



## WEBSITE AND PRIVACY POLICY

### INTRODUCTION

Consilium Capital SA Proprietary Limited 1996/000203/07 ("**Consilium**") is a private company, located at First Floor – 10 Melrose Boulevard Melrose Arch, Melrose North, Johannesburg, 2076, the further details of which are accessible [here](#).

This privacy policy, together with the [terms and conditions](#), governs the way we treat Personal Information and/or personal data which we collect which is provided to us.

**THIS PRIVACY POLICY GOVERNS THE USE OF OUR WEBSITE. ALL DISPUTES OVER PRIVACY AND YOUR DATA SHALL BE GOVERNED AS SET OUT HEREIN.**

The "**responsible party**", as referred to in the Protection of Personal Information Act 4 of 2013 ("**POPI**") is Mrs Hethe-Mari Moolman, who is the information officer.

### INFORMATION WE MAY COLLECT FROM YOU

Consilium may collect and process the following data and/or information:

- Information that you provide when you communicate with us (through correspondence by way of email, telephone or otherwise), or we may also collect Personal Information that you provide to us. For the purpose of this Privacy Policy, the word "**Personal Information**" has the meaning given to it under Chapter 1 of POPI.
- Information that you provide by filling in our mandates, service agreements, FIC Act requests and the like.
- If you contact Consilium, we may keep a record of that correspondence.
- We may also ask you to complete surveys that we use for research purposes, although you do not have to respond to them.
- Details of your visits to Consilium's website including, but not limited to, traffic data, location data, weblogs and other communication data, whether



this is required Consilium's billing purposes or otherwise and the resources that you access.

Where you provide us with Personal Information relating to a third party data subject (for example, your company), you warrant that you have obtained all necessary consents from such data subject, including the data subject's consent for you to share such Personal Information with Consilium to process on your behalf.

You agree to provide accurate, truthful and current information, and not to impersonate or misrepresent any person or entity or falsely state or otherwise misrepresent your affiliation with anyone or anything. Failure to adhere to this requirement will entitle Consilium *inter alia*, to take action against you.

The supply of your Personal Information is voluntary, however you acknowledge that we cannot complete or provide financial or professional services to you if you withhold or decline to supply such Personal Information.

By continuing to use the website you consent to processing, collection, storage, and use of the Personal Information you provide for any of the purposes set out in this Privacy Policy, and you consent to our collection of any changes or updates that you may provide to any information you provide that is collected by us. If you do not agree to the Privacy Policy, please do not use the website.

#### **CATEGORIES OF PERSONAL INFORMATION WE MAY PROCESS**

Consilium may process the following categories of Personal Information about you:

- personal identifiers, such as name, surname, passport or national identity number, and the like;
- contact details, such as correspondence address, telephone number, email address and other contact details;
- client details, such as details of individuals instructing Consilium, employer details, Personal Information included in any correspondence (including e-mail, telephonic, etc.), documents, evidence or other materials that we



Process in the course of providing financial and professional services, meeting details (including attendance; minutes, etc.), and the like;

- consent records, such as details of any consent you may have given Consilium (including the date and time, manner of consent and any related information);
- financial information, such as billing address, payment method(s), bank account number or credit card number, invoice records, payment records, SWIFT details, IBAN details, payment amount, payment date(s), and other billing information; and
- data relating to website visits, such as traffic data, location data, weblogs, your IP address, operating system, browser type, and other communication data.

#### **IP ADDRESSES AND COOKIES**

Consilium may collect information about your computer, including where available your IP address, operating system, browser type and Internet service provider, for system administration and to report aggregate information to Consilium's advertising agents, advertisers and business partners. This is statistical data about Consilium's users' browsing actions and patterns, and does not identify any individual.

For the same reason, we may obtain information about your general internet usage by using a "**cookie file**" which is stored on the hard drive of your computer. "Cookies" refers to information that is sent from Consilium's website to your hard drive where it is saved and contains information to personalise your experience on Consilium's website. In this way, the next time you use Consilium's website, we will know who you are and that you have visited Consilium's website before. They help Consilium to improve the website and to deliver a better and more personalised service. They also enable Consilium to:

- estimate Consilium's audience size and usage pattern.
- store information about your preferences, and so allow Consilium to customise Consilium's website according to your individual interests.



- speed up your searches.

You may refuse to accept cookies by activating the setting on your browser which allows you to refuse the setting of cookies. However, if you select this setting, you may be unable to access certain parts of Consilium's website. Unless you have adjusted your browser setting so that it will refuse cookies, Consilium's system will issue cookies when you log on to Consilium's website.

## **HOW YOUR INFORMATION IS USED AND DISCLOSED**

We use information collected from you or from a third party or held about you in the following ways:

- To ensure that content from Consilium's website is presented in the most effective manner for you and for your computer.
- To provide financial and professional services.
- To provide professional and financial advice.
- To provide you with information, products or services which we feel may interest you.
- To keep you updated with changes and developments to financial services we offer.
- To carry out Consilium's obligations arising from any contracts entered into between you and Consilium.
- To respond to any queries you make.
- To allow you to participate in interactive features of Consilium's services, if any.
- To notify you about changes to Consilium's services.
- To maintain Consilium's internal administrative or client relationship management systems, including the use of third party IT outsourced providers, when applicable.
- To carry out and manage our business operations.



- To carry out legitimate business purposes of or other activities conducted by us from time to time.
- To carry out quality and risk management reviews and legal reporting obligations.
- In aggregate form, for internal business purposes such as generating statistics and developing our strategic and marketing plans;
- To assist Consilium in any future dealings with you.

If you are an existing client, we will contact you by electronic means (e-mail or SMS) with information about services similar to those which were the subject of a previous transaction with you.

