



*CONFIDENTIAL*

**Privacy  
Policy**

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This Privacy Policy describes Our policies and procedures on the collection, use and disclosure of Your information when You use the Service and tells You about Your privacy rights and how the law protects You.

We use Your Personal data to provide and improve the Service. By using the Service, You agree to the collection and use of information in accordance with this Privacy Policy.

## 1. INTRODUCTION

- 1.1 This privacy policy ("this Policy") explains how we protect and use your Personal Information.
- 1.2 By providing us with your Personal Information, you –
  - 1.2.1 agree to this Policy and authorise us to process such information as set out herein; and
  - 1.2.2 authorise Body20 Moreleta Village, its Directors, Associates, our Service Providers and other third parties to Process your Personal Information for the purposes stated in this Policy.
- 1.3 We will not use your Personal Information for any other purpose than that set out in this Policy and will endeavour to protect your Personal Information that is in our possession from unauthorised alteration, loss, disclosure or access.
- 1.4 Please note that we may review and update this Policy from time to time. The latest version of this Policy is available on request.
- 1.5 This Policy applies to all external parties with whom we interact, including but not limited to individual clients, representatives of client organisations, visitors to our studio, and other users of our services.
- 1.6 Defined terms used in this Policy are explained in Annexure A, below.
- 1.7 **DIRECTORS AND OFFICE BEARERS – Body20 Moreleta Village**  
  
Johannes Cornelius Engelbrecht – Director and Information Officer  
  
Adél Engelbrecht – Director and Deputy Information Officer

## 2. COLLECTION OF PERSONAL INFORMATION

- 2.1 We may collect or obtain Personal Information about you -
- 2.1.1 directly from you;
  - 2.1.2 in the course of our relationship with you;
  - 2.1.3 in the course of providing our services to you or your organisation;
  - 2.1.4 when you make your Personal Information public;
  - 2.1.5 when you visit and/or interact with our Website or our various social media platforms;
  - 2.1.6 when you register to use any of our services including but not limited to newsletters, seminars and service updates;
  - 2.1.7 when you interact with any third party content or advertising on our Website and/or our various social media platforms; or
  - 2.1.8 when you visit our offices.
- 2.2 We may also receive Personal Information about you from third parties (eg, law enforcement authorities).
- 2.3 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 and/or other marketing campaigns in any form.
- 2.4 **ADDITIONAL DATA SUBJECTS**
- Additional Data Subjects include, but is not limited to:-
- 2.4.1 Clients of Body20 Moreleta Village;
  - 2.4.2 Employees of Body20 Moreleta Village;
  - 2.4.3 City Council and Municipal ratepayers and consumers;

2.4.4 Service Providers, Consultants, Legal and Professional Advisors.

### **3. CATEGORIES OF PERSONAL INFORMATION WE MAY PROCESS**

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

- 3.1 personal details: name; and photograph;
- 3.1 demographic information: gender; date of birth / age; nationality; salutation; title; and language preferences;
- 3.2 identifier information: passport or national identity number; utility provider details; bank statements; tenancy agreements;
- 3.3 contact details: correspondence address; telephone number; email address; and details of your public social media profile(s);
- 3.4 instruction details: details of individuals engaging Body20 Moreleta Village and personal information included in correspondence, documents, evidence or other materials that we process in the course of providing our services;
- 3.5 attendance records: details of meetings and other events organised by or on behalf of Body20 Moreleta Village that you may and/or may not have attended;
- 3.6 consent records: records of any consents you may have given, together with the date and time, means of consent and any related information;
- 3.7 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 and EFT payments;
- 3.8 data relating to your visits to our Website and or social media platforms, your device type; operating system; browser type; browser settings; IP address; language settings; dates and times of connecting to a Website and/or social media platform, and other technical communications information;
- 3.9 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; and

- 3.10 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).

#### **4. SENSITIVE PERSONAL INFORMATION**

- 4.1 Where we need to process your Sensitive Personal Information, we will do so in the ordinary course of our business, for a legitimate purpose, and in accordance with applicable law.
- 4.2 Employees / Candidates for Employment: - Whenever we find it necessary in the scope of your employment and /or application for employment with us, we may collect from you, and/or any statutory bodies / government departments information such as your: SAPS criminal record clearance certificate, UIF payment and claim records, Workman's compensation payment and claims records, SARS tax and PAYE records.

