



Ikhaya Blinds (Pty) Ltd t/a Ultimate Blinds, reg. no. 2012/125536/07, VAT reg. no. 4770292151  
12 Buitenzorg, Cnr. Kommissaris and Schmidt streets, Welgemoed, Bellville, 7530  
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## PROTECTION OF PERSONAL INFORMATION POLICY

### 1. BACKGROUND

**Ikhaya Blinds (Pty) Ltd** does, in the course of its business activities, collect and process Personal Information of Data Subjects, including its employees, contractors and clients for the purpose of meeting its objectives and to comply with legal and contractual obligations.

**Ikhaya Blinds (Pty) Ltd** supports the right to privacy, including the rights of Data Subjects to control the dissemination and use of their Personal information. **Ikhaya Blinds (Pty) Ltd** supports South African and international laws and regulations including and not limited to General Data Protection Regulation (GDPR) and POPIA that seek to protect the privacy rights of such Data Subjects.

### 2. POLICY STATEMENT

**Ikhaya Blinds (Pty) Ltd** is committed to protecting all Data Subjects' privacy and ensuring that their Personal Information is used responsibly, ethically, appropriately, transparently, securely and in accordance with applicable laws, in particular the Protection of Personal Information Act, 4 of 2013 (POPIA)

**Ikhaya Blinds (Pty) Ltd** ensures that the organisation complies with the "Conditions for Lawful Processing of Personal Information", and all the measures that give effect to such conditions, set out in Chapter 3 of POPIA.

### 3. POLICY OBJECTIVES

The Protection of Personal Information Policy is the focal point for the protection of Personal Information and establishes the requirements for the protection of Personal Information irrespective of its location (i.e. information systems, computer based or non-computer based, automated or manual), to ensure proper processing thereof in compliance with regulatory and contractual requirements.

### 4. SCOPE OF APPLICATION

This policy is a Level 1 policy and accordingly applies to **Ikhaya Blinds (Pty) Ltd**, including its agents, sub-contractors, consultants, vendors and third parties who have access to any Personal Information under **Ikhaya Blinds (Pty) Ltd's** ownership or custodianship. To ensure compliance to legislation, it is imperative for managers and employees to read and apply the policy within the context of our country's POPI Act.

## 5. RELEVANT LEGISLATION

This policy is in line with the following South African regulatory requirements:

- Children's Act, 38 of 2005
- Companies Act, 71 of 2008
- Constitution of the Republic of South Africa
- Consumer Protection Act, 68 of 2008
- Electronic Communications and Transactions Act 25 of 2002
- Medical Schemes Act, 131 of 1998
- National Health Act, 61 of 2003
- Promotion of Access to Information Act, 2 of 2000
- Protection of Personal Information Act, 4 of 2013
- Regulation of Interception of Communications and Provision of Communication-related information Act, 70 of 2002

**Ikhaya Blinds (Pty) Ltd** shall in all instances comply with the legislation of the country and therefore the relevant provisions in any applicable legislation shall take precedence over any governing company policy.

## 6. DEFINITION OF TERMS

<b>TERM</b>	<b>DESCRIPTION</b>
<b>Child</b>	A natural person under the age of 18 years
<b>Competent Person</b>	Any person who is legally competent to consent to any action being taken in respect of any matter concerning a Child.
<b>Consent</b>	Any voluntary, specific and informed expression of will in terms of which permission is given for the Processing of Personal Information
<b>Data Subject</b>	The person to whom Personal Information relates
<b>Direct Marketing</b>	To approach a Data Subject, either in person or by mail or electronic communication, for the direct or indirect purpose of: <ul style="list-style-type: none"><li>• Promoting or offering to supply, in the ordinary course of business, any goods or services to the Data Subject, or</li><li>• Requesting the Data Subject to make a donation of any kind for any reason</li></ul>
<b>Person</b>	Means a natural person or a juristic person
<b>Record</b>	Any recorded information, regardless of when it came into existence.
<b>Responsible Party</b>	A public or private body or any other person which determines the purpose of and means for processing personal information.
<b>Personal Information</b>	Information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, as more fully defined in Section 1 of POPIA.

