

PRIVACY POLICY

PURPOSE OF POLICY

At Kramer Weihmann we are sensitive to the personal nature of the information you provide to us and the protection thereof.

The purpose of this policy is to explain how we protect, collect, store and use your Personal Information.

By providing us with your personal information you; –

1. agree to the Policy and authorize us to process such information as set out herein; and
2. authorize Kramer Weihmann, our service providers and other third parties to Process your Personal Information for the purposes stated in this Policy.

We will not use your Personal Information for any other purpose than providing services to you or as required by law, like compliance with anti-money laundering legislation, and as set out in this Policy.

Your Personal Information that is in our possession will be protected against unauthorized alteration, loss, disclosure or access.

COLLECTION OF PERSONAL INFORMATION

We collect Personal Information about you either; -

1. directly from you;
2. in the course of our relationship with you;
3. in the course of providing legal services to you or your organization;
4. when you visit and/or interact with our website or our various social media platforms;
5. when you register to use any of our legal or related services including but not limited to newsletters and legal updates;

6. when you visit our offices;
7. in limited instances, from third parties where such information is publicly available or for legitimate business purposes;
8. through the use of cookies, which will mainly be used to identify visitors that return to our website.

We may also receive Personal Information about you from third parties (e.g., law enforcement authorities and other contracted entities in the context of collections, deed searches, credit bureaus, public databases and fraud prevention agencies).

PERSONAL INFORMATION THAT ARE PROCESSED

We may process the following categories of Personal Information about you: -

Personal Details: your name and photograph;

Demographic information: gender, date of birth, nationality, title and language preferences;

Identifier information: passport or national identity number, utility provider details, bank statements, tenancy agreements;

Contact Details: correspondence address, telephone number, email address;

Instruction details: details of individuals instructing Kramer Weihmann, Personal Information included in correspondence, documents, evidence or other materials that we Process in the course of providing legal services;

Attendance records: details of meetings and other events organized by or on behalf of Kramer Weihmann that you have attended;

Consent records: records of any consents you may have given, together with the date and time, means of consent and any related information;

Payment Details: billing address, payment method, bank account number or credit card number; invoice records, payment records, SWIFT details; IBAN details, payment amount and payment date.

Employer details: where you interact with us in your capacity as an employee of an organization, the name, address, telephone number and email address of your employer, to the extent relevant.

PROCESSING OF PERSONAL INFORMATION

Personal Information will be processed in the ordinary course of business of providing legal and related services.

Personal Information will only be used for the purpose which it was originally or primarily collected.

Personal Information will be used for a secondary purpose only if such purpose constitutes a legitimate interest and is closely related to the original or primary purpose for which it was collected.

We may subject your Personal Information to Processing during the course of various activities. Including, but not limited to, the following: -

- operating our business;
- analyses, evaluation, review, and collation of information in order to determine legal issues and potential disputes, provide legal advice and prepare or comment on opinions, memoranda, agreements, correspondence, reports, publications, documents relating to legal proceedings and other documents and records (whether in electronic or any other medium whatsoever);
- compliance with applicable law and fraud prevention;
- transfer of information to our Service Providers and other third parties; or
- recruitment.

DISCLOSURE OF PERSONAL INFORMATION TO THIRD PARTIES

We may disclose your Personal Information to our Services Providers, for legitimate business purposes, in accordance with applicable law and subject to applicable professional and regulatory requirements regarding confidentiality.

In addition, we may also disclose your Personal Information with third party services, agents, contractors, employees, law enforcement agencies or business affiliates. We will only share your Personal Information in these instances where it is necessary for us to do so and only to the extent that your Personal Information is needed for such third parties to perform their services or obligations.

INTERNATIONAL TRANSFER OF PERSONAL INFORMATION

We may transfer your Personal Information to recipients outside of the Republic of South Africa for our legitimate business purposes.

The transfer of Personal Information outside of the Republic of South Africa is subject that the country to which the data is transferred has adopted a law that provides for an adequate level of protection substantially similar to POPIA.

DATA SECURITY

We implement and take all reasonable steps to ensure your Personal Information in our possession is protected against accidental or unlawful destruction, loss, alteration, unauthorized disclosure, and unauthorized access.

We protect your Personal Information by using electronic and computer safeguards like firewalls, physical and electronic access control to our building.

We only authorize access to Personal Information to those employees who require it to fulfill their designated responsibilities.

Where there are reasonable grounds to believe that your Personal Information that is in our possession has been accessed or acquired by any unauthorized person, we will notify the relevant regulator and you.

The internet is an open system, therefore the transmission of information via the internet is not completely secure. Although we will implement all reasonable measures to protect your Personal Information that is in our possession, we cannot guarantee the security of any information transmitted using the internet.

RETENTION OF DATA

Personal Information will be retained in accordance with the required retention periods in law or legitimate business purposes.

ACCESS TO YOUR PERSONAL INFORMATION

You have the right to have access to your Personal Information and ask us to rectify, erase or restrict the use of your Personal Information.

You also have the right to withdraw your consent to use your Personal Information.

SPECIAL PERSONAL INFORMATION

We do not intentionally collect or use the Personal Information of children (persons under the age of 18 years), unless with express consent of a parent or guardian or if the law otherwise allows or requires us to process such information.

CONTACT DETAILS

Should you have a complaint or concern regarding the processing of your Personal Information, your complaint may be submitted to info@kwinc.co.za.

THE INFORMATION REGULATOR

Whereas we would appreciate the opportunity to first address any complaints regarding our processing of your Personal Information, you have the right to complain to the Information Regulator, whose contact details are:

THE INFORMATION REGULATOR (SOUTH AFRICA)

JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001
PO Box 31533, Braamfontein, Johannesburg, 2017

Complaints email: complaints.IR@justice.gov.za

General Enquires email: infoereg@justice.gov.za

Dated 5 October 2021