

## Consent to Process Personal Information in terms of the Protection of Information Act, 4 of 2013 (POPIA)



**Phone:**  
087 55 00 555



**Address:**  
25 Elizabeth Road,  
Bardene, Boksburg, 1459



**Website:**  
[www.aolc.co.za](http://www.aolc.co.za)



**VAT No:**  
4690242260



**Registration No:**  
2013/192846/07

## AOLC On-line (Pty) Ltd

(hereinafter referred to as “the Organisation”)

### 1. Introduction

- 1.1. In terms of POPIA, a “Responsible Party” (in this case being the Organisation) has a legal duty to process a “Data Subject’s” Personal Information (in this case being your personal information and related details) in a lawful, legitimate, and responsible manner.
- 1.2. To discharge this duty, the Organisation requires your express and informed permission to process your Personal Information.
- 1.3. In the event of you refusing to give the required consent, the Organisation will still have the right, in terms of POPIA, to process your information without your consent under any of the following circumstances:
  - a) where such processing and use of your personal information is necessary in order to give effect to a contractual relationship as between you and the Organisation;
  - b) where such processing is required in terms of a law, such as without limiting the generality thereof, the Basic Conditions of Employment Act 75 of 1997(BCEA), the Skills Development Act, 97 of 1998(SDA), Skills Development Levies Act, 9 of 1999 (SDLA) the Employment Equity Act, 55 of 1998 (EEA) Unemployment Insurance Contributions Act, 4 of 2002 (UICA) Unemployment Insurance Act, 6 of 2001 (UIF), Financial Advisory And Intermediary Services Act, 37 of 2002 (FAIS), the Financial Intelligence Centre Act 38 of 2001 (FICA), the National Credit Act, 34 of 2005 (NCA) and/ or the Compensation for Occupational Injuries and Diseases Act, 130 of 1993; or
  - c) where such processing is necessary to protect the legitimate interests of the Organisation or a third party.



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## 2. Purpose for the Collection

2.1. The reason why the Organisation requires your Personal Information is to enable the Organisation to;

### 2.1.1. Voluntary

- a) notify you of the Organisation's various goods, services and offerings using various mediums and platforms, subject always to your right at any time to opt out of such communication; and/ or
- b) perform its various recruitment, human resource, and capital operations, as well as ensuring timeous and accurate payroll functions; and/ or the proper administration of your employment benefits such as Healthcare and/ or Retirement Funding where applicable.
- c) Processing Information

As a business we may use your personal information, with your consent, to inter alia, administer dealings and potential dealings with clients, assess applications for employment or contractual positions, create online profiles accessible by you using the internet, analyse our web traffic and improve our site and service. By providing us with personal information, you expressly consent to the Organisation processing your personal information for legitimate and business-related purposes.

### 2.1.2. Mandatory

- a) comply with the applicable labour, tax and financial legislation;
- b) conclude a contract with you;
- c) keep records in accordance with the BCEA and other applicable laws;
- d) report to government in terms of the applicable laws, including for example, the EEA, SDA, SDLA, LRA, B-BEEA, UIF, UIFLA and Income Tax Laws;
- e) pay over Skills Development Levies as per the SDLA;
- f) pay over contributions to the Unemployment Insurance Fund and Compensation Insurance Fund;



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g) pay over PAYE and other related taxes to the Receiver of Revenue.

2.2. All Personal Information which you provide to the Organisation will only be used for the purposes for which it is collected.

### 3. Consequences of Withholding Consent or Personal Information

3.1. Should you refuse to provide the Organisation with the required consent and/or information, the Organisation will be unable to provide you with the Organisation's goods or services.

### 4. Storage and Retention and Destruction of Information

4.1. All Personal Information which you provide to the Organisation will be held and/or stored securely for the purpose of delivering of service. Your Personal Information will be stored electronically in a database.

4.2. Where appropriate, some information may be retained in hard copy. In either event, storage will be secure and audited regularly regarding the safety and the security of the information.

4.3. Where data is stored electronically outside the borders of South Africa, such is done only in countries that have similar privacy laws to our own or where such facilities are bound contractually to no lesser regulations than those imposed by POPIA.

4.4. Once this information is no longer required, such Personal Information will be safely and securely archived for a period as mentioned in our Retention Policy, as per the requirements of the Companies Act, 71 of 2008, or longer, should this be required by any other law applicable in South Africa. Thereafter, all your Personal Information will be permanently destroyed.

### 5. Right to Object

5.1. In terms of S11 (3) of the POPIA, you have the right to object in the prescribed manner to the Organisation processing your Personal Information. On receipt of your objection the Organisation will place a hold on any further processing until the cause of the objection has been resolved.



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## 6. Accuracy of Information and Onus

- 6.1. POPIA requires that all your Personal Information and related details supplied, are complete, accurate and up to date.
- 6.2. **Whilst the Organisation will always use its best endeavours to ensure that your Personal Information is reliable, it will be your responsibility to advise the Organisation of any changes to your Personal Information, as and when these may occur.**

## 7. Sharing of Information

- 7.1. Your Personal Information will be stored electronically in a centralised data base, which will be accessible to the Organisation's subsidiary companies. In particular, the following persons or departments within the Organisation will have access, under strict confidentiality, to your Personal Information:
  - a) **Third Parties:** Whenever we commission other organisations to provide support services to us, we will bind them to our privacy policies as far as they may be required to have access to our customers' personal information to perform such services. Our website may contain links to or from other sites.

While we try to link only to sites that share our high standards and respect for privacy, we are not responsible for the content, the security or privacy practices employed by other sites. We recommend that you always read the privacy and security statements on such sites.
  - b) **Permanent Staff:** Management, HR Practitioners, Payroll Department, Core Benefits Provider, Medical Aid/ Cover Provider, Retirement Funding Provider, Auditors, Legal Practitioners, Government Departments (e.g. Department of Labour).

## 8. Access to the Information by the Data Subject

- 8.1. You have the right at any time to ask the Organisation to provide you with:
  - a) the details of any of your Personal Information which the Organisation holds on your behalf; and



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- b) the details as to what the Organisation has done with that Personal Information, provided that such request is made using the standard section 51 PAIA process, which can be accessed by downloading and completing the standard request for information form, housed under section 51 of our PAIA Manuals - obtained from our office.

## 9. Complaints

- 9.1. You have the right to address any complaints to the Organisation Information Officer or
- 9.2. to the Personal Information Regulator.

## 10. Consent to Direct Marketing, Advertising and Promotional activities

### 10.1. The Organisation

may use my Personal Information for the marketing and/ or promotion of its own goods and services	YES <input type="checkbox"/> NO <input type="checkbox"/>
may use my Personal Information for the marketing and/ or promotion of other parties' goods and services	YES <input type="checkbox"/> NO <input type="checkbox"/>

## 11. Right to amend this Privacy and Security Statement

- 11.1. We reserve the right to amend this privacy and security statement at any time. All amendments to this privacy and security statement will be posted on the website. Unless otherwise stated, the current version shall supersede and replace all previous versions of this privacy and security statement.

## 12. Declaration and Informed Consent

- a) I declare that all Personal Information supplied to the Organisation for the purposes of service delivering and related legal and operational reasons is accurate, up to date, is not misleading and that it is complete in all respects. I undertake to immediately advise the Organisation of any changes to my Personal Information should any of these details change.



- b) I furthermore give the Organisation permission to process my Personal Information, as provided above, and acknowledge that I understand the purposes for which it is required and for which it will be used.

**Name**

**Signature**

**Date**

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