# PROTECTION OF PERSONAL INFORMATION
## PRIVACY STATEMENT AND POLICY

## TABLE OF CONTENTS


| | | |
|---|---|---|
| 1. | INTERPRETATION | 3 |
| 2. | STATEMENT AND APPLICATION OF THIS POLICY | 4 |
| 3. | CONSENT | 4 |
| 4. | COLLECTION OF PERSONAL INFORMATION | 5 |
| 5. | CATEGORIES OF PERSONAL INFORMATION WE MAY PROCESS | 5 |
| 6. | SENSITIVE PERSONAL INFORMATION | 6 |
| 7. | PURPOSE OF PROCESSING AND LEGAL BASES FOR PROCESSING | 6 |
| 8. | SHARING OF YOUR PERSONAL INFORMATION | 7 |
| 9. | TRANSFER OF PERSONAL INFORMATION | 8 |
| 10. | ACCESS AND CORRECTION OF YOUR PERSONAL INFORMATION | 8 |
| 11. | CORRECTION OF YOUR PERSONAL INFORMATION | 8 |
| 12. | ACCURACY OF YOUR PERSONAL INFORMATION | 8 |
| 13. | PROTECTION OF YOUR PERSONAL INFORMATION | 8 |
| 14. | RETENTION OF YOUR PERSONAL INFORMATION | 9 |
| 15. | TRANSFER LIMITATION | 9 |
| 16. | COMPLAINTS HANDLING PROCEDURE | 9 |
| 17. | EMIRA’S INFORMATION OFFICER | 9 |

1. **INTERPRETATION**

1.1 In this privacy statement and policy, unless the context clearly indicates the contrary, the following words and expressions bear the following meanings as stated below:

1.1.1 "**Act**" means the Protection of Personal Information Act, No. 4 of 2013;

1.1.2 "**Consent**" means any voluntary, specific and informed expression of will in terms of which permission is given for the Processing of Personal Information;

1.1.3 "**Data Subject**" or "**you**" or "**your**" means any natural person or a juristic person to whom Personal Information relates;

1.1.4 "**Emira**", "**we**", "**our**" or "**us**" means Emira Property Fund Limited, Registration No: 2014/130842/06, a public company with limited liability duly incorporated in accordance with the company laws of the Republic of South Africa, and shall, where appropriate, all our wholly owned subsidiaries and affiliated entities;

1.1.5 "**Operator**'' means any person or entity who processes Personal Information on our behalf in terms of a contract or mandate, without coming under our direct authority;

1.1.6 "**Personal Information**" means information relating to an identifiable, living, natural person, and where applicable, an identifiable, existing juristic person, including, but not limited to:

1.1.6.1 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;

1.1.6.2 information relating to the education or the medical, financial, criminal or employment history of the person;

1.1.6.3 any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;

1.1.6.4 the biometric information of the person;

1.1.6.5 the personal opinions, views or preferences of the person,

1.1.6.6 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;

1.1.6.7 the views or opinions of another individual about the person; and

1.1.6.8 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;

1.1.7 "**Policy**" means this privacy statement and policy, as may be revised from time to time;

1.1.8 ''**Processing**'' means any operation or activity or any set of operations, whether or not by automatic means, concerning Personal Information, including:

1.1.8.1 the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;

1.1.8.2 dissemination by means of transmission, distribution or making available in any other form; or

1.1.8.3 merging, linking, as well as restriction, degradation, erasure or destruction of information;

1.1.9 "**Responsible Party**'' means a public or private body which, alone or in conjunction with others, determines the purpose of and means for processing Personal Information. For purpose of this Policy, Emira is the Responsible Party;

1.1.10 "**Service Provider**" means 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, insurers and professional advisors;

1.1.11 "**Special Personal Information**" includes Personal Information concerning the religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life or biometric information of an information subject or the criminal behaviour of an information subject; and

1.1.12 "**Website**" means the website operated, or maintained, by Emira or on our behalf.

## 2. STATEMENT AND APPLICATION OF THIS POLICY

2.1 The Act promotes the protection of Personal Information through providing guiding principles to be applied when Personal Information is Processed, and by requiring us to inform Data Subjects as to how their Personal Information is processed.

2.2 We are committed to protecting and respecting your privacy. We strive to ensure any Processing of your Personal Information is lawful, reasonable and relevant to our business activities.

2.3 This Policy describes and explains how we Process your Personal Information.

2.4 This Policy applies to all external third parties with whom we interact, including but not limited to tenants, investors, Operators, Service Providers, applicants for employment, visitors to our offices, users of our Website, and any other persons or entities that we interact with.

## 3. CONSENT

3.1 By providing us with your Personal Information, you:

3.1.1 agree to this Policy and consent thereto that we may Process such information as set out in this Policy; and

3.1.2 authorise us, any Operator, our Service Providers and other third parties to Process your Personal Information for the purposes stated in this Policy.

