

SILVERHURST

SILVERHURST ESTATE HOME OWNERS ASSOCIATION NPC

Silverhurst Estate Home Owners' Association NPC DATA PRIVACY NOTICE

1. INTRODUCTION

This privacy policy sets out the basis on which any personal information we collect from you (home owner, resident, employee and/or service provider to Silverhurst Estate) 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 or data from the use of our website (which is separately addressed in our website policy). Read the following carefully to understand our practices regarding your personal information (as defined below) and how we will process it.

In adopting this privacy policy, we wish to ensure you that the use of your personal information is lawful, reasonable, and relevant to our activities as a home owners association, with the ultimate goal of improving the services we render and your experience with us. 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 in 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 collect and use personal information. **If at any time you have enquiries that are not dealt with in this document, please visit our website at www.silverhurst.org or contact us on 021 794 3699. You can also contact our Information Officer whose details are as follows:**

Name: Susan Mawer

Contact Number: 021 794 3699

Contact email address: susan@silverhurst.org

2. THE INFORMATION WE COLLECT AND RECORD

When any new resident moves into premises in the Estate, we may request, receive, store and record many details that are defined as 'personal information' in POPIA. We collect and record only the minimum personal information that is required for us to render management services to the Estate and its residents. In doing so, we comply with POPIA in that we implement reasonable practices to ensure the private information is protected.

3. YOUR PERSONAL INFORMATION WILL BE USED OR SHARED IN THE FOLLOWING WAYS

4.1 We keep your personal information confidential and only use, process, share, record or delete it as is required by POPIA, other legislation and/or the requirements of the service that we are providing for you.

4.2 We may share certain information with service providers as part of our operations and only if these service providers have undertaken to protect the personal information that we share with them for a particular purpose. We only share such personal information as are required for purposes of performing the tasks lawfully following from and required by the task(s) we are mandated to perform.

4.3 We may use your personal information to provide management services to the Estate, including compliance with regulatory and legislative requirements.

4. OTHER INTERACTION WITH YOUR PERSONAL INFORMATION

5.1 POPIA requires us to ensure that we hold correct and updated personal information and, hence, we may need to update your personal information from time to time and request your assistance in doing so. The request will be sent via email or otherwise, whatever is most reasonable in the circumstances.

5.2 We will:

5.2.1 not sell or give your personal information away, use it, other than in terms of this policy.

5.2.2 retain the personal information only for as long as we are required by law to do so.

5. YOUR RIGHTS

5.1 You may at any time request us to confirm what personal information we have relating to you and by whom it was accessed. We may charge a fee for the latter.

5.2 You may ask us to update or delete your information or to refrain from using it. Note that we may refuse to delete information if such deletion would compromise an obligation in law that is imposed on us and which requires of us to keep the

information for a determined period or would otherwise impact on our ability to render the services in the Estate to all residents. Should any damage arise to you from your request in these circumstances, you indemnify us against any claim for damages that may follow as a result hereof.

- 5.3 As part of our service rendering, we provide newsletters to residents and share a list of residents' telephone numbers with residents. You may unsubscribe from any of our electronic material by simply advising the Estate Office via email that you wish to unsubscribe. In that event we will remove your details from the sending list.
- 5.4 You may otherwise ask us to delete any information we have about you, but we might refuse if we need your personal information to protect our rights, or if the law obliges us to keep it. In these circumstances, if we refuse to delete your personal information, we will advise you of the fact that we did not delete the personal information and provide you with a reason therefor.
- 5.5 You may enquire from us about your personal information that we have, and how, if at all, it was used.
- 5.6 For assistance to exercise your rights as explained in this paragraph, contact our Information Officer whose details appear in paragraph 1 hereof.

6. SECURITY BREACH

- 6.1 Although absolute security cannot be guaranteed whether in respect of our physical data storage or any data stored electronically, we have in place up-to-date, reasonable technical and organisational security measures to protect your personal information against accidental or intentional manipulation, loss, misuse, destruction or against unauthorised disclosure or access to the information we collect online.
- 6.2 However, should a breach occur, we will ascertain how and where the breach occurred and make sure that the exposed area is addressed immediately.
- 6.3 We will ascertain which data has become vulnerable as a result and notify you if the breach may affect you and assist you to minimize any potential damages that you may suffer as a result, where possible. Such notification may take place by way of email to you, or by way of notice on our website, or otherwise.
- 6.4 Thus, while we cannot ensure or warrant the security of any personal information you provide to us, we will continue to maintain and improve these security measures over time in line with legal and technological developments.

7. TYPES OF PERSONAL INFORMATION WE COLLECT

The types of personal information that we may collect includes information necessary to provide our services and to manage the Estate in your and other residents' best interests. It includes personal information and, in some instances, special personal information. In

the case of the latter, consent will be obtained before the data is processed.

8. PERIMETER CAMERAS

For the safety of residents, visitors and staff of the Silverhurst Estate, perimeter cameras are installed at various points. The cameras record activity outside the fence as well as inside the Estate.

Silverhurst Estate will manage the recordings with the utmost respect for the privacy of the Estate residents and access to recordings **will be granted to law enforcement organisations, or community based/private security services** only to the extent required to assist in crime prevention and/or detection or as otherwise required by law.

Do to the inherently private nature of the footage, residents, visitors and Estate staff, excepting the Security Management Team of the Estate, shall not have access to any recording. However, a request may be made to the Information Officer in writing, setting out the reasons why access is required. If the person applying can show that there is a legitimate interest why he or she should have access and granting such access will not breach the Estate's duties and responsibilities under POPIA or any other law, access may be granted to the relevant piece of recording. The decision of the Information Officer in this regard shall be final and shall be provided to the resident in writing.

9. STORING YOUR PERSONAL INFORMATION

9.1 We store your personal information, whether electronic or physical, in South Africa.

9.2 Your information will not be stored for longer than is necessary for the purposes described in this privacy policy.

10. CHANGES TO THIS PRIVACY POLICY

10.1 From time to time, we may revise this privacy policy to reflect company initiatives, changes in the law or technology or changes in our practices regarding the collection and use of personal information. If we decide to change this privacy policy, the changes will be posted on our website so that you are always informed of the latest version.

10.2 We will not use or disclose personal information provided to us pursuant to this Privacy Policy in ways other than the ones described above, without informing you and providing you with the opportunity to consent to such modified conditions concerning the use and disclosure of your personal information.
