

SAICA GROUP Privacy Policy

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1 Introduction

- 1.1 SAICA values your right to privacy and security and therefore treat Personal Information that is obtained through use of this website, as private, and we are committed to providing you with secure access to our online services.
- 1.2 Please read this Policy to understand how your information will be treated. In keeping in line with our commitment to providing you with secure access, this Policy may be varied from time to time and we would advise that you check it regularly
- 1.3 We recognise the importance of protecting your privacy in respect of your Personal Information, as defined in POPIA and the GDPR, collected by us when you use this website.
- 1.4 In adopting this Policy, we wish to balance our legitimate business interests and your reasonable expectation of privacy. Accordingly, we will take appropriate and reasonable technical and organisational steps to prevent unauthorised access to, or disclosure of your Personal Information.
- 1.5 You are not required to provide any Personal Information on the public areas of this website. However, you may choose to do so by completing the application forms on various sections of our website, related to, *inter alia*:
 - 1.5.1 Careers;
 - 1.5.2 Publication and newsletter subscriptions;
 - 1.5.3 Seminars or other events;
 - 1.5.4 Making contact with our partners and employees;
 - 1.5.5 When you register as a student on line;
 - 1.5.6 Apply to become a member;
 - 1.5.7 Request certain services or products; and
 - 1.5.8 Contact or do business with us.
- 1.6 Please note that you may be requested to provide further information on the website to enable us to attend to the specific needs or requests you may have via our website.
- 1.7 In addition to information collected from our website, we may collect your information through:
 - 1.7.1 CPD enrolment forms;
 - 1.7.2 telephone calls;
 - 1.7.3 faxes;
 - 1.7.4 e-mails;
 - 1.7.5 letters sent by students;

- 1.7.6 members and other contacts of the Institute;
- 1.7.7 from subscription forms; and
- 1.7.8 surveys
- 1.8 By continuing to use this website:
 - 1.8.1 You agree that we may "collect, collate, process and/or store" your Personal Information and ("process") for, amongst other things, (i) the purposes of providing you with access to the website and the website content and benefits; and (ii) for any other purposes that will enable us to best serve your needs on our website, without deviating from our legitimate business interests.

2 Interpretation and Definitions:

In this Policy-

- 2.1. the headings are for convenience and shall be disregarded in construing this Policy;
- 2.2. unless the context indicates a contrary intention, the singular shall include plural and vice versa;
- 2.3. a natural person includes a juristic person and vice versa;
- 2.4. where any term is defined within a particular clause other than this **clause 2**, the term so defined shall bear the meaning ascribed to it in that clause wherever it is used in this Policy, unless it is clear from the clause in question that such a defined term has limited application to the relevant clause;
- 2.5. any reference to any statute, regulation or other legislation shall be a reference to that statute, regulation or other legislation as amended or substituted from time to time; and
- 2.6. Unless the context clearly indicates a contrary intention, the following expressions shall bear the meanings set opposite them below and cognate expressions shall bear corresponding meanings:
 - 2.6.1. **"Compliance"** means the management and identification of the on-going obligations and requirements, exposures, risks and opportunities arising under –
 - 2.6.1.1. legislation and regulations;
 - 2.6.1.2. principles, standards, guidelines;
 - 2.6.1.3. standard codes of practice and conduct (legal and voluntary); and
 - 2.6.1.4. policies and procedures ,

and then designing and implementing an effective assurance system and culture so that the obligations, risks and opportunities are properly met and managed;

2.6.2. **“Consent”** means a data subject’s voluntary, specific, informed and unambiguous indication of its wishes by a statement or a clear affirmative action, signifies its agreement to the processing of its Personal Information, as defined in Section 1 of the POPIA and Article 4 of the GDPR, whichever is applicable under the circumstances;

2.6.3. **“Controller”** means a:

2.6.3.1. a Controller as defined in Article 4 of the GDPR; and

2.6.3.2. a Responsible Party, as defined in Section 1 of the POPIA;

whichever is applicable under the circumstances;

2.6.4. **“Data Protection Regulatory Framework”** means the legislation, regulations, standards and codes of good practices in SAICA’s Regulatory Framework in relation to the protection of Personal Information of data subjects specifically;

2.6.5. **“Data Subject”** means the person to whom the Personal information relates, as defined in Section 1 of the POPIA and Article 4 of the GDPR, whichever is applicable under the circumstances;

2.6.6. **“DPO”** means a Data Protection Officer as follows:

2.6.6.1. a Data Protection Officer, as defined in Articles 37 to 39 of the GDPR;

2.6.6.2. an Information Officer, as defined in section 1 of the POPIA;

whichever is applicable under the circumstances;

