



# POPIA PORTAL

## USER PRIVACY NOTICE

From the moment you express interest in becoming a Juta POPIA Portal subscriber to the moment your subscription with us ends, we collect and use your personal information to provide you with access to our POPIA Portal, Forum, practical guides, and so much more. This notice is about what kind of personal information we collect, how we use and store it, and what rights you have in terms of your personal information.

If you have any questions, please contact [rmorar@juta.co.za](mailto:rmorar@juta.co.za).

### 1. WHAT THIS PRIVACY NOTICE IS ABOUT

<b>Who does this privacy notice apply to?</b>	<p>This notice applies to all individuals or companies who subscribe to the Juta POPIA Portal ('Users').</p> <p>In terms of the Protection of Personal Information Act ('POPIA'), you are the data subject.</p>
<b>Who are you sharing your information with?</b>	<p>You are sharing your information with Juta and Company (Pty) Ltd.</p> <p>Our registered address is: 1st Floor, Sunclare Building, 21 Dreyer Street, Claremont, Cape Town, 7708</p> <p>In terms of POPIA, we are the responsible party.</p>
<b>This privacy notice is part of our agreement with you.</b>	<p>This privacy notice forms part of our agreement with you. You should read it along with the POPIA Portal Terms of Use and Engagement Rules we agreed with you.</p>
<b>What kind of information we collect and how we use it.</b>	<p>As a publisher of legal publications, we collect, use and retain your personal information.</p> <p>In most cases, the personal information we collect from you is mandatory. We must collect it to comply with the law or because we need it to provide our products and services to you.</p> <p>When we collect personal information from you that is not mandatory, we always have a specific purpose.</p> <p>If you choose not to provide us with the personal information we need, it will limit our ability to provide our products and services to you. For example, if you do not provide us with your email address, we may not be able to communicate with you regarding updates to the POPIA Portal or provide you with feedback on queries you raised with us.</p>

# POPIA PORTAL

<p><b>What personal information is.</b></p>	<p>Personal information is all information relating to a specific individual. This includes contact information, information relating to your race, gender, sex, pregnancy status, marital status, ethnic or national origin, sexual orientation, physical or mental health, disability, religion, belief, culture, language, education background, financial information, criminal behaviour, employment history, personal opinions, views or preferences, and private or confidential correspondence.</p> <p>It does not matter whether the information is held on paper or in an electronic or other format – it is still personal information and must be protected.</p>
<p><b>Companies also have personal information which must be protected.</b></p>	<p>A company can also have personal information that must be protected, for example, financial information such as bank details, primary contact person information etc.</p>
<p><b>We will change how we work with personal information from time to time, and we will use this notice to tell you about it.</b></p>	<p>We will change how we work with personal information from time to time, and we will use this notice to tell you about it.</p>

## 2. WHAT INFORMATION WE COLLECT

<p><b>We will collect information directly from you when you subscribe to the POPIA Portal.</b></p>	<p>We will collect your information directly from you when you:</p> <ul style="list-style-type: none"> <li>• register to use the POPIA Portal;</li> <li>• update your profile information;</li> <li>• interact with the site;</li> <li>• participate in discussion forums on the site.</li> </ul>
<p><b>We will collect information directly from you or third party sources, for example, by performing a background check with a registered credit bureau.</b></p>	<p>Most of the time we will collect your information directly from you. However, sometimes we will also collect information from other sources, such as a registered credit bureau.</p> <p>We may collect information about you from third party sources under the following circumstances:</p> <ul style="list-style-type: none"> <li>• With your consent (e.g. for us to do a credit check);</li> <li>• If the information is derived from a public record (e.g. the Deeds' Registry or CIPC records);</li> <li>• If we need the information to comply with an obligation imposed by law (e.g. income tax laws and other regulatory requirements);</li> <li>• If collecting the information from a third party source is necessary for maintaining our legitimate interests; and</li> <li>• If collecting the information directly from you would prejudice a lawful purpose of the collection (e.g. if we need to verify information about you in a background check).</li> </ul>



