

## PRIVACY POLICY STATEMENT

Marble Rock Asset Management (Pty) Ltd acknowledges its obligations under the applicable laws and regulations of South Africa pertaining to information and privacy issues.<sup>1</sup> Respecting and protecting your Personal Information (please refer to the definition of Personal Information at the end of this policy statement) is very important to us. It is also a Constitutional right [Section 14 of the Constitution of the Republic of South Africa, 1996, provides that everyone has the right to privacy], legal, and good business practice requirement, which we take very seriously.

In line with the 8 Conditions in the Protection of Personal Information Act, 4 of 2013 (the Act), we

- ✓ Accept joint responsibility and accountability with you to responsibly manage and protect your Personal Information when providing our services and solutions to you;
- ✓ Undertake to receive, only from you, and process the Personal Information that is necessary for the purpose to assist you with your required solutions, conclude the necessarily related agreements and consider the legitimate legal interests of everyone concerned, as required by the Act and to respect your right to withdraw your consent for the processing of your Personal Information;
- ✓ Undertake to only use your Personal Information for the purpose required to assist you or provide solutions to you;
- ✓ Undertake not to share or further process your Personal Information with anyone if not required for assisting you with your solutions or by the law;
- ✓ Undertake to be open and transparent and notify you as and when required by law regarding why and how your Personal Information needs to be collected;
- ✓ Undertake to safeguard and protect your Personal Information in our possession;
- ✓ Undertake to freely confirm what Personal Information we have, to update and correct the Personal Information, and to keep it for no longer than legally required.

As previously mentioned, your Personal Information is defined by the Protection of Personal Information Act 4 of 2013 (the Act) as:

*“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;*

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<sup>1</sup> Please note that this Privacy Policy and Statement will be subject to regular review and updated as required.

- (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 about the person”.*

## **1. What personal information do we collect from or about you?**

In the course of our business, personal information such as names, addresses, etc. may be collected and held, for use in fulfilling the primary purposes intended. Information retained on our database is also used to inform stakeholders and customers of relevant developments in procedures or products which we believe is either necessary or will assist in the use of the product or service we offer. Unless we are informed otherwise, we will continue to use the information collected in this manner. Accuracy of information is important to us and changes or corrections to information held will be welcomed at any time. We collect and process a range data about people we deal with and those connected to our clients and other counterparties. Such information might include:

- Your personal details, such as your:
  - Name;
  - Date of birth;
  - Occupation;
  - Nationality;
  - Marital status;
  - Country of residence;
  - Tax identifiers;
- Your profession, qualifications and employment history; and
- Your home and/or professional address – for example, email address, postal address and/or telephone number.

## **2. Why do we collect personal information?**

Marble Rock Asset Management respects stakeholders' privacy at all times. When processing your enquiry, we collect personal information about you for the primary purpose of providing you with a high level of customer service. We need to collect, use, and keep your Personal Information as prescribed by relevant laws and regulations and for reasons such as:

- 2.1 To share with and provide relevant products or services to you, to carry out the transaction you requested, and to maintain our relationship;
- 2.2 To respond to your queries relating to our services;
- 2.3 To confirm and verify your identity or to verify that you are an authorised user for security purposes;
- 2.4 For insurance underwriting purposes;
- 2.5 To assess and process claims;
- 2.6 To conduct credit reference searches or verification, only if you authorise this or if it's a requirement to provide your solutions to you;
- 2.7 For operational purposes required to assist you with the solutions you require;
- 2.8 For audit and record-keeping purposes;
- 2.9 In connection with possible requirements by the Information Regulator or other Government agencies allowed by law, legal proceedings, or court rulings.

## **3. Where do we obtain your personal information?**

- 3.1 From information which you have personally provided in the form of:
  - 3.1.1 Previous agreements entered into with us;
  - 3.1.2 Any information required in the on-boarding process or administration purposes;
  - 3.1.3 Due diligence documentation as required from a regulatory point of view;
  - 3.1.4 Personal data that you have disclosed by way of telephonic conversation, email or otherwise.
- 3.2 personal data we receive from you or any third-party sources which may include:
  - 3.2.1 Entities in which you or someone connected to you has an interest;
  - 3.2.2 Your legal and/or financial advisors;
  - 3.2.3 Other financial institutions who hold and process your personal data to satisfy their own regulatory requirements;
  - 3.2.4 Credit reference agencies and financial crime databases for the purposes of complying with our regulatory requirements; and

3.2.5 Including information collected via website (including cookies and IP addresses), emails (e.g. traffic headers for analysing patterns of network traffic and managing client relationships).