# ULTIMATE BLINDS

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<b>Process / Processed / Processing</b>	Any operation or activity or any set of operations, whether or not by automatic means, concerning Personal Information, including: <ul style="list-style-type: none"> <li>• The collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;</li> <li>• Dissemination by means of transmission, distribution or making available in any other form; or</li> <li>• Merging, linking, as well as restriction, degradation, erasure or destruction of information.</li> </ul>
<b>Information Officer</b>	The head of a private body as contemplated in Section 1, contained in the Promotion of Access to Information Act (PAIA)
<b>Regulator</b>	The information regulator established in terms of the POPIA

## 7. POLICY PROVISIONS

### 7.1 Specific Requirements for Lawful Processing of Personal Information

#### 7.1.1 Processing

- All Personal Information will be Processed lawfully, according to the laws and regulations of all jurisdictions where **Ikhaya Blinds (Pty) Ltd** does business, and in a reasonable manner that does not infringe the privacy of the Data Subject.
- The nature and amount of Personal Information processed must be adequate, relevant and not excessive in relation to the purpose for which it is processed.
- Personal Information may only be Processes if:
  - The Data Subject has given consent to the transfer; or
  - The third party to whom the information is transferred is subject to similar laws or a binding agreement that requires similar levels of protection of personal Information as required by POPIA; or
  - The transfer is necessary for the performance of the rights or obligations of **Ikhaya Blinds (Pty) Ltd** or for the performance or establishment of a contract in the interest of the Data Subject.
- Processing of Personal Information for Purposes of Direct Marketing, by means of any form of electronic communication, is prohibited unless the Data Subject has given his or her consent.
- Transfer of Personal Information to another country will not take place unless:
  - The Data Subject has given consent to the transfer; or
  - The third party to whom the information is transferred is subject to similar laws or a binding agreement that requires similar levels of protection of personal Information as required by POPIA; or
  - The transfer is necessary for the performance of the rights or obligations of **Ikhaya Blinds (Pty) Ltd** or for the performance or establishment of a contract in the interest of the Data Subject.

### 7.1.2 Collection

- Personal Information will be collected directly from the Data Subject, unless:
  - The information is contained in or derived from a public record; or
  - The Data Subject has consented to the collection of the information from another source; or
  - Collection from another source will not prejudice the legitimate interests of the Data Subject.
- Personal information will be collected for the purpose communicated to the Data Subject and not further Processed in a way incompatible with those purposes unless further consent for processing is obtained from the data subject.
- Further Processing of Personal Information for historical, statistical or research purposes is not incompatible with the original purpose, provided the further Processing includes adequate additional controls protecting the rights of the Data Subject and ensuring that the information will not be published in an identifiable form.

### 7.1.3. Quality

- Personal Information must be accurate and complete, and where necessary, kept up to date. Reasonable steps will be taken to ensure that Personal Information that is inaccurate or incomplete, keeping in mind the purposes for which it was collected or for which it is further processed, are erased or corrected.

### 7.1.4. Retention

- Personal Information will not be kept for any longer than is necessary for the purposes for which the information was collected or processed, unless required or authorised by law or contract.

### 7.1.5. Special Personal Information

- Processing Personal Information revealing race or ethnic origin, political persuasion, religious or philosophical beliefs, union membership, health or criminal offenses (so-called Special Personal Information) is prohibited unless:
  - The Data Subject has provided consent to such processing; or
  - The Processing is necessary for the purposes of carrying out the obligations and specific rights of **Ikhaya Blinds (Pty) Ltd**.
- In terms of Section 32 of POPIA, **Ikhaya Blinds (Pty) Ltd** may Process Personal Information concerning a Data Subject's health:
  - In its capacity a medical scheme administrator or manager care organisation, if such Processing is necessary for assessing the risk to be covered by the medical scheme. The performance of a medical scheme agreement, or the enforcement of any contractual rights and obligations; or
  - If it is necessary to supplement the Processing of Personal Information concerning a Data Subject's health with a view to the proper treatment or care of the Data Subject; or
  - In its capacity as an employer, if such Processing is necessary for the implementation of the provisions of laws or collective agreements which create rights dependent on the health of the Data Subject of the reintegration of or support of employees or persons entitled to benefit in connection with sickness or work incapacity.

### 7.1.6. Children

- **Processing of the Personal Information of a Child is prohibited unless;**
  - Carried out with the prior Consent of a Competent Person; or
  - The processing is necessary for the establishment, exercise, or defence of a right or obligation in law.



