



westbrooke

Alternative Asset Management

POPIA policy- Westbrooke Alternative Asset Management (Pty) Ltd and any of its holdings companies and direct & indirect subsidiaries (“WAAM”)

1. Definitions

- 1.1 **"Applicable Data Protection Legislation"** – means (i) Protection of Personal Information Act, 4 of 2013 ("POPIA"); (ii) Regulation (EU) 2016/679 of the European Parliament and of the Council on the protection of natural persons with regard to the processing of Personal Data and on the free movements of such data and repealing directive 95/46/EC ("General Data Protection Regulation" or "GDPR"); and (iii) any other local or regional and/or international data protection, data privacy or data security laws, including all laws and regulation ratifying, implementing or completing the provisions of POPIA and/or the GDPR, as the case may be;
- 1.2 **"Personal Information"** – shall have the meaning ascribed to such term in POPIA and/or the GDPR, as the case may be;
- 1.3 **"Processing"** – any activity, operation or set of operations concerning personal information including, but not limited to, –
- 1.3.1 the collection, recording, receipt, organisation, collation, storage, updating, modification, retrieval, alteration, consultation or use;
- 1.3.2 dissemination by means of transmission, distribution or making available in any other form; or
- 1.3.3 merging, linking, as well as restriction, degradation, erasure or destruction of information,
- including any other activity as is contemplated in relation to this term in POPIA and/or the GDPR, as the case may be;
- 1.4 **"User" or "Their" or "They"**– any prospective, new or existing client of Westbrooke, including any affiliate and/or other member of the group of companies falling under the Westbrooke Group;
- 1.5 **"WAAM" or "We" or "Us"** – Westbrooke Alternative Asset Management Proprietary Limited or any affiliate and/or other member of the group forming part of the Westbrooke Group;

2. Purpose of this policy

This policy will explain how WAAM acquire, use, retain and disclose Users personal information, as is required by Applicable Data Protection Legislation.

WAAM takes User's privacy and the protection of User's Personal Information in a very serious light and will only use their Personal Information in accordance with the terms and conditions set out in the WAAM POPIA Consent form, this policy, together with the provisions of all Applicable Data Protection Legislation. WAAM encourages Users take all necessary and appropriate steps to protect their Personal Information.

WAAM has implemented reasonable technical and operational measures to keep Users Personal Information secure.

3. Purpose of collecting Personal Information

As an investment management company, Personal Information may be collected by WAAM for the following reasons, some of which are mandatory:

- to process know-your-client (KYC) and FICA information;
- to administer the investment management agreement signed with Users;
- to provide Users with access to our products and services, including but not limited to analysis or intermediary services in relation to Users investment with us;
- to monitor and analyse Users conduct relating to that investment for fraud, compliance and other risk-related purposes;
- to develop new products and services;
- to help us improve our offerings to Users;
- to confirm and verify Users identity or to verify that they are an authorised user for security purposes;
- for the detection and prevention of fraud, crime, money laundering or other malpractice;
- to conduct market or customer satisfaction research or for statistical analysis;
- for audit and record keeping purposes;
- in connection with legal proceedings;
- to comply with legal and regulatory requirements or industry codes to which we subscribe or which apply to us, or when it is otherwise allowed by law.

The type of information we collect shall depend on the purpose for which it is collected and used. We shall only collect information that we need for that particular purpose and no more than necessary. In some instances, we shall inform Users what information they are required to provide to us and what information is optional.

Primarily, information shall be collected directly from Users, however, we may also collect information about Users from other sources, with or without consent. We may collect information about Users or their colleagues from sources which are publicly available such as global compliance databases.

Website usage information is collected using "cookies" which allows us to collect standard internet visitor usage information.

4. Use of Personal Information

4.1 We may use, disclose and/or transfer Personal Information for the purposes of, inter alia, -

- 4.1.1 providing any products, services or offerings which Users have requested and/or notifying them about any changes to such products, services or offerings;
- 4.1.2 managing any investments, contractual arrangements or Users account for purposes of complying with their instructions or requests;
- 4.1.3 complying with Users instructions;
- 4.1.4 assessing Users affordability and possible investment needs;

