

POLICY STATEMENT AND MANUAL OF:

**PROTECTION OF PERSONAL INFORMATION AND THE
RETENTION OF DOCUMENTS**

FOR

MOGALE AUCTIONEERS

(REG. NO.: 2001/014730/07)

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1. PROTECTION OF PERSONAL INFORMATION IN TERMS OF THE PROTECTION OF PERSONAL INFORMATION ACT, 4 OF 2013.

1.1 INTRODUCTION

Mogale Auctioneers, along with most Companies in South Africa is obligated to comply with the Protection of Personal Information Act, 4 of 2013, (hereinafter referred to as "POPI").

POPI requires Mogale Auctioneers to adhere to certain minimum requirements, of which the most important aspects are to inform their clients as to the manner in which their personal information is used, disclosed and destroyed.

Mogale Auctioneers as a Company thrive to always be their best and that includes to comply with the necessary obligations place on them by law. Mogale Auctioneers guarantee by complying with POPI that its client's personal information is used appropriately, transparently, securely and in accordance with the applicable laws.

This Policy will explain and set out the manner in which we deal with our client's personal information as well as and stipulates the purpose for which said information is used. This policy will also be made available

on the website of Mogale Auctioneers and can be requested from the Mogale Auctioneers Head Office.

1.2 PERSONAL INFORMATION COLLECTED

Section 9 of the POPI states that *“personal information may only processed if, given the purpose for which it is processed, it is adequate, relevant and not excessive.”*

Mogale Auctioneers collects and processes client’s personal information pertaining to the client’s participation in its auctions. The type of information will depend on the type of auction, i.e. movable property, immovable property, etc., which information will be processed for that purpose only.

Whenever possible, Mogale Auctioneers will inform the client as to the information required and the information deemed optional.

The following personal information will be collected by us, (this is the standard information, but is not limited to this):

1. Identity Number;
2. Full names and Surname;
3. Physical address;
4. Postal address;

5. Proof of ownership on property;
6. Fica documents; and
7. Any other document necessary to conclude transactions.

1.3 **THE USAGE OF PERSONAL INFORMATION**

The client's Personal Information will only be used for the purpose for which it was collected and as agreed.

This may include:

1. Providing products or services to clients and to carry out the transactions requested pertaining to the sale in auctions;
2. Assessing and processing the sale of property;
3. Conducting credit reference searches or- verification;
4. Confirming, verifying and updating client details;
5. For purposes of claim history;
6. For the detection and prevention of fraud, crime, money laundering or other malpractices;
7. For audit and record keeping purposes;
8. In connection with legal proceedings;

9. Providing communication in respect of the Mogale Auctioneers clients and regulatory matters that may affect clients in connection with and to comply with legal and regulatory requirements or when it is otherwise allowed below.

According to section 10 of POPI, personal information might only be processed if certain conditions herein listed below are made along with supporting information forming part of this processing of personal information:

1. the clients consent to the processing: Consent is obtained from clients when they register to participate in the auction and sign all the necessary terms and conditions, mandates, etc.;
2. the necessity of processing: a client cannot participate in an auction without the necessary information provided. The reason being, that in most instances the client will buy / sell property (movable / immovable), which will require a change in ownership to take place and for same to happen, these personal information is required to ensure that the sale can be concluded successfully;
3. processing complies with the obligation imposed by law on Mogale Auctioneers;
4. processing protects the interests of the client and of a third party to whom information is supplied – in order to provide client's with the products and services they register for in the auction, we require

certain personal information from the clients in order to make sure that the sale of the products can transfer from one owner to another. It is therefore important to properly process the personal information of our clients to ensure that their interests are protected in relation to a sale of goods, whether movable or immovable.

5. In certain circumstances client's personal information will have to be disclosed to third parties, specifically in relation to sale of products, where a transfer in ownership is necessary, for example, the transfer of immovable property or movable property, (i.e. vehicle, machinery).

1.4 DISCLOSURE OF PERSONAL INFORMATION

Mogale Auctioneers may disclose a client's personal information to third parties participating in the auction, specifically in relation to the purchase of the property relating to the client. Mogale Auctioneers have provisions and agreements in place to ensure that compliance confidentiality and privacy are complied with.

Mogale Auctioneers may also share client personal information with and obtain information about clients from third parties for the reasons already discussed above.

Mogale Auctioneers may also disclose a client's information where it has a duty or a right to disclose in terms of applicable legislation or where it may be deemed necessary to protect our rights.

1.5 SAFEGUARDING CLIENT INFORMATION

It is a requirement off POPI to adequately protect personal information. Mogale Auctioneers will continuously review its security controls and processes to ensure that personal information is secure.

The following procedures are in place in order to protect personal information:

1. The information officer is Angelique Steenkamp, whose details are available below and who is responsible for the compliance with the conditions of the lawful processing of personal information and other provisions of POPI.
2. This policy will come into effect on 1 July 2021.
3. Each new employee will be required to sign an employment contract containing relevant consent clauses for the use and storage of employee information, or any other actions so required, in terms of POPI.
4. Every employee currently employed within Mogale Auctioneers will be required to sign an addendum to their employment contracts

containing relevant consent clauses for the use and storage of employee information, or any other actions are required.