#### **5. PURPOSES OF PROCESSING AND LEGAL BASES FOR PROCESSING**

- 5.1 We will process your Personal Information in the ordinary course of the business of providing our 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:--

- 5.1.1 operating our business;
- 5.1.2 analysis, evaluation, review and collation of information in order to provide our services to you, via sub-contractors, consultants, professionals, determine legal issues and potential disputes, prepare or comment on opinions, memoranda, agreements, correspondence, reports, publications, documents relating to business /service agreements and other documents and records (whether in electronic or any other medium whatsoever) -

- 5.1.3 compliance with applicable law and fraud prevention;
- 5.1.4 transfer of information to our Service Providers and other third parties or
- 5.1.5 recruitment.
- 5.2 We may process your Personal Information for relationship management and marketing purposes in relation to our services, including, but not limited to, Processing that is necessary for the development and improvement of services, for accounts management, and for marketing activities in order to establish, maintain and/or improve our relationship with you and with our Clients, Service Providers / Business Partners. We may also analyse your Personal Information for statistical purposes.
- 5.3 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.
- 5.4 We may Process your Personal Information for safety and security purposes.
- 5.5 Engaging with clients and the public in general;
- 5.6 Engaging with businesses and industry – National and International;
- 5.7 Recruitment of personnel and management of employees;
- 5.8 Forging and in continuance of relationships with sectors of government, parastatals, statutory and other authorities;
- 5.9 Engaging with media, on all networks and platforms, as well as, marketing and sales.
- 5.10 Concluding contracts / agreements with other parties within the scope of Body20 Moreleta Village’s business activities – inclusive of Third Party Operators.

## **6. DISCLOSURE OF PERSONAL INFORMATION TO THIRD PARTIES**

- 6.1 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 -



- 6.1.1 if required by law;
  - 6.1.2 legal and regulatory authorities, upon request, or for the purposes of reporting any actual or suspected breach of applicable law or regulation;
  - 6.1.3 third party Operators (including, but not limited to, data processors such as providers of data hosting services and document review technology and services), located anywhere in the world, subject to 6.2;
  - 6.1.4 where it is necessary for the purposes of, or in connection with, actual or threatened legal proceedings or establishment, exercise or defence of legal rights;
  - 6.1.5 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;
  - 6.1.6 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 reorganization, dissolution or liquidation); and
  - 6.1.7 to any relevant third party provider, where our Website and/or social media platforms uses third party advertising, plugins or content.
- 6.2 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 similar to POPIA. We will review our relationships with Operators we engage and, to the extent required by any applicable law if force, we will require such Operators to be bound by contractual obligations to -
- 6.2.1 only Process such Personal Information in accordance with our prior written instructions; and
  - 6.2.2 use appropriate measures to protect the confidentiality and security of such Personal Information.

## **7. INTERNATIONAL TRANSFER OF PERSONAL INFORMATION**

- 7.1 We may transfer your Personal Information to recipients outside of the Republic of South Africa.

- 7.2 Subject to 6.2, 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 substantially similar to POPIA, the Operator/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 Body20 Moreleta Village' clients.

## **8. DATA SECURITY**

- 8.1 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.
- 8.2 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.
- 8.3 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 occurred during the course of such transmission.

## **9. DATA ACCURACY**

The Personal Information provided to Body20 Moreleta Village should be accurate, complete and up-to-date. Should Personal Information change, the onus is on the provider of such data to notify Body20 Moreleta Village of the change and provide Body20 Moreleta Village with the accurate data.

## **10. DATA MINIMISATION**

Body20 Moreleta Village will restrict its 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.

## 11. DATA RETENTION

Body20 Moreleta Village 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.

## 12. YOUR LEGAL RIGHTS

You may have rights under the 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. You may, therefore, on reasonable grounds, object to us using your personal information. If you object, we will stop using your personal information, except if the law allows its use.

### Lodging a complaint

If you believe we are using your personal information unlawfully, please let us know first at [adel@body20.co.za](mailto:adel@body20.co.za); and/or [jo.c.engelbrecht@gmail.com](mailto:jo.c.engelbrecht@gmail.com)

You may lodge a complaint to the Information Regulator (South Africa) with the following contact details:

Website: <https://www.justice.gov.za/inforeg/index.html>.

Address: SALU Building, 316 Thabo Sehume Street, Pretoria. Contact number: 012 406 4818.

Fax number: 086 500 3351. Email: [inforeg@justice.gov.za](mailto:inforeg@justice.gov.za).