2.6.7. **“Employee”** means a permanent-, fixed-term or temporary employee of SAICA;

2.6.8. **“GDPR”** means the General Data Protection Regulation of the (EU) 2016/679 ;

2.6.9. **“Personal Data/Information”** means information which relates to and identified or identifiable natural person, and where applicable, an identifiable, existing juristic person, in particular by reference to an identifier factor such as a name, identification number, location data, online identifiers or other specific factors such as physical, physiological, genetic, mental, economic, cultural or social identity of a natural person, as defined in Section 1 of the POPIA and Article 4 of the GDPR, whichever is applicable under the circumstances;

- 2.6.10. **“POPIA”** means the Protection of Personal Information Act, 4 of 2013 and its Regulations, which effective date still have to be determined;
- 2.6.11. **“Processing”** means any operation or set of operations performed on Personal Information or sets of Personal Information, as defined in Article 4 of the GDPR and Section 1 of the POPIA, whichever is applicable under the circumstances;
- 2.6.12. **“Processor”** means:
 - 2.6.12.1. a Processor, as defined in Article 4 of the GDPR; and
 - 2.6.12.2. an Operator, as defined in Section 1 of the POPIA;whichever is applicable under the circumstances;
- 2.6.13. **“Regulatory Authority”** means an institution established to oversee the implementation of a particular legislation;
- 2.6.14. **“SAICA”** means the South African Institute of Chartered Accountants and its entities; and
- 2.6.15. **“The/This Policy”** means this Privacy Policy document.

3 Personal Information we collect and process

- 3.1 The types of Personal Information that we may collect and process includes information necessary for our legitimate business interest and the categories of Personal Information defined in POPIA and GDPR. This may include (amongst other things):
 - 3.1.1 your name and surname
 - 3.1.2 race;
 - 3.1.3 gender;
 - 3.1.4 identity or passport numbers;
 - 3.1.5 e-mail;

- 3.1.6 physical and postal addresses;
 - 3.1.7 contact information;
 - 3.1.8 information relating to your occupation; and
 - 3.1.9 the pages of the website viewed by you.
- 3.2 We will limit the types of Personal Information we process to only that to which you consent and which is necessary for our legitimate business interests.

4 Processing Your Personal Information

- 4.1 Personal Information may be processed when:
- 4.1.1 you complete the relevant forms on our website to subscribe or register;
 - 4.1.2 you browse the website.
- 4.2 You acknowledge and consent that all Personal Information processed by us may be stored by us.

5 How do we use your Personal Information

- 5.1 Our legitimate business interest may include, but are not limited to:
- 5.1.1 processing your membership application;
 - 5.1.2 processing your membership renewal;
 - 5.1.3 sending you information on relevant services, seminars, training and events;
 - 5.1.4 sending you information on opportunities created for members with other service providers; and
 - 5.1.5 communicating with you on any issues relevant to your membership or transactions with the Institute.

6 Sharing of your Personal Information

- 6.1 SAICA is governed by the PAIA and the GDPR and you can consent to us providing your information in compliance with this Act as and when necessary.
- 6.2 You further consent that we may disclose your Personal Information to SAICA approved third party service providers (as referred to below in 6.3.1) where necessary.

- 6.3 You agree that once your information has been de-identified, i.e, delete any information that identifies you directly, such Personal Information may be shared under the following circumstances:
- 6.3.1 to our agents, advisers, service providers and suppliers (our creative, brand, digital and media agencies) Microsoft, Google and other research agents);
 - 6.3.2 to monitor web traffic: web servers serving the website automatically collect information about pages you visit. This information is used for internal review, to tailor information to individual visitors and for traffic audits;
 - 6.3.3 for statistics purposes: we may perform statistical analyses in order to measure interest in the various areas of the website (for product development purposes); and
 - 6.3.4 to government and law enforcement agencies, where the law requires that we disclose your Personal Information to a party, and where we have reason to believe that a disclosure of Personal Information is necessary to identify, contact or bring legal action against a party who may be in breach of the Privacy Policy or may be causing injury to or interference with (either intentionally or unintentionally) our rights or property, other users, or anyone else that could be harmed by such activities.
- 6.4 We will not sell, rent, trade or otherwise supply to third parties any Personal Information obtained from you without your consent.
- 6.5 We will confirm your membership of SAICA to members of the public, other professional bodies, and provide contact information to overseas member groups if you are going overseas, only if requested by you to do so
- 6.6 We give you the following options for accessing and modifying information previously provided:-
- 6.6.1 You may gain access to information that the Institute has collected about you, by completing the Data Subject Access Request Form, in terms of the Data Subject Access Request Procedure and submitting it to the person named below. We will not charge you for responding to such a request;
 - 6.6.2 You can change or update Personal Information online or you can also advise of changes via telephone, facsimile, e-mail or letter addressed to the Controller; or
 - 6.6.3 Each year members are notified of the information held on file on their subscription form and can amend that information.