3.2 Provided that you give us reasonable notice, you may at any time withdraw any consent that you provided or deemed to have provided to us for the Processing of your Personal Information for any purpose.

3.3 You may notify us about your withdrawal of consent to Process your Personal Information by completing and submitting the form "Withdrawal of Consent" to our Information Officer, who will advise you of any consequences of withdrawing your consent. This may include, for example, that we may not be able to enter into a business transaction with you or provide you with information that you requested.

3.4 We will, pursuant to your withdrawal of your consent, where appropriate and taking into account commercially reasonable and affordable measures, delete, destruct or de-identify your Personal Information as soon as practically possible.

## 4. COLLECTION OF PERSONAL INFORMATION

4.1 We may collect or obtain Personal Information about you:

4.1.1 directly from you;

4.1.2 in the course of our relationship with you;

4.1.3 in the course of providing any services to you or your organisation;

4.1.4 in the course of entering into a lease with you or your organisation;

4.1.5 when you make your Personal Information public;

4.1.6 when you visit and/or interact with our Website or our social media platforms;

4.1.7 when you interact with any third party content or advertising on our Website; or

4.1.8 when you visit our offices.

4.2 We may also receive Personal Information about you from third parties.

4.3 We may also create Personal Information about you such as records of your communications and interactions with us, including, but not limited to, for example, your attendance at events or at interviews in the course of applying for employment with us and interactions with you during the course of our digital marketing campaigns.

## 5. CATEGORIES OF PERSONAL INFORMATION WE MAY PROCESS

5.1 We may process the following categories of Personal Information about you:

5.1.1 identification particulars, such as your full name and surname, identification or passport number;

5.1.2 contact details, such as your physical address, postal address, business address (where applicable), telephone number, cell phone number, email address and emergency contact details;

5.1.3 employment details, such as your employment status, occupation, employer, period of employment and your gross monthly income or salary;

5.1.4 organisational detail, such as your organisation's name, registration number, nature of business and/or gross turnover;

5.1.5 financial details, such as your bank account number, payment methods, invoice records and payment records

5.1.6 records of any consents you may have given, together with the date and time, means of consent and any related information;

5.1.7 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).

5.2 We may also Process certain information that qualifies as Special Personal Information (where applicable), including:

5.2.1 demographic information, for example your race or gender;

5.2.2 information about criminal convictions and offences.

5.3 We may also collect and Process Personal Information automatically when you visit our Website, for example your IP address, data relating to your visits to our Website, your device type; operating system; browser type; browser settings; language settings; dates and times of connecting and other technical communications information.

## 6. SENSITIVE PERSONAL INFORMATION

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.

## 7. PURPOSE OF PROCESSING AND LEGAL BASES FOR PROCESSING

7.1 We will Process your Personal Information in the ordinary course of our business activities. We will primarily use your Personal Information only for the purpose for which it was originally or primarily collected.

7.2 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:

7.2.1 operating our business;

7.2.2 analysis, evaluation, review and collation of information in order to:

7.2.2.1 enter into a business relationship with you;

7.2.2.2 determine any legal issues and potential disputes relating to any business relationship that we have with you;

7.2.3 correspondence, reports, publications, marketing material;

7.2.4 compliance with applicable law and fraud prevention;

7.2.5 transfer of information to our Service Providers and other third parties or recruitment agencies;

7.2.6 to make a decision about entering into a lease agreement or any other agreement with you;

7.2.7 administer your lease agreement and perform our obligations in terms thereof;

7.2.8 to enable us to comply with a legal obligation;

7.2.9 where it is necessary for us to protect or exercise our legitimate interests (or those of a third party);

7.2.10 to protect your interests or those of a third party;

7.2.11 where it is in the public interest to do so or for official purposes;

7.2.12 where we are required by any applicable law to do so;

7.2.13 to determine the terms on which to offer you a lease or amend any terms of an existing lease;

7.2.14 to deal with any legal disputes that Emira is or may become involved in, or any legal disputes that involve you.

7.2.15 for marketing and informational purposes.

## 8. SHARING OF YOUR PERSONAL INFORMATION

Emira may share the Personal Information about you that it has collected and Processed with -

### 8.1 Third Party Service Providers

We may disclose and share your Personal Information with 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, Service Providers, property managers, contractors or agents of Emira who perform functions on our behalf, or who are contracted by us to provide services to it, in order to enable such aforementioned persons to perform their functions on behalf of us or to provide the services to us for which they contracted with us, subject to appropriate contractual obligations, limitations and restrictions and security measures.

### 8.2 Legal Process

We may disclose and share your Personal Information in order to comply with any applicable law, any legal proceedings in which we is involved, a court order or other legal process, such as in response to a subpoena or upon request by any legal and regulatory authorities, upon request, or for the purposes of reporting any actual or suspected breach of applicable law or regulation.