**4. On what grounds may we lawfully receive and process your personal information?**

- 4.1.1 Where we are considering entering into a contract with you, for the purpose of concluding that contract and then performing that contract;
- 4.1.2 To comply with legal and regulatory obligations;
- 4.1.3 The processing is necessary for our legitimate interests provided your interests and fundamental rights do not override those interests;
- 4.1.4 Where we have obtained your consent;
- 4.1.5 Where we need to protect your vital interests (or someone else's interests); and/or
- 4.1.6 Where it is needed in the public interest.

**5. It is important to note that we may process your personal information for the following reasons, as set out below:**

- 5.1 To assist us with our internal administration and/or compliance;
- 5.2 To carry out any contractual/mandated obligation arising from agreement(s) you have entered with us;
- 5.3 To conduct financial and customer due diligence, verify data from data subjects in terms of relevant anti-money laundering and terrorist financing laws and regulations;
- 5.4 To communicate with our clients from an administration and operational point of view;
- 5.5 To operate IT systems, software and business applications;
- 5.6 Supporting our IT service provider, accounting service provider and in-house operational team with, legal, reporting, internal audit and risk management, administrative, transfer, document storage, record keeping and other related functions;
- 5.7 Disclosing your personal data (including your identity) to any bank or third party financial institution;
- 5.8 To enforce or defend our rights, or those of third parties to whom we each may delegate responsibilities or rights in order to comply with a legal or regulatory obligations imposed on each of us;
- 5.9 Liaising and/or reporting to any regulatory authority with whom we either are:

- 5.9.1 required to cooperate with, report to; and/or
- 5.9.2 with whom we decide or deem appropriate to cooperate with.

## **6. Sharing your personal information with other parties**

- 6.1 We may share your personal data within Marble Rock Asset Management under the terms of any appropriate delegation or contractual arrangement. Other departments and/or companies within the Marble Rock Group may, in turn, process your personal data abroad and may have to disclose it to foreign authorities to help them in their fight against crime and terrorism. Where such entities act as data processors, we will ensure that there are appropriate safeguards in place. Where such entities act as data controllers, they will be under an obligation to process your personal data in accordance with the law;
- 6.2 We may also share your personal data with third parties (including our IT service providers, banks, financial institutions or other third-party lenders, auditors and legal professionals) under the terms of any appropriate delegation or contractual arrangement. Those authorized third parties may, in turn, process your personal data abroad and may have to disclose it to foreign authorities to help them in their fight against crime and terrorism. Where such entities act as data processors, we will ensure that there are appropriate safeguards in place. Where such entities act as data controllers, they will be under an obligation to process your personal data in accordance with the law

## **7. Retaining your personal information**

- 7.1 Your personal data will be retained for as long as required and may be retained for the following reasons:
  - 7.1.1 To fulfil the purposes for which the data was collected;
  - 7.1.2 In order to establish or defend legal rights or obligations, or to satisfy any reporting or accounting obligations; and/or
  - 7.1.3 As required by other applicable laws or regulatory requirements.

## **8. How we keep your personal information safe and secured:**

- 8.1 We hold the security and safeguarding of your personal information in high regard. We follow generally accepted standards to protect the personal data submitted to us, both during transmission and once it is received.
- 8.2 Whilst we have taken every reasonable step to ensure the implementation of appropriate technical and security measures, we cannot guarantee the security

of your personal information over the internet, via email or via our websites, nor do we accept, to the fullest extent permitted by law, any liability for any errors in data transmission, machine, software or operating error or any other cause.

- 8.3 Where we have given you (or where you have chosen) a password which enables you to access certain parts of the Products, you are responsible for keeping this password confidential. We ask you not to share a password with anyone.

**9. Your rights in terms of your personal information include the following:**

- 9.1 You may access your personal information;
- 9.2 You may change/rectify your personal information;
- 9.3 You may restrict the use of your personal information;
- 9.4 You may request that your personal information be erased from our data base;
- 9.5 You may object to the processing of your personal information;
- 9.6 You may give certain instructions regarding the use of your personal information.

In the instance where we have processed your personal information based on our legitimate interests or in the course and scope of our operations, you have a specific right of objection. If you then choose to object to this processing, we may not be able to provide services to you.

**10. Withdrawing consent to process personal information (“Opt out” or “Unsubscribe”)**

- 10.1 We need your consent to send you promotional materials. If you consent to this you will be notified of new products through e-mail. Should you not wish to avail yourself of this service, you can exercise this right by sending an email to [admin@marblerock.co.za](mailto:admin@marblerock.co.za), with a subject of OPT-OUT/UNSUBSCRIBE.
- 10.2 Marble Rock Asset Management adheres to the principles of permission marketing and does not knowingly send out messages to databases where customers have not.

For more information about Marble Rock Asset Management (Pty) Ltd, feel free to visit our website [www.marblerock.net](http://www.marblerock.net)