

PRIVACY POLICY

Alchemy Law, the trading name of Alchemy Law Africa (Pty) Limited and Alchemy Dispute Resolution, the trading name of Dingiswayo, Du Plessis, Van der Merwe Inc. (collectively **Alchemy, we, us or our**) are sensitive to the personal nature of the information you provide to us. This privacy policy (**Policy**) explains how we protect and use information that pertains to or is about any individual, or from which any individual is directly or indirectly identifiable, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that individual (**Personal Information**). This Policy applies to all external parties with whom we interact, including (without limitation) individual clients, representatives of client organisations, visitors to our offices, and other users of our legal and related services (**you**). By providing us with Personal Information, you (i) agree to this Policy and authorise us to process such information as set out herein, and (ii) authorise Alchemy, our associates, our service providers and other third parties to collect, record, organise, structure, use, store, adapt, alter, retrieve, disclose by transmission or dissemination or otherwise make available, retain, erase and otherwise process (collectively **Process**) your Personal Information for the purposes stated in this Policy.

1. Collection of personal information

1.1. We may collect or obtain Personal Information about you:

- directly from you;
- in the course of our relationship with you;
- in the course of providing legal services to you or your organisation;
- when you make your Personal Information public;
- when you visit and/or interact with any website operated or maintained by us on our behalf (**Website**) or our various social media platforms;
- when you register to use any of our legal and related services including but not limited to newsletters, seminars and legal updates;
- when you interact with any third party content or advertising on our Website; or
- when you visit our offices or attend or participate in our events or programs.

1.2. We may also receive Personal Information about you from third parties.

1.3. In addition to the above, we may create Personal Information about you such as records of your communications and interactions with us, including, but not limited to, your attendance at events or at interviews in the course of applying for a job with us, subscription to our newsletters and other mailings and interactions with you during the course of our digital marketing campaigns.

2. Categories of personal information that we may process

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

- personal details: name, photograph and the like;
- demographic information: gender, date of birth / age, nationality, salutation, title and language preferences;
- identifier information: passport or national identity number, utility provider details, bank statements, leases and tenancy agreements;
- contact details: correspondence address, telephone number, email address and details of your public social media profiles;
- instruction details: details of individuals instructing us, information included in correspondence, documents, evidence or other materials that we Process in the course of providing services;
- attendance records: details of meetings and other events organised by us or on our behalf 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, payment date and records of cheques;
- data relating to your visits to our Website: your device type, operating system, browser type, browser settings, IP address, language settings, dates and times of connecting to a Website and other technical communications information;
- employer details: where you interact with us in your capacity as an employee of an organisation, the name, address, telephone number and email address of your employer, to the extent relevant;
- content and advertising data: records of your interactions with our online advertising and content, records of advertising and content displayed on pages displayed to you, and any interaction you may have had with such content or advertising (including, but not limited to, mouse hover, mouse clicks and any forms you complete).

3. Sensitive personal information

Where we need to Process your Personal Information about race or ethnicity, political opinions, religious or philosophical beliefs, trade union membership, physical or mental health, sexual life, any actual or alleged criminal offences or penalties, national identification number, or any other information that may be deemed to be sensitive under applicable law, we will do so in the ordinary course of our business, for a legitimate purpose, and in accordance with applicable law.

4. Purpose of processing and legal bases for processing personal information

4.1. We will Process your Personal Information in the ordinary course of the business of providing legal and related services. We will primarily use your Personal Information only for the purpose for which it was originally or primarily collected. We will use your Personal Information for a secondary purpose only if such purpose constitutes a legitimate interest and is closely related to the original or primary purpose for which

the Personal Information was collected. We may subject your Personal Information to Processing during the course of various activities, including, without limitation, the following:

- operating our business;
- analysis, 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;
- recruitment.

4.2. We may process your Personal Information for relationship management and marketing purposes in relation to our services (including, without limitation, Processing that is necessary for the development and improvement of our legal and related services), for accounts management, and for marketing activities in order to establish, maintain and/or improve our relationship with you and with our service providers. We may also analyse your Personal Information for statistical purposes.

4.3. We may process your Personal Information for internal management and management reporting purposes, including but not limited to: conducting internal audits, conducting internal investigations, implementing internal business controls, providing central processing facilities, for insurance purposes and for management reporting analysis.