5. Every employee, (current and new), will sign as part of their employment contracts, confidentiality addendums, restraining them from disclosing any client information to third parties and that any and all client information may only used for the purpose it was obtained for.
6. Archived client information is stored on site which is also governed by POPI; access to this area is limited to authorized personnel only.
7. Any third party service providers to Mogale Auctioneers will be required sign a service level agreement guaranteeing their commitment to the protection of personal information; this is however an ongoing process that will be evaluated as needed.
8. All electronic files or data are backed up by the IT Department, which Department is also responsible for system security that protects third party access and physical threats. This Department is responsible for Electronic Information Security.

Consent to process client information is obtained from clients directly, (or a person who has been given authorization from the client to provide the client's personal information), during the registration period to participate in the auction proceedings.

1.6 ACCESS AND CORRECTION OF PERSONAL INFORMATION

Clients have the right to access the personal information we hold about them.

Clients also have the right to ask to update, correct or delete their personal information on reasonable grounds once a client objects to the processing of their personal information.

Once Mogale Auctioneers receives such a request from a client they will take all reasonable steps to confirm its clients identity before providing details of their personal information or making changes to their personal information.

The details of Mogale Auctioneer's Information Officer and Head Office details are as follows:

INFORMATION OFFICER DETAILS

NAME: ANGELIQUE STEENKAMP

TELEPHONE NUMBER: 082 043 3262

EMAIL ADDRESS: angelique@mogalemega.co.za

HEAD OFFICE DETAILS

TELEPHONE NUMBER: (011) 660 3254 / 082 550 3265

EMAIL ADDRESS: info@mogaleauctioneers.co.za

PHYSICAL ADDRESS: 1 Engelbrecht Avenue, Oatlands, Krugersdorp-
West, 1739.

2. **AMENDMENTS TO THIS POLICY**

Amendments to, or a review of this Policy, will take place on an *ad hoc* basis or at least once a year. Clients are advised to access the auctioneer website periodically to keep abreast of any changes. Where material changes take place clients will be notified directly or changes will be stipulated on the website.

3. **EIGHT PROCESSING CONDITIONS IN TERMS OF POPI**

3.1 ***Accountability***

Mogale Auctioneers will at all times ensure that the information obtained from their clients is for the specific need it is required and will ensure that the information provided is safe guarded as per the requirements set out in the POPI Act as well as set out herein above.

3.2 ***Processing Limitation***

Mogale Auctioneers will ensure that the personal information obtained from their clients, will be necessary information and will

not require the client to provide information that is not necessary or redundant.

3.3 *Purpose Specifications*

All information obtained from Mogale Auctioneers' client's is for a specific reason and a specific transaction to be concluded. In essence all client's will take part in the auction and as advised above, certain information is required and necessary to conclude these transactions.

Also refer to the registrations form, terms and conditions of sale, mandate for the sale of Movable and Immovable property agreements / documents, which highlight and state the specific purpose why the information is required.

3.4 *Further Processing*

Mogale Auctioneers will ensure that its client's personal information obtained and processed for the purposes of the auctions held and the sales concluded, will not be processed after the transactions has been concluded without the specific consent from the client.

In most instances further processing will not be required or necessary, however should Mogale Auctioneers, for instance wish

to do market related research, it will obtain the written consent from the client to further process his/her/its personal information.

3.5 *Information Quality*

Mogale Auctioneers strive to provide its clients with the best services and products and to enable them to do so, it is of paramount importance that the personal information required and obtained is the correct and most up to date information.

Mogale Auctioneers reserve the right to request from its clients the most recent and updated personal information as such, will *FICA* documents be required.

3.6 *Openness*

Mogale Auctioneers is open with their clients in respect of the necessity of the personal information and for the purpose it will be used for.

This Policy as well as the Consent Declaration and any and all other documents is available to prospective and current clients of Mogale Auctioneers at its Head Office, on its Website as well as at the Auction site.

The clients are thus / should be well acquainted with the content of the processing of their / its personal information.

3.7 Data Subject (“client”) Participation

As already stated above, Mogale Auctioneers’ client’s will be participating in the obtaining and processing of their / its personal information.

They will also be entitled to request such information to be amended, updated, corrected and / or deleted.

Mogale Auctioneers also have a ‘open door’ policy, in that should its clients have any queries, questions, etc. they can contact the compliance officer.

3.8 Security Safeguards

As stated above Mogale Auctioneers have systems in place to safeguard and protect the personal information of its clients. All of the current Employees of Mogale Auctioneers will sign an addendum to their employment agreement, providing for the protection of the personal information of its clients and all new employment agreements, will make provision for same as well.

Mogale Auctioneers will continue to review and adjust its security protocols to always ensure that its clients' personal information are safe and protected.

ACTION PLAN

Mogale Auctioneer as stated above is compliant with the POPI Act, in complying with the POPI Act as well as ensuring that all other documents signed by its clients are compliant with regards to the necessity of the personal information obtained.

The Action plan as well as all other processes will be reviewed and amended as may be necessary.

RESOURCES

1. Protection of Personal Information Act, 4 of 2013.
2. The Basic Conditions of Employment Act, 75 of 1997.
3. Terms and Conditions of Mogale Auctioneers.
4. Mandates and Conditions of Sale of Mogale Auctioneers
5. Registration forms of Mogale Auctioneers.