### 8.3 To Protect Emira and other Third Parties

We may disclose and share your Personal Information where it is necessary to investigate, prevent, or take action in respect of illegal activities, suspected fraud, situations involving potential threats to the safety of any third party or violations of this Policy.

### 8.4 Legal Obligation

We may disclose and share your Personal Information to comply with any legal obligation to which it is subject.

9. **TRANSFER OF PERSONAL INFORMATION**

If your Personal Information is transferred outside the Republic of South Africa to any third party service providers, we will take steps to ensure that your Personal Information receives the same level of protection, or a higher level of protection, in the country where such third party service providers are located, as it would in the Republic of South Africa and in terms of the Act.

10. **ACCESS AND CORRECTION OF YOUR PERSONAL INFORMATION**

10.1 You may request access to the Personal Information or record of Personal Information that we hold of you by completing and submitting the form "Request for Access to Record of Private Body", pursuant to which we will, as soon as is reasonably possible, provide you with:

10.1.1 your Personal information that is in our possession or under our control; and

10.1.2 information about the ways in which your Personal Information has or may have been Processed within the year prior to your request.

10.2 We may charge you a minimum fee for access to your personal information to offset the administrative costs in complying with such requests.

11. **CORRECTION OF YOUR PERSONAL INFORMATION**

11.1 You may request us to correct an error or omission in your Personal Information that is under our control or possession by completing and submitting to the Information Officer the form "Request for Correction of Deletion of Personal Information", pursuant to which we will:

11.1.1.1 correct or update your Personal Information as soon as practicable; and

11.1.1.2 send the corrected or updated Personal Information to every organisation to which we have disclosed to, or shared with, your Personal Information within the year prior to the correction or update, unless that other organisation does not require the corrected or updated Personal Information for any legal or business purpose.

11.1.2 We are not under any obligation, however, to correct or alter an opinion, including a professional or an expert opinion.

12. **ACCURACY OF YOUR PERSONAL INFORMATION**

12.1 We will make reasonable efforts to accurately record your Personal Information and make reasonable efforts to ensure that your Personal Information remains accurate and complete, if:

12.1.1 we are likely to use it to make a decision that affects you; or

12.1.2 we are likely to disclose that information to another organisation.

12.2 You must let us know if any of the Personal Information that we have about you is incorrect, incomplete, misleading or out of date, by notifying our Information Officer.

13. **PROTECTION OF YOUR PERSONAL INFORMATION**

13.1 We will protect your Personal Information in our possession or under our control by making reasonable security arrangements to prevent unauthorised access, collection, use, disclosure, copying, modification, disposal or any other similar risks. We will take reasonable and organisational

measures to secure the integrity of your Personal Information and use accepted technological standards to prevent unauthorised access or disclosure of your Personal Information and protect your Personal Information from misuse, loss, alteration and destruction.

13.2 Despite the above measures being taken when Processing Personal Information, as far as the law allows, we will not be liable for any loss, claim and/or damage arising from any unauthorised access, disclosure, misuse, alteration and/or destruction of your Personal Information.

## 14. RETENTION OF YOUR PERSONAL INFORMATION

We will cease to retain your Personal Information, or remove the means by which the Personal Information can be associated with you (i.e. de-identify it), as soon as it is reasonable to assume that:

14.1 the purpose for which your Personal Information was collected is no longer being served by retention of your Personal Information;

14.2 retention is no longer necessary for legal or business purposes;

14.3 retention is not required for evidentiary purposes;

14.4 we are required or permitted by law, a code of conduct or a contract with you; and/or

14.5 we reasonably need it for lawful purposes related to the performance of our functions and activities.

## 15. TRANSFER LIMITATION

We will not (other than in circumstances where such transfer is required as part of our business activities) transfer any of your Personal Information outside of South Africa except in accordance with the provisions and requirements of the Act. Emira will take steps to ensure that your Personal Information receives the same level of protection, or a higher level of protection, in the country where such third party service providers are located, as it would in the Republic of South Africa and in terms of the Act.

## 16. COMPLAINTS HANDLING PROCEDURE

16.1 Should you be dissatisfied with the manner in which your Personal Information is or has been Processed, or believe that there has been a breach of this Policy, our Information Officer must be contacted at the contact particulars stated below.

16.2 Complaints must be made in writing for proper record and monitoring purposes.

16.3 Complaints will be reviewed by the Information Officer and the complainant be provided with a written response within 14 business days from the date of receipt by Emira of the written complaint.

## 17. EMIRA'S INFORMATION OFFICER

| | |
|---|---|
| **Information Officer:** | Obakeng Madikela |
| **E-Mail Address:** | omadikela@emira.co.za |
| **Telephone Number:** | +27 11 028 3100 |

| | |
|---|---|
| **Physical Address:** | First Floor, Building A, Knightsbridge, 33 Sloane Street, Bryanston, Johannesburg |