4.4. We may Process your Personal Information for safety and security purposes.

5. Disclosure of personal information to third parties

5.1. We may disclose your Personal Information to our associates and service providers, for legitimate business purposes, in accordance with applicable law and subject to applicable professional and regulatory requirements regarding confidentiality. In addition, we may disclose your Personal Information:

- if required by law;
- to legal and regulatory authorities, upon request, or for the purposes of reporting any actual or suspected breach of applicable law or regulation;
- to third party operators that will Process same on our behalf or at our request (including, without limitation, to providers of services for money laundering checks, credit checks and other fraud and crime prevention checks, and to data processors such as providers of data hosting services and document production or review technology services), located anywhere in the world;
- where it is necessary for the purposes of, or in connection with, our legal and related services or actual or threatened legal proceedings or establishment, exercise or defence of legal rights;

- to any relevant party for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including, but not limited to, safeguarding against, and the prevention of threats to, public security;
- to any relevant third party acquirer(s), in the event that we sell or transfer all or any portion of our business or assets (including, but not limited to, in the event of a reorganisation, dissolution or liquidation);
- to any relevant third party provider, where our Website uses third party advertising, plugins or content;
- for insurance purposes;
- to credit, rating and/or ranking agencies.

5.2. If we engage a third party operator to Process any of your Personal Information, we recognise that any operator who is in a foreign country must be subject to a law, binding corporate rules or binding agreements which provide an adequate level of protection at least similar to the Protection of Personal Information Act, 2014 (**POPIA**). We will endeavour to review our relationships with operators we engage and, to the extent required by any applicable law if force, we will endeavour to require such operators to be bound by contractual obligations to only Process such Personal Information in accordance with our prior written instructions, and to use appropriate measures to protect the confidentiality and security of such Personal Information.

6. International transfer of personal information

We may transfer your Personal Information to recipients outside of the Republic of South Africa. Subject to clause 5.2, Personal Information may be transferred outside of the Republic of South Africa provided that the country to which the data is transferred has adopted a law that provides for an adequate level of protection at least or substantially similar to POPIA, the operator or third party undertakes to protect the Personal Information in line with applicable data protection legislation and the transfer is necessary in order to provide the legal and other related services that are required by our clients .

7. Data security

- 7.1. We implement appropriate technical and organisational security measures to protect your Personal Information that is in our possession against accidental or unlawful destruction, loss, alteration, unauthorised disclosure, unauthorised access, in accordance with applicable law.
- 7.2. Where there are reasonable grounds to believe that your Personal Information that is in our possession has been accessed or acquired by any unauthorised person, we will notify the relevant regulator and you, unless a public body responsible for detection, prevention or investigation of offences or the relevant regulator informs us that notifying you will impede a criminal investigation.

- 7.3. Because the internet is an open system, 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 and we cannot be held liable for any loss of privacy occurring during the course of such transmission.

8. Data accuracy

- 8.1. The Personal Information provided to us should be accurate, complete and up-to-date. Should Personal Information change, the onus is on the provider of such data to notify us of the change and provide us with the accurate data.
- 8.2. If you provide Personal Information to us about another person (such as your directors or employees or someone with whom you have business dealings) you must ensure that you are entitled to disclose that Personal Information to us and that, without taking any further steps, we may Process that Personal Information as described in this Policy. Without limiting the generality of the foregoing, you must ensure that such other person concerned is aware of, and agrees to, this Policy.

9. Data minimisation and retention

- 9.1. We shall restrict our processing of Personal Information to data which is sufficient for the fulfilment of the primary purpose and applicable legitimate purpose for which it was collected.
- 9.2. We shall only retain and store Personal Information for the period for which the data is required to serve its primary purpose or a legitimate interest or for the period required to comply with an applicable legal requirement, whichever is longer.

10. Your legal rights

You may have rights under South African and other laws to have access to your Personal Information and to ask us to rectify, erase and restrict use of, your Personal Information. You may also have rights to object to your Personal Information being used, to ask for the transfer of Personal Information you have made available to us and to withdraw consent to the use of your Personal Information.

11. Cookies and similar technologies

- 11.1. A cookie is a small file that is placed on your device when you visit a website. In this Policy, a reference to a **Cookie** includes analogous technologies such as web beacons and clear Graphic Interchange Format files or so-called GIFs.
- 11.2. We may Process your Personal Information by our use of Cookies and similar technologies.

11.3. When you visit our Website we may place Cookies onto your device, or read Cookies already on your device, subject always to obtaining your consent, where required, in accordance with applicable law. We use Cookies to record information about your device, your browser and, in some cases, your preferences and browsing habits. We may Process your Personal Information through Cookies and similar technologies.

12. Direct marketing

12.1. We may Process your Personal Information for the purposes of providing you with information regarding services that may be of interest to you. You may unsubscribe for free at any time.

12.2. If you currently receive marketing information from us which you would prefer not to receive in the future please contact us at the details provided below.

13. Contact information

You may contact us at:

Bruce Schubach

bruce@alchemylawafrica.com

14. Updating of policy

Alchemy may review and update this Policy from time to time. The latest version of this Policy is available on request.