

## SOUTH AFRICAN FUTURE TRUST - PRIVACY NOTICE

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### 1. INTRODUCTION

- 1.1 The South African Future Trust (Registration No IT634/2020) ("**We**", "**Us**", "**Our**", "**SAFT**") located at 6 St Andrews Road, Parktown, Johannesburg, South Africa is a trust established in response to the COVID-19 pandemic to, amongst others, provide loans to small, medium and micro enterprises.
- 1.2 This Privacy Notice ("**Notice**") describes how and when We collect, use, and share your Personal Information and Special Personal Information for purposes of compliance with the Protection of Personal Information Act No.4 of 2013 ("**POPIA**").

### 2. DEFINITIONS

Where not defined in the body of the Notice, definitions are set out in Schedule A to the Notice.

### 3. WHO DOES THIS NOTICE APPLY TO?

- 3.1 This Notice applies to all external parties We engage with as part of Our operations including entities We have granted loans to ("**Clients**"), vendors, service providers, grant and sponsor recipients, browsers of Our Website, users of any of Our platforms (including the SAFT Portal), interfaces or service channels and attendees at any of our events ("**Data Subjects**"/"**You**"/"**Your**").
- 3.2 If You are a juristic entity, We may collect and use Personal Information relating to Your directors, employees, partners, shareholders, members, signatories, representatives, and other persons related to the juristic entity ("**Related Person**"). If You provide the Personal Information of a Related Person You warrant that you are legally allowed to share their Personal Information with Us. We will Process the Personal Information of Related Persons as stated in this Notice.

#### 4. OUR INFORMATION OFFICER

Our Information Officer is Marlice Schwar. If you have questions about this Notice, please send an email to her at [marlice.schwar@southafricanfuturetrust.org](mailto:marlice.schwar@southafricanfuturetrust.org)

#### 5. WHAT PERSONAL INFORMATION WE PROCESS

##### 5.1 The Personal Information We Process includes:

<b>Contact Information:</b>	Name, address, email address, telephone numbers (including landline and cell numbers) and contact person/s.
<b>Loan Information</b>	Details relating to Your loan including the loan agreement and terms of the loan.
<b>Financial Information:</b>	Bank account details, financial history, payment history, turnover, income and expenses, financial records, audit reports, invoices and statements.
<b>Verification Information</b>	Username, passwords and SAFT Portal login details.
<b>Identifiers</b>	VAT and Income Tax No, Company registration numbers, identity numbers, supplier/vendor number, B-BBEE status, photos and video's, CCTV footage.
<b>Contract information</b>	Terms of contracts and agreements concluded between Us and You including contract performance and non-performance.
<b>Communication Information:</b>	Communications (physical, electronic and telephonic), telephone records and transcripts of your calls with Us; feedback you give Us and communications with Us via social media, Our website and the SAFT Portal and feedback from surveys.
<b>Background and Credit information</b>	Credit status, criminal record information, background and fraud checks.
<b>Liquidation information</b>	Information relating to Your liquidation, sequestration, curatorship, business rescue, winding up and deregistration.
<b>Legal Information</b>	The existence and status of any enforcement action in respect of any contract between You and Us.
<b>User-generated Content received through Our Online Presence</b>	Materials or any other information posted by You on a feed or a page of a SAFT website or on a feed or a page of a social media account held by SAFT, or on the SAFT Portal.

- 5.2 The Special Personal Information We Process includes race information which We Process for purposes of compliance with Employment Equity legislation and BBBEE Scorecards.

## **6. CHILDRENS INFORMATION**

We do not currently process the information relating to Children (persons under the age of eighteen years). Should We do so, any such Processing will be in accordance with POPIA.

