

Eclipse Technologies Notification to Data Subject when Collecting Personal Information

Contents

Eclipse Technologies Notification to Data Subject when Collecting Personal Information	1
Privacy Notification.....	2
Collection of Personal Information.	2
What Personal Information do we collect?.....	2
Our Contact Particulars.	3
Purpose for which the information is being collected.	3
Is the supply of the information voluntary or mandatory?	4
Any particular law authorising or requiring the collection of the information.	4
Failure to provide the requested information.	4
Transfer the information to a third country.	4
Recipient or category of recipients of the information	4
Your Rights as a Data Subject.	5
1. Right to be Notified:	5
2. Right of Access:	5
3. Right to Correction, Destruction or Deletion:	6
8. Right to Objection:	6
9. Right with regards to Automated Processing:	6
10. Right to Complain:	6
Complaint's Process:.....	6
Eclipse Technologies Popi Office contact details:	7
Information Regulator	7 POPI

Privacy Notification.

1. In terms of section 18 of the POPIA Act we need to make our Data Subjects aware of certain information and rights in terms of the POPI Act. The POPI Act does not prescribe how we are to notify you, but the international standard is to do it with a Privacy Notification.
2. This Privacy Notification lets you know what happens to any Personal Information that you give to us, or any information that we may collect from or about you.
3. This privacy notice applies to Personal Information processed by or on behalf of the Organisation where we act as the Responsible Party.
4. In this Privacy Notification you will find –
 - a) what information is being collected and where the information is not collected from you, the source from which it is collected;
 - b) our name and address (where we act as the responsible party);
 - c) the purpose for which the information is being collected;
 - d) whether or not the supply of the information by you is voluntary or mandatory;
 - e) the consequences of failure to provide the information;
 - f) any particular law authorising or requiring the collection of the information;
 - g) the fact that, where applicable, we (as the responsible party) intend to transfer the information to a third country or international organisation and the level of protection afforded to the information by that third country or international organisation;
 - h) any further information such as the—
 - i) recipient or category of recipients of the information;
 - ii) nature or category of the information;
 - iii) existence of the right of access to and the right to rectify the information collected;
 - iv) existence of the right to object to the processing of Personal Information as referred to in section 11(3); and
 - v) right to lodge a complaint to the Information Regulator and the contact details of the Information Regulator,

Collection of Personal Information.

What Personal Information do we collect?

1. Personal Information is collected either by voluntarily action, automatic process or via third party processors.
2. **Voluntarily:** We have access to/collect personal information that you voluntarily give us via email or other direct contact from you. 2.1. Typically, we may collect, use and store the following categories of personal information about you: (but not limited to) -

- a) Identifying particulars – for example names, identification numbers, company registration numbers, etc. for accounting, service delivery and payment purposes;
- b) Contact information – for example addresses, telephone numbers, e-mail address, etc;
- c) Personal Information you choose to provide to us;
- d) Personal Information when you contact us directly;
- e) Personal Information you provide through our websites.
- f) Personal Information from former, current and prospective clients, our suppliers and their employees, as well as contractors and others;

3. **Automatic:** We may also have access / collect Personal information that we collect automatically when you visit our website.

4. **Third Parties:** We may also collect information about you through our trusted third-party sources to assist us in providing product and service offerings to you.

5. In terms of the POPI Act we must have accurate and up to date information about you. Please check that your personal details are correct whenever you visit us and inform us of any changes.

6. Personal Information is collected directly from our Data Subjects. We may also use other sources, subject to restrictions under applicable law, to assist in obtaining relevant Personal Information about you.

Our Contact Particulars. Organisation Name:	Eclipse Technologies
Physical Address	81 Hennie Alberts Street Brackendowns Alberton Gauteng
Postal Address	As above
Tel No:	+27 11 867 5942
Email:	Info@eclipsetechnologies.co.za