If you are in the European Union or the United Kingdom, the following details may be used for the relevant regulatory authority: -

GDPR: -The European Commission Online complaint procedure:  
[https://ec.europa.eu/info/about-european-commission/contact/problems-and-complaints/how-make-complaint-eu-level/submit-complaint\\_en](https://ec.europa.eu/info/about-european-commission/contact/problems-and-complaints/how-make-complaint-eu-level/submit-complaint_en)

Address: European Commission, Secretary-General, B-1049 Brussels, BELGIUM Fax: 3222964335

The independent Data Protection Authority ("DPA") per member state Website listing all DPA's per member state:

[https://ec.europa.eu/justice/article-29/structure/data-protection-authorities/index\\_en.htm](https://ec.europa.eu/justice/article-29/structure/data-protection-authorities/index_en.htm)

Data Protection Act, 1998 (UK): - The Information Commissioner's Office Website:

<https://ico.org.uk/global/contact-us/> Tel: 0303 123 1113

### **13. COOKIES AND SIMILAR TECHNOLOGIES POLICY**

- 13.1 We may Process your Personal Information by our use of Cookies and similar technologies.
- 13.2 When you visit our Website and/or social media platforms we may place Cookies onto your device, or read Cookies already on your device, subject always in accordance with applicable law. We may 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, in accordance with our Cookie Policy.

### **14. DIRECT MARKETING**

- 14.1 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.
- 14.2 If you currently receive marketing information from us which you would prefer not to receive in the future, please email us at [adel@body20.co.za](mailto:adel@body20.co.za)

### **15. CONTACT DETAILS**

You may contact us at -

The Information Officer / Body20 Moreleta Village / Attention: Johann Engelbrecht

Tel: +27 64 360 2020

Email: [jo.c.engelbrecht@gmail.com](mailto:jo.c.engelbrecht@gmail.com) and/or [adel@bdy20.co.za](mailto:adel@bdy20.co.za)

## **ANNEXURE A - DEFINITIONS**

"Company" means Body20 Moreleta Village and where applicable, partners, directors, employees and consultants of Body20 Moreleta Village or of any of its subsidiaries.

"Cookie" means 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 ("GIFs").

"Operator" means any person or entity that Processes Personal Information on behalf of the Responsible Party.

"Personal Information" means information that 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.

Where we refer to "personal information", it means "personal information" as defined in the Protection of Personal Information Act, 4 of 2013 as amended from time to time ("POPI"), and "personal data" as per the General Data Protection Regulation 2016/679 ("the GDPR"). Personal information includes any information about a person that can be used to identify a person directly or indirectly. It includes information like a name, an identification number, location information, an online identifier or one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that person. POPI includes the personal information of juristic persons in its ambit – so we will protect the personal information of juristic persons in the same manner as any other person's personal information.

### **Children's personal information and special personal information**

We do not intentionally collect or use personal information of children (persons under the age of 18 years), unless with express consent of a parent or guardian and/or in the capacity as our client the guardian and/or parent of any such child / children or if the law otherwise allows or requires us to process such personal information.

"POPIA" means the Protection of Personal Information Act 4 of 2013, as amended.

"Process", "Processing" or "Processed" means anything that is done with any Personal Information, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission,

dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

"Responsible Party" means the entity that decides how and why Personal Information is Processed.

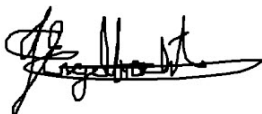
"Sensitive Personal Information" means Personal Information about race or ethnicity, political opinions, religious or philosophical beliefs, trade union membership, physical or mental health, sexual life, any actual or alleged criminal offences or penalties, national identification number, or any other information that may be deemed to be sensitive under applicable law.

"Service Provider" – third party providers of various services whom we engage, including, but not limited to, providers of information technology, communication, file storage, data storage, copying, printing, accounting or auditing services, counsel, experts, investigators, attorneys, translators, taxation consultants and our insurers and professional advisors;

"Website" means any website operated, or maintained, by us or on our behalf and includes all social media platforms. Find us at [www.body20moreleta.com](http://www.body20moreleta.com).

Where applicable, this Privacy Policy applies in addition to any other agreement that you enter into with us, including any letter and/or agreement of engagement that you agree to when you become our client and/or business partner/s.

Approved 30 June 2021



Signature:

Director - Johann Engelbrecht