## **7. WHAT DO WE USE YOUR PERSONAL INFORMATION FOR**

We Use Your Personal information –

- 7.1 to operate SAFT, provide and improve Our services and to perform Our functions;
- 7.2 to implement and manage Our relationship with You including processing payments, managing loans including any changes to terms of Your loan, selecting and onboarding You as a Vendor, Service Provider or Grant Recipient, accounting, auditing and reporting;
- 7.3 to notify You of special offers or promotions that We believe may be of interest to You including to Offer You personalised discounts on any existing or new products that You may be interested in;
- 7.4 to register You as a subscriber to the SAFT Portal;
- 7.5 for statistical analysis and to help Us understand You more. This helps Us to serve You better and to find ways to improve Our offering to You.
- 7.6 to improve our advertising activities and provide relevant marketing communications (including by email, phone, SMS, WhatsApp or online advertising). As part of this, online advertising may be displayed on Our website and on the SAFT Portal;
- 7.7 to combine Your Personal Information with information from third party's so as to better understand Your interests and preferences and send You relevant, targeted, and beneficial product offers and advertisements.
- 7.8 to develop, monitor, and improve Our systems and processes;

- 7.9 to comply with any laws which requires Us to Process the information;
- 7.10 to comply with demands or requests made by Regulators, Governmental Authorities and Law Enforcement Authorities;
- 7.11 to monitor and analyse trends, usage and activities in connection with Our Services;
- 7.12 to maintain and verify the information We have about You, including by checking this against information held in third party repositories;
- 7.13 to manage events organised by Us from time to time;
- 7.14 send newsletters, promotional material and other marketing communications.

## **8. WHY WE ARE PERMITTED TO PROCESS PERSONAL INFORMATION**

We will only Process Your Personal Information on one of the "lawful basis" set out in POPIA being –

- 8.1 to carry out the actions for the conclusion or performance of an agreement with You;
- 8.2 to comply with any law that We are subject to;
- 8.3 where such Processing protects Your or Our legitimate interests or is necessary to pursue Our legitimate interests or the legitimate interests of the third party to who the information is supplied;
- 8.4 Your Consent.

## **9. THE SOURCES FROM WHICH WE COLLECT YOUR INFORMATION**

- 9.1 We collect Personal Information directly from You and indirectly from external sources.
- 9.2 We collect information directly from You when:
  - 9.2.1 We engage directly with You;
  - 9.2.2 We negotiate and conclude an agreement with You;

- 9.2.3 You engage with Us, such as through emails, complaints or queries, surveys, what's app and the SAFT Portal;
- 9.2.4 You enter any of Our Offices, Facilities and Event Venues;
- 9.2.5 You interact with Our support, sales and account management teams;
- 9.2.6 You render any services to Us.

9.3 We collect Personal Information indirectly about You from:

- 9.3.1 in respect of Clients, Your bank who onboarded You for purposes of the loan and may continue to assist Us in keeping Your details up to date or enforcing Your loan;
- 9.3.2 websites, by phone, email, or through Your participation in survey's conducted through third party websites (or through social media);
- 9.3.3 from technology, such as Your access and use, including both assisted and unassisted interactions (e.g. on Our website) to access and engage with Our Website and the SAFT Portal (this includes cookies and online or app analytics);
- 9.3.4 public sources and registers (such as company registers, online search engines, (title) deeds registries, public posts on social media);
- 9.3.5 third parties that We engage for the purposes of conducting Our business (list providers, credit bureaux and background check providers, regulators and government departments and third-party service providers).

## 10. **WHAT ARE THE CONSEQUENCES IF YOU DO NOT PROVIDE US WITH THE PERSONAL INFORMATION**

If You do not provide Us with the Personal Information, by way of illustration only:

- 10.1 We may not be able to administer Our loan to You and will proceed to enforce Our legal rights against You;
- 10.2 We may not be able to conclude a contract to do business with You;

10.3 We may not be able to provide grants.

## **11. WHO WE SHARE PERSONAL INFORMATION WITH**

11.1 We may share Your Personal information with -

11.1.1 third-party service providers who provide services to Us and on Our behalf including providing, supporting, operating, securing and hosting Our information technology systems and the SAFT Portal;

11.1.2 Banks who previously assisted Us with administering Your loan and may at present or in the future assist Us with keeping Our records accurate and up to date, including reconciling the data We have with their records and contacting You or Us should there be any discrepancy in Your details;

11.1.3 companies or third parties affiliated to Us;

11.1.4 partners or agents involved in delivering the services offered by Us;

11.1.5 emergency services;

11.1.6 any entity or forum to protect ourselves against fraud or exercise Our rights;

11.1.7 verification information suppliers including credit bureaux, governmental bodies, fraud prevention organisations;

11.1.8 professional advisors;