We may also exchange information with other companies and organisations for the purposes of fraud protection and credit risk reduction.

We may disclose your Personal Information to third parties:

- In the event that we sell or buy any business or assets, in which case we may disclose your Personal Information to the prospective seller or buyer of such business or assets.
- If Consilium or substantially all of its assets are acquired by a third party, in which case Personal Information held by Consilium will be one of the transferred assets.
- If we are under a duty to disclose or share your Personal Information in order to comply with any legal obligation.
- In order to enforce or apply Consilium's terms of use or terms and conditions of service and other agreements.
- To protect the rights, property, or safety of Consilium, Consilium's clients, or others.
- To assist Consilium in providing you with financial and/or professional services.



We will be entitled to disclose your Personal Information to those of our affiliates, agents, advisors, employees and/or third party service providers and suppliers who assist us to interact with you via the website, mobile communications and/or email, and need to know your Personal Information to assist us to communicate with you. We will ensure that all employees and/or third parties having access to your Personal Information are bound by appropriate and legally binding confidentiality and non-use obligations in relation to your Personal Information.

On rare occasions, we may be required to disclose your Personal Information due to legal or regulatory requirements. In such instances, we reserve the right to disclose your Personal Information as required to comply with our legal obligations, including but not limited to complying with court orders, warrants, subpoenas, service of process requirements or discovery requests.

We may also disclose information about our users to law enforcement officers or others, in the good faith belief that such disclosure is reasonably necessary to enforce this privacy policy, or protect the rights, property, or our personal safety or the personal safety of our users or the general public.

We do not exercise control over third parties' privacy policies, and you should refer to the privacy policy of any such third party to establish how such third party protects your privacy.

## **PROTECTION OF YOUR PERSONAL INFORMATION**

We are committed to protecting the Personal Information you provide in a variety of ways. We will:

- treat your Personal Information as strictly confidential;
- take appropriate technical and organisational measures to ensure that your Personal Information is kept secure and is protected against unauthorised or unlawful processing, accidental loss, destruction or damage, alteration, disclosure or access;
- promptly notify you if we become aware of any unauthorised use, disclosure or processing of your Personal Information;



- provide you with reasonable evidence of our compliance with our obligations under this Privacy Policy on reasonable notice and request; and
- upon your request, promptly return or destroy any and all of your Personal Information in our possession or control, to the extent that we are permitted to do so.

You agree that we shall be entitled to retain your Personal Information for as long as it is necessary and to fulfil the purposes explicitly set out in this policy. You agree that we shall however be entitled to extend the period for which Personal Information is retained (i) if this is required or authorised by law, (ii) we reasonably requires the information for a longer period for lawful purposes related to its activities or functions, (iii) this is required by any contract between the parties, or (iv) for statistical or research purposes (subject to appropriate safeguards).

#### **STORAGE OF YOUR PERSONAL INFORMATION**

All information you provide to Consilium is stored on Consilium's secure servers. Where we have given you (or where you have chosen) access to certain parts of Consilium's website or Share Point, you are responsible for keeping the means of access confidential. We ask you not to share the means of access with anyone.

Unfortunately, the transmission of information via the internet is not completely secure. Although we will do Consilium's best to protect your Personal Information, we cannot guarantee the security of your information transmitted to Consilium's website; any transmission is at your own risk. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorised access.

#### **YOUR RIGHTS**

You have the right to object to the processing of your Personal Information. You have the right to access your Personal Information which we collect from you, including to correct factual errors, review and/or update information.

Such request can be made by sending an email to Consilium at [info@consiliumsa.co.za](mailto:info@consiliumsa.co.za).



Any access request may be subject to a fee to meet Consilium's costs in providing you with details of the information we hold about you.

Should you believe that Consilium has processed your Personal Information contrary to legislation in South Africa as read with this privacy policy, you undertake to first attempt to resolve any concerns by addressing a complaint in writing to the Information Officer. If you are not satisfied with the outcome of such process, you have the right to lodge a complaint with the Information Regulator.

Information Officer: Mrs Hethe-Mari Moolman, Email: [info@consiliumsa.co.za](mailto:info@consiliumsa.co.za)

The Information Regulator (South Africa), Email: [inforeg@justice.gov.za](mailto:inforeg@justice.gov.za)  
JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001.

### **LINKS to OTHER WEBSITES**

Consilium's website may, from time to time, contain links to third party websites. If you follow a link to any of these websites, please note that these websites have their own privacy policies and that we do not accept any responsibility or liability for those policies. We do not exercise control over third party's privacy policies, and you should refer to the privacy policy of any such third party to establish how such third party protects your privacy before you submit any Personal Information to these websites.

### **CHANGES TO OUR PRIVACY POLICY**

Consilium reserves the right to change its Privacy Policy from time to time, and in its sole discretion. We may send you a notice regarding material changes to this Privacy Policy, but we encourage you to frequently check this Privacy Policy for any changes. Your continued use of the website after any change in this Privacy Policy will constitute your acceptance of such changes.

### **CONTACT**

Questions, comments and requests regarding this privacy policy are welcomed and should be addressed to [info@consiliumsa.co.za](mailto:info@consiliumsa.co.za) with "Privacy Policy" in the subject line.





### **APPLICABLE LAW**

This privacy policy will be governed by the laws of the Republic of South Africa. You consent to the jurisdiction of the South African Courts for any dispute which may arise out of this privacy policy.

### **COPYRIGHT WARNING**

The Copyright Act, 1978, governs the making or printing of copies or other reproductions of the content of Consilium's website. No part of Consilium's website nor any content contained on Consilium's website may be copied or reproduced in whole or in part without the prior written consent of Consilium. All rights are reserved.