Information to our employees as far as it is required for them to perform their duties and tasks.

16. Accurate and up to date

In order to perform our functions as the Killarney Gardens Property Owners Association, we need to keep the Personal Information we collect as accurate, complete and up to date as is possible. This is also required of us under the provisions of POPIA.

We may therefore from time to time request you to update your Personal Information to ourselves or the Estate Manager, via an email request.

You are able to review or update any Personal Information that we hold on you by emailing us, or phoning us. Please note that in order to better protect you and safeguard your Personal Information, we may take steps to verify your identity before granting you access to the Killarney Gardens Property Owners Association's premises or your account or making any corrections to your Personal Information.

17. Retention

We will only retain your Personal Information for as long as it is necessary to fulfil the purposes explicitly set out in this Privacy Policy, unless:

- retention of the record is required or authorised by law;
- you have consented to the retention of the record; or
- retention is necessary as part of your interactions with the Killarney Gardens Property Owners Association.

During the period of retention, we will continue to abide by our non-disclosure obligations and will not share or sell your Personal Information.

We may retain your Personal Information in physical or electronic records at our discretion.

18. Cross border transfer of Personal Information

We may transmit or transfer Personal Information outside of the country in which it was collected to a foreign country and process it in that country. Personal Information may be stored on servers located outside the country in which it was collected in a foreign country whose laws protecting Personal Information may not be as stringent as the laws in the country in which it was collected. You accordingly consent to us processing your Personal Information in a foreign country whose laws regarding processing of Personal Information may be less stringent.

19. Updating and correcting the information we hold of you

You may choose to correct or update the Personal Information you have submitted to us, by contacting us, or the Estate Manager, via telephone or electronic mail.

20. Enquiries

If you have any questions or concerns arising from this Privacy Policy or the way in which we handle Personal Information, please contact our Information Officer, whose details are reflected in paragraph 1 herein above.