11.1.9 third party advertising partners that place advertisements on Our websites, the SAFT Portal or other websites or media to measure advertising effectiveness and to serve You with advertisements and other products and materials that best meet Your interests and preferences. These third party advertising partners may also provide Us with certain information about You or the demographic group to which You belong and may combine this information with the Personal Information We have already about You to better understand Your interests and preferences;

11.1.10 third party data service providers who help Us to segment and understand Our customers and clients by providing additional information so that We can send You what we believe will be the most relevant, targeted, and beneficial product and service offers and advertisements;

11.1.11 regulatory bodies for purpose of compliance with Our legal and regulatory obligations;

11.1.12 law enforcement, government officials, or other third parties as may be necessary or appropriate in connection with an investigation of fraud, intellectual property infringements, or other activity that is illegal or may expose Us to legal liability;

11.1.13 other entities in the SAFT group of Companies as part of Our regular reporting activities on SAFT performance.

11.2 SAFT in its operations, uses several centralised functions and systems across Oppenheimer Generations group of companies. Your Personal Information may be processed through these centralised functions and systems. Such processing will be in accordance with the purposes and in the manner, as set out in this Notice.

11.3 In the event of a reorganisation, merger or sale, we may transfer any and all Personal Information we collect to the relevant third party involved in the reorganisation, merger or sale.

## **12. TRANSFER OF PERSONAL INFORMATION OUTSIDE SOUTH AFRICA**

12.1 SAFT may transfer Personal Information across geographical borders to –

12.1.1 other companies in the SAFT group of companies,

12.1.2 third parties for the purposes set out in clause 11.1.

12.2 Where We transfer Your Personal Information outside of South Africa, We ensure that We do so in accordance with the requirements for lawful transfer outside of South Africa as set out in POPIA.

## **13. KEEPING YOU INFORMED ABOUT OUR OFFERING/SERVICES**

13.1 We would like to keep You updated about any of Our new offerings, products and services and We or Our third-party service providers may communicate with You about these new offerings, products and services.

13.2 Because We want to send You marketing of products, services and offerings that suit Your needs and may be of interest to You, We may obtain data from third parties to enrich and analyse Your Personal Information.

13.3 You may unsubscribe from any direct marketing communications We may send You or from telephone marketing by You clicking the unsubscribe link in any email communication, replying "Stop" to any SMS, or by emailing [info@southafricanfuturetrust.org](mailto:info@southafricanfuturetrust.org).

13.4 Please note that Your unsubscribe request will take some time to action, and Your selection will not automatically be effective during that time.

13.5 To make sure that we do not contact You with unwanted marketing communication after You have unsubscribed, We will store a minimal amount of Your Personal Information (such as Your name and contact details) on an opt-out register.

#### 14. **COOKIES AND SIMILAR TECHNOLOGIES**

14.1 We may place small text files called 'cookies' on Your device when You visit Our website. Cookies do not contain Personal Information, but they do contain a personal identifier allowing Us to associate Your Personal Information with a certain device.

14.2 We use the following types of cookies on Our website:

14.2.1 **Essential cookies** which are crucial to a user's experience of a website, enabling core features functions on Our website;

14.2.2 **Performance cookies** which track how You use a website during Your visit. This information is typically anonymous and aggregated and helps Us understand visitor usage patterns, identify and diagnose problems users may encounter, and make better decisions in improving the overall website experience;

14.2.3 **Functionality cookies** which are used to collect information about Your device and any settings You may configure on the Website You're visiting (like language and time zone settings). With this information, websites can provide a customised, enhanced, or optimised content and services.

14.3 Your web browser can be set to allow You to control whether You will accept or reject cookies, or to notify You each time a cookie is sent to Your browser. If Your browser is set to reject cookies, websites that are cookie-enabled will not recognise You when You return to the website, and some website functionality may be lost.



## 15. **HOW LONG WILL WE KEEP THE INFORMATION FOR**

15.1 We will retain Your Personal Information for as long as necessary to achieve the purpose for which it was collected or subsequently processed.

15.2 Personal Information may be held for longer periods where -

15.2.1 retention of the record is required or authorised by law;

15.2.2 We reasonably require the record for lawful purposes related to Our functions or activities;

15.2.3 retention of the record is required by a contract between You and Us; or

15.2.4 You have consented to the retention of the record.

## 16. **SECURITY**

16.1 We secure the integrity and confidentiality of Personal Information in Our possession or under Our control by taking appropriate, reasonable technical and organisational measures to prevent loss of, damage to or unauthorised destruction of Personal Information and unlawful access to or processing of Personal Information.