POPIA ACT COMPLIANCE MANAGEMENT FRAMEWORK

Page 1 of 10 02.1: Personal Information Protection Policy

02.1: Personal Information Protection Policy

1. Contents

1. Contents	1
2. Purpose, Scope and Users	2
3. Reference documents	2
4. Definitions	2
4.1. Personal Information	2
4.2. Special Personal Information	3
4.3. Processing	3
4.4. Responsible Party	3
4.5. Operator	3
5. General Principles for Processing Personal Information	4
5.1. Purpose of the Guiding Principles.	4
5.2. Scope.	4
6. Compliance with Personal Information Protection Principles	4
6.1. General.	4
6.2. Protection of Personal Information Act 2013 ("POPI")	6
6.3. Consent Obligation	6
a. Consent Required	6
b. Provision of Consent	7
c. Withdrawal of Consent	7
6.4. Purpose Limitation Obligation	7
a. Limitation of Purpose	7
b. Notification of Purpose	7
6.5. Access and Correction Obligation	8
a. Access to Clients Personal Information	8
b. Correction of Clients Personal Information	8
6.6. Accuracy Obligation	9
6.7. Protection Obligation.....	9
6.8. Retention Limitation Obligation.....	9
6.9. Transfer Limitation Obligation	9
6.10. Complaints Handling Procedure	9
6.11. Compliance with this Policy	10
6.12. Information Officer ("IO")	10

POPIA COMPLIANCE MANAGEMENT FRAMEWORK

Page 2 of 10 02.1: Personal Information Protection Policy

2. Purpose, Scope and Users

2.1. This Policy regulates the management of Personal Information of Eclipse Technologies (hereinafter the Organisation) and provides rules and procedures which apply to all departments and individuals within the Organisation, aimed at ensuring that Personal Information is processed and protected properly.

2.2. This Policy applies to the Processing of Personal Information by any department or individual within the Organisation.

2.3. "Organisation" refers to Eclipse Technologies (Pty) Ltd, registration number and all wholly owned subsidiaries directly or indirectly controlled by it.

2.4. The users of this document are all staff members of the Organisation.

3. Reference documents

3.1. Protection of Personal Information Act, 2013

3.2. Promotion of Access to Information Act, 2000

4. Definitions

The following definitions of terms used in this document are drawn from the Protection of Personal Information Act, 2013 (POPIA Act):

4.1. Personal Information

“personal information” means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to -

a. information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;

b. information relating to the education or the medical, financial, criminal or employment history of the person;

c. any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;

d. the biometric information of the person;

e. the personal opinions, views or preferences of the person;

f. correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;

g. the views or opinions of another individual about the person; and

h. the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information.

4.2. Special Personal Information

“special personal information includes personal information concerning the religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life or biometric information of an information subject; or the criminal behaviour of an information subject.

4.3. Processing

“**processing**” means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including -

a. the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;

b. dissemination by means of transmission, distribution or making available in any other form; or merging, linking, as well as restriction, degradation, erasure or destruction of information.

4.4. Responsible Party

“responsible party” means a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means for processing personal information. For purpose of this policy the responsible party will be Eclipse Technologies

4.5. Operator

“operator” means a person who processes personal information for a responsible party in terms of a contract or mandate, without coming under the direct authority of that party.

POPIA COMPLIANCE MANAGEMENT FRAMEWORK

5. General Principles for Processing Personal Information

We have summarized below the most important principles of personal information protection set out in the POPI Act. Any processing of personal information which is incompatible with any of the principles would be unlawful (unless an exemption or derogation applies).

5.1. Purpose of the Guiding Principles.

In order to provide guidance and recommendations in connection with processing the personal information (special or not) related to data subjects in the Organisation, who has considered it necessary to issue the following guiding principles.

5.2. Scope.

- a) This Policy applies to all personal and special personal information held by the Organisation in relation to data subjects of concern to the Organisation.
- b) This Policy applies whether processing takes place within an Organisation office, between different Organisation offices in the same or more than one country, or whether personal information is transferred to third parties.
- c) The Policy continues to apply even after persons are no longer of concern to the Organisation.
- d) Compliance with this Policy is mandatory for all Organisation personnel.

6. Compliance with Personal Information Protection Principles

6.1. General. Accountability

Our Information Officer will ensure that we process the personal information of our staff, customers, providers or any other individuals (also referred to as data subjects) in compliance with the applicable data protection rules as set out in the POPI Act.

Lawfulness, reasonableness and transparency

1. Personal information shall be processed lawfully, reasonably and in a transparent manner in relation to the data subject.
2. Personal information may only be processed if, given the purpose for which it is processed, it is adequate, relevant and not excessive.
3. Personal information may only be processed if -