# POPIA PORTAL

<p><b>Here is a list of the personal information that we collect about you.</b></p>	<p>We collect:</p> <ul style="list-style-type: none"> <li>• name and surname;</li> <li>• contact numbers;</li> <li>• organisation name;</li> <li>• organisation type;</li> <li>• province/region;</li> <li>• contact person details;</li> <li>• non-personal browsing habits and click patterns;</li> <li>• email address;</li> <li>• IP address;</li> <li>• demographic information;</li> <li>• information about your usage of the site, such as pages visited, documents downloaded, etc.;</li> <li>• information you create as part of your interactions with this site, such as responses to surveys, polls, forum discussion posts;</li> <li>• your credit profile from a registered credit bureau and</li> <li>• any other relevant information for us to provide you access to a specific publication or service.</li> </ul>
<p><b>We also generate information about you in the form of records.</b></p>	<p>We generate records of:</p> <ul style="list-style-type: none"> <li>• your billing profile (which services you use and what information goes on your invoice)</li> <li>• your payment history</li> <li>• any queries or calls you log with our customer services or sales departments.</li> </ul>

### 3. WHY WE COLLECT AND PROCESS YOUR PERSONAL INFORMATION

3.1. We process your personal information to conclude a contract with you and meet our contractual obligations.

<p><b>We need your personal information to manage your subscription with us and run our business.</b></p>	<p>Personal information is essential throughout your subscription process.</p> <p>We use your personal information:</p> <ul style="list-style-type: none"> <li>• when you enquire about the POPIA Portal;</li> <li>• to provide you with access to the POPIA Portal product and services once you have subscribed;</li> <li>• to carry out any transaction with you and to maintain our relationship with you;</li> <li>• to provide you with maintenance or assistance on any component of the POPIA Portal;</li> <li>• to bill you for your subscription or send you any other necessary documentation;</li> <li>• to process your subscription payment;</li> <li>• when we review your forum discussion posts for compliance with the User Rules of Engagement; and</li> <li>• for other general administrative and business execution reasons (e.g., quarterly sales forecasts).</li> </ul>
---	---



# POPIA PORTAL

3.2. We process your personal information because it is in your or our legitimate interest to do so, because we are legally required to do so, or because you have given us permission.

<p><b>We process some personal information because it is in your legitimate interest to do so.</b></p>	<p>When you contact us through our website, email, social media, or telephone, we use the information we collect to reply to, investigate, and resolve your query, complaint, or request.</p> <p>When we identify any of our other products and services that might interest you, we will then send you information regarding these.</p>
<p><b>We process some personal information because it is in our legitimate interest to do so.</b></p>	<p>We use your personal information</p> <ul style="list-style-type: none"> <li>• when we conduct quality assurance to maintain and improve the quality of our POPIA Portal;</li> <li>• when we compile non-personal statistical information about browsing habits, click patterns, and access to the POPIA Portal; and</li> <li>• for market research purposes.</li> </ul>
<p><b>We are legally required to process some personal information.</b></p>	<p>We will collect, use, and retain your personal information to ensure that we comply with income tax, financial reporting laws, and other legislation.</p> <p>We will use your personal information for:</p> <ul style="list-style-type: none"> <li>• internal and external audit;</li> <li>• financial and tax reporting;</li> <li>• the detection and prevention of fraud, crime, money laundering or other malpractice;</li> <li>• any legal proceedings.</li> </ul> <p>Here are some of the pieces of legislation which affect why your personal information is collected, used and retained:</p> <ul style="list-style-type: none"> <li>• Companies Act 71 of 2008</li> <li>• Consumer Protection Act 68 of 2008</li> <li>• Electronic Communications and Transactions Act 25 of 2002</li> <li>• National Credit Act 34 of 2005</li> <li>• Income Tax Act 58 of 1962</li> <li>• Prescription Act 68 of 1969</li> </ul>
<p><b>We process some personal information with your consent.</b></p>	<p>When you subscribe to our newsletter, we send it to you by email. You can unsubscribe at any time by following the unsubscribe link at the bottom of the email or by contacting us.</p> <p>We may send you our marketing material if you consent to receive it.</p> <p>Where we are required to do so by the National Credit Act 34 of 2005 and its regulations, we will always ask for your consent before doing a credit check on you.</p>