7 Your rights

- 7.1 You have the right to request that we correct, destroy or delete any of your Personal Information that we have processed in accordance with this policy, by completing the Personal Information Removal Request Form and submitting it to the email address listed below. The Personal Information that you may request us to correct, destroy or delete is Personal Information that has been processed that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading, obtained unlawfully or that we are no longer authorised to retain.
- 7.2 You have the right to withdraw your consent for us to process your Personal Information at any time. The withdrawal of your consent can only be made by you on the condition that the withdrawal does not affect the Processing of your Personal Information:
- 7.2.1 before the withdrawal of your consent; or
 - 7.2.2 if the processing is in compliance with an obligation imposed by law on us; or
 - 7.2.3 where such processing is necessary for the proper performance of a public law duty by a public body;
 - 7.2.4 As required to finalise the performance of a contract in which you are a party; or
 - 7.2.5 as required to protect your legitimate interests or our own legitimate interests or the legitimate interests of a third party to whom the information is supplied.
- 7.3 You have the right to object to the Processing of your Personal Information at any time;
- 7.3.1 on reasonable grounds relating to your particular situation, unless the Processing is required by law or contractual obligations to which you are a party;
 - 7.3.2 if the Processing of your Personal Information is not necessary for the proper performance of a public law duty by a public body; or
 - 7.3.3 if the processing of your Personal Information is not necessary to pursue your legitimate interests; our legitimate interests or the legitimate interests of a third party, except where such interests are overridden by your interests or fundamental rights and freedoms, which require protection; and
 - 7.3.4 if the Processing is for purposes of direct marketing other than direct marketing by means of unsolicited electronic communications and you have not given your consent for that processing.

- 7.4 You have the right not to have your Personal Information processed for purposes of direct marketing by means of unsolicited electronic communications from third parties unknown to you.
- 7.5 You have the right not to be subjected to a decision which is based solely on the basis of the automated Processing of your Personal Information intended to provide a profile of you.
- 7.6 You have the right to be forgotten.
- 7.7 Decisions that you may not be subjected to are decisions that result in legal consequences for you or affect you to a substantial degree:
- 7.7.1 without being for the execution of a contract that you have received performance for; or
- 7.7.2 decisions made that are not in terms of law or of a code of conduct that specifies the appropriate measure that must be taken to protect your legitimate interests.
- 7.8 You have the right to submit a complaint to the Regulatory Authority regarding an alleged interference with the protection of Personal Information processed in accordance with this Policy.
- 7.9 You have the right to institute civil proceedings regarding an alleged interference with the protection of your Personal Information processed in accordance with these Terms.

8 Use of cookies

- 8.1 Cookies are pieces of information a website transfers to a user's hard drive for record-keeping purposes. Cookies make surfing the web easier for you by saving your preferences and tracking your online habits, traffic patterns, and making sure you do not see the same advertisement too often. The use of cookies is an industry standard.
- 8.2 We may place a cookie on your browser to store and sometimes track information about you.
- 8.3 While most browsers are initially set up to accept cookies, you can reset your browser to refuse all cookies or indicate when a cookie is being sent. Please note that some parts of the website will not function properly if you refuse cookies.

9 Use of IP address

- 9.1 An IP address is a number that is automatically assigned to a computer whenever it is connected to the Internet. We log IP addresses or the location of computers on the Internet.

9.2 We collect IP addresses for the purposes of system administration and to audit the use of the website. We do not ordinarily link IP addresses to Personal Information, which means that your session may remain anonymous. However, we cannot guarantee that this will always be the case, as it may be necessary to identify a particular user when it is necessary to enforce compliance with the Privacy Policy or to protect our website, its users or other interests.

10 Links to other sites

When you are using the website, you could be directed to other websites that are beyond our control. These other web sites may send their own cookies to you to collect data or solicit Personal Information. We do not control the privacy policies of those third party web sites.

11 Contact Information

11.1 If you have any questions in relation to this Privacy Policy please contact at the DPO at:

Tel: +2711 621 6710 / 6979

Email: GDPRcompliance@saica.co.za

Post:

The South African Institute of Chartered Accountants

P O Box 59875

Kengray

2100

Johannesburg

12 Policy Communication

This Policy shall be communicated to all applicable users by means of awareness campaigns as well as the Intranet. All users (including contractors and third parties) are required to agree to be bound by the provision of this policy before gaining access to SAICA's network.

13 Effective Date

This Policy shall come into effect on the date of approval and shall repeal previous SAICA Policies which are related to Personal Data Protection.