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## 7.2 Information to be given to Data Subjects by Ikhaya Blinds (Pty) Ltd

**Ikhaya Blinds (Pty) Ltd** will take reasonable steps to provide Data Subjects, whose Personal Information is collected, with the following information before the Personal Information is collected or as soon as reasonably practicable thereafter, except where the Data Subject already knows:

- The information being collected;
- The purpose for which the Personal Information is collected;
- Whether or not the supply of the information is voluntary or mandatory;
- The consequences of failure to provide the information;
- Any particular law authorizing or requiring the collection of the information;
- If **Ikhaya Blinds (Pty) Ltd** intends to transfer the information to another country or international organisation and the level of protection afforded to the information by that other country or international organisation;
- The recipients or categories of recipients of the information;
- The nature or categories of information concerned; and
- The existence of the right of access to, and the right to correct information concerning the Data Subject.

## 7.3 Data Subject's Rights

- Every Data Subject, having provided adequate proof of identity, has the right to obtain the following from **Ikhaya Blinds (Pty) Ltd**:
  - Confirmation as to whether Personal Information relating to him or her is Processed and the purpose of the Processing,
  - The record or description of the personal Information concerned, and
  - The recipients or categories of recipients to whom the Personal Information is or has been disclosed.
- A Data Subject may request **Ikhaya Blinds (Pty) Ltd** to correct or delete Personal Information about the Data Subject in **Ikhaya Blinds (Pty) Ltd's** possession or under its control that is inaccurate, irrelevant, excessive, out of date or incomplete.

## 7.4 Security Safeguards

- **Ikhaya Blinds (Pty) Ltd** will have appropriate technical and organisational controls in place to secure the integrity and confidentiality of the Personal Information in its possession or under its control against destruction, loss or damage and unlawful access of Processing. **Ikhaya Blinds (Pty) Ltd** will have due regard to generally accepted information security practices and procedures.

- **Ikhaya Blinds (Pty) Ltd** will have agreements in place with all its third party service providers to ensure that the service providers establish and maintain appropriate security measures to protect any Personal Information Processed on behalf of **Ikhaya Blinds (Pty) Ltd**.
- Except as otherwise permitted or required by applicable law or regulatory requirements, Personal Information will be retained only for as long as it is necessary to fulfil the purpose for which the Personal Information was collected (including, for purposes of meeting any legal, accounting, or other reporting requirements or obligations).
- When Personal Information is no longer needed and/or when **Ikhaya Blinds (Pty) Ltd** is no longer authorised to retain the information, all copies of Personal Information will be destroyed, deleted or de – identified according to the standards and procedures defined by **Ikhaya Blinds (Pty) Ltd**, which will prevent its reconstruction in an intelligible form.

#### **7.5 Our Website**

- We take reasonable and necessary precautions to secure your transactions on our website – however, we cannot guarantee the confidentiality of your transactions.
- Using our website is entirely at your own risk.
- **Ikhaya Blinds (Pty) Ltd** will not be held legally responsible for any personal information that you reveal to a third party, which has a link on the **Ikhaya Blinds (Pty) Ltd** website. It is important that you refer to that third party’s privacy notice before you reveal any of your personal information.

### **8. POLICY REVIEW**

The policy will be reviewed at every two years but may be reviewed more frequently dependent on best practices, approaches and changes to the business or regulatory landscape in which this policy operates.

### **9. GRIEVANCE PROCEDURE**

Employees not satisfied with the implementation of this policy shall follow the organisational grievance procedure.

### **10. RIGHT TO LODGE A COMPLAINT TO THE INFORMATION REGULATOR**

Any person may submit a complaint to the Regulator alleging interference with the protection of the personal information of a data subject.

### **11. MONITORING AND ENFORCEMENT**

All employees will be responsible for administering and overseeing the implementation of this policy including the supporting of guidelines, standard operating procedure, notices, consents and appropriate related documents and processes.



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Employees who violate the guidelines and standard operating procedures of this policy may be subjected to disciplinary action, being taken against him/her.

The point of contact for request, disclosures, questions, complaints and any other inquiries relating to the processing, collection, or re-identifying of personal information shall be directed to the information officer or the line manager.