# POPIA PORTAL

## 4. HOW WE SHARE YOUR INFORMATION

<p><b>We only share your information if it is required to manage our relationship with you or for legitimate business reasons.</b></p>	<p>Here are some of the instances when we are required to share your information:</p> <ul style="list-style-type: none"> <li>• with our independent moderators when they review User contributions to the POPIA Forum for compliance with the Engagement Rules;</li> <li>• sometimes we are required by legislation to share information with the government, regulators or a court (e.g. SARS, the Information Regulator etc.);</li> <li>• from time to time, parts of the business may be sold, which could include a transfer of User information;</li> <li>• we might share your information with payments processors and banks to process your subscription payment;</li> <li>• we might share your information with service providers who develop or perform maintenance on the POPIA Portal;</li> <li>• we might share your information with specialists when you post a question on the POPIA Forum; and</li> <li>• we might share your information with companies who provide services on our behalf so we can do business (e.g. tax, auditors, IT, accountants, data analytics, legal and other professional consultants).</li> </ul> <p>Sometimes the POPIA Portal may contain links to other websites. These links are provided for convenience, and we are not responsible for the privacy practices of these linked websites. We suggest you review the privacy policies of those websites before using them.</p>
<p><b>We only share the minimum amount of your information.</b></p>	<p>We only share the minimum amount of information that the service provider requires.</p>
<p><b>We only share your information with service providers we trust.</b></p>	<p>We require that service providers agree to keep your information secure and confidential and only use your information for the purposes for which we shared it with them.</p>
<p><b>Some of the service providers that we use may be in other countries.</b></p>	<p>When we share information with service providers located in other countries that may not have the same levels of protection of personal information as South Africa, they must undertake to protect your personal information to the same level that we do.</p>
<p><b>We provide for appropriate safeguards before we share.</b></p>	<p>We have appropriate safeguards in place in contracts between our local and foreign service providers and us.</p>

## 5. HOW WE KEEP YOUR INFORMATION SECURE

<p><b>We have reasonable security measures in place to protect your personal information and minimise the impact of a breach.</b></p>	<p>We base our security measures on the sensitivity of the personal information that we hold. Our security measures are in place to protect your personal information from:</p> <ul style="list-style-type: none"> <li>• loss</li> <li>• misuse</li> <li>• unauthorised access</li> <li>• being altered</li> <li>• being destroyed</li> </ul>
---	---



# POPIA PORTAL

<b>We regularly monitor our systems for possible vulnerabilities and attacks.</b>	No system is perfect, and we cannot guarantee that we will never experience a breach of any of our physical, technical, or managerial safeguards. Still, we regularly monitor our systems for vulnerabilities.
<b>We will let you know of any breaches that may affect your personal information.</b>	<p>If something should happen, we have taken steps to minimise the threat to your privacy, and we will let you know if your personal information has been compromised.</p> <p>We will also let you know how you can help minimise the impact of the breach.</p>

## 6. YOUR PERSONAL INFORMATION RIGHTS

<b>You may ask us about your personal information.</b>	You have the right to know when we collect and use your personal information and to ask us what we know about you and what we do with that information.
<b>You may access your personal information.</b>	You may ask to access your personal information by contacting <a href="mailto:rmorar@juta.co.za">rmorar@juta.co.za</a> . We may take up to one month to respond to your request and may charge a fee in some circumstances. We will let you know if this is the case.
<b>You have control over your personal information.</b>	<p>You may:</p> <ul style="list-style-type: none"><li>• ask that we update incorrect personal information or complete personal information that may be incomplete;</li><li>• ask that we delete your personal information;</li><li>• ask to receive your personal information in a structured, commonly used and machine-readable format;</li><li>• ask that we reuse your personal information for your purposes across different services;</li><li>• object to the processing of your personal information under certain circumstances;</li><li>• object to automated decision-making and profiling;</li><li>• ask that a human review any automated decisions that we make about you, express your point of view about it, and obtain an explanation of the decision. You may challenge any automated decision made about you; and</li><li>• ask that we restrict our use of your personal information.</li></ul>
<b>You have the right to unsubscribe.</b>	You have the right to unsubscribe from any direct marketing we send you.
<b>You have the right to lodge a complaint with the Information Regulator.</b>	You can contact the Information Regulator at <a href="mailto:POPIAComplaints@inforegulator.org.za">POPIAComplaints@inforegulator.org.za</a> .