16.2 Some of the controls we have in place are -

16.2.1 We limit physical access to Our buildings and user access to Our systems to only those that We believe are entitled to be there;

16.2.2 We use technology controls for Our information systems, such as firewalls, user verification, strong data encryption, and separation of roles, systems and data;

16.2.3 systems are proactively monitored through a "detect and respond" information security function;

16.2.4 We utilise industry standards to support the maintenance of a robust information security management system; and

16.2.5 We enforce a "need to know" policy, for access to any data or systems.

## 17. YOUR RIGHTS

17.1 You have the right to -

17.1.1 request a record of Your Personal Information. We may charge You a fee to provide such a record, but We will tell You when this will be applicable and how much this is beforehand. In certain circumstances, We cannot tell You what Personal Information We have about You. For example, to protect (a) the privacy of others; (b) confidential information of third parties; (c) the safety of others;

17.1.2 request correction of Your Personal Information if it is inaccurate, irrelevant, outdated, excessive, misleading or obtained unlawfully;

17.1.3 request deletion of Your Personal Information where there is no lawful basis to retain it;

17.1.4 withdraw consent previously given in respect of the processing of Your Personal Information which withdrawal of consent will not affect the lawfulness of any processing carried out prior to Your notice of withdrawal. Withdrawal of consent may limit Us or a third party's ability to carry out certain functions that may have an impact on our relationship but will not affect the continued processing of Your Personal Information in instances in which Your consent is not required.

17.2 We will comply with Your request unless We have a credible reason why We cannot comply.

17.3 If We can't agree whether to correct or delete the information and if You ask Us to, We will indicate on the information that a correction was requested but was not made.

17.4 If changes to the information impact on decisions about You, if reasonably practicable, We will inform all persons to whom the Personal Information has been disclosed of those steps.

17.5 We will notify You of the action taken by Us because of Your request.

17.6 All requests can be made via email to [marlize.schwar@southafricanfuturetrust.org](mailto:marlize.schwar@southafricanfuturetrust.org)

## **18. RIGHT TO WITHDRAW CONSENT**

18.1 In the limited circumstances where Processing of Your Personal Information is based on Your Consent, You have the right to withdraw such consent at any time. To withdraw Your consent, please send an email to [info@Southafricanfuturetrust.org](mailto:info@Southafricanfuturetrust.org).

18.2 Once We are notified that You have withdrawn Your consent, We will no longer process Your Personal Information for the purpose You originally agreed to, unless We have another lawful basis for doing so.

## **19. HOW TO LODGE A COMPLAINT WITH THE INFORMATION REGULATOR**

You may lodge a complaint in respect of this Privacy Policy or any of Our Personal Information Processing activities with the Information Regulator, whose contact details are available on its website at <https://inforegulator.org.za/complaints/>

## **20. NOTICE REVISION**

We may update this Privacy Notice from time to time. Changes to this Privacy Notice will be posted on Our website.

**DEFINITIONS**

<b>“Consent”</b>	means any voluntary, specific and informed expression of will in terms of which permission is given for the processing of Personal Information.
<b>“Personal Information”</b>	<p>means information that identifies a living person and where applicable, an identifiable, existing juristic person, including, but not limited to—</p> <ul style="list-style-type: none"> <li>- 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</li> <li>- information relating to the education or the medical, financial, criminal or employment history of the person;</li> <li>- any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;</li> <li>- the biometric information of the person;</li> <li>- the personal opinions, views or preferences of the person;</li> <li>- 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;</li> <li>- the views or opinions of another individual about the person; and</li> <li>- 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</li> </ul>
<b>“Processing”</b>	<p>means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including -</p> <p>(a) the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;</p>

	(b) dissemination by means of transmission, distribution or making available in any other form; or (c) merging, linking, as well as restriction, degradation, erasure or destruction of information.
<b>"Special Personal Information"</b>	means Personal Information about a Data Subjects racial or ethnic origin, political the religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life or biometric information, criminal behaviour to the extent that such information related to the alleged commission of an offence or any processing in respect of such offence allegedly committed by a Data Subject or the disposal of such proceedings.