- 4.1.5 marketing, auditing, operational, legal and record keeping requirements;
 - 4.1.6 detecting and preventing fraud and money laundering and/or in the interest of security and crime prevention;
 - 4.1.7 to the extent required, conducting any sanctions and politically exposed person screening against any relevant list from time to time;
 - 4.1.8 complying with applicable laws including any laws pertaining to requests for information received from any local or foreign law enforcement agencies, government or tax collection agencies;
 - 4.1.9 disclosing Users Personal Information to third parties, including any affiliate and/or member of the WAAM Group or where it is not unlawful to do so; and
 - 4.1.10 disclosing Users Personal Information to third parties whom We may employ for purposes of Processing such Personal Information which may include, amongst others, third parties appointed in relation to the storage and/or Processing of data for and on behalf of WAAM. To the extent that any Personal Information may be transferred to a third party who is in a foreign country, such third party will be subject to binding corporate laws as well as a binding agreement for purposes of providing adequate protection relating to upholding the principles for reasonable Processing of the Personal Information which are substantially similar to those set out in POPIA. Any such transfer undertaken by us in these circumstances is necessary in order to allow for the completion of services by such third party to WAAM in relation to the Processing, storage and/or holding of data (for and on our behalf) and/or for purposes of accessing of various interface programmes provided to us by such third parties and which WAAM uses in its day to day operations.
- 4.2 We may, from time to time, contact Users about services, products and offerings available from Us and/or any specific affiliate or member of the WAAM Group which We believe may be of interest to Users by email, telephone, text or other electronic means, **unless** Users have unsubscribed from receiving such communications (refer section 6).

5. Disclosure of your Personal Information

- 5.1 Users Personal Information may be shared by Us with our agents, subcontractors, selected third parties who Process Personal Information on our behalf and/or other members of the WAAM Group.
- 5.2 We may also disclose Users Personal Information to third parties and/or members of the WAAM Group in the following circumstances –
- 5.2.1 to determine which products and/or services of such entities may be of interest to Users and/or to send them information about such products and services, unless a User object or choose not to receive such communications;
 - 5.2.2 to assess and monitor Users application for products or services, including the risk involved to comply with any applicable laws;
 - 5.2.3 in order to store and/or hold such Personal Information for and on behalf of Us;
 - 5.2.4 to any regulator or supervisory authority, including those in foreign jurisdictions, if required to do so by applicable laws;
 - 5.2.5 to any prospective buyer or seller of any of our and/or any member of the WAAM Group's business or assets and/or obligations;
 - 5.2.6 to any person who acquires substantially all of the assets and/or obligations of any member of the WAAM Group;

- 5.2.7 to any person whom we have a legal duty to disclose or share Users Personal Information with in order to comply with any applicable laws or to protect the rights, property or safety of Us, our clients or any third parties;
- 5.2.8 to a Users agents or any other person acting on their behalf, including an independent financial advisor. We may also disclose information about the User and their relationship with Us through the term of that relationship; and
- 5.2.9 We may transfer Users information to another member of the WAAM Group, an agent, subcontractor or third party who carries on business in another country, including one which may not have data protection laws similar to those in South Africa. If this happens, We will ensure that anyone to whom We and/or the User pass their Personal Information to, agrees to treat the Users information with the same level of protection as if We Were dealing with it.
- 5.3 Should a User not wish us to disclose this Personal Information to third parties, they are encouraged to contact Us. We may, however, not be able to provide products or services to a User if such disclosure is necessary.

6. Protecting your Personal Information

In terms of legislation we are obliged to implement measures and strategies to ensure the protection of Personal Information, whereby, unauthorised access and use is deterred. Our information security policies and procedures which are reviewed on an ongoing basis include the following:

- Physical security;
- Computer and network security;
- Access to personal information;
- Secure communications;
- Security in contracting out activities or functions;
- Retention and disposal of information;
- Acceptable usage of personal information;
- Governance and regulatory issues;
- Monitoring access and usage of personal information;
- Unsubscribe options available to Users;
- Investigating and reacting to security incidents.

When We contract with third parties, We impose appropriate security, privacy and confidentiality obligations on them to ensure that personal information that we remain responsible for, is secured. We will ensure that anyone to whom we pass your personal information agrees to treat your information with the same level of protection as we are obliged to. This includes instances where we need to transfer your personal information to another country for processing or storage, or where we use a third party to disseminate information.

7. Retention of information

- 7.1 We may retain Personal Information indefinitely, unless a User objects hereto, in which case We will only retain it if We are permitted or required to do so in terms of applicable laws.
- 7.2 Users also have the right to request the destruction or deletion of, and where applicable, to obtain the restriction on the Processing of Personal Information held about them. Should a User wish to exercise this right, they are encouraged to contact WAAM at the contact details set out in this policy as well as the POPIA Consent document.

8. Access to/Correction of Personal Information

Users may contact our offices using the details below to enquire what personal information We hold for them. We shall make the information available to them upon request and after reasonable satisfaction that they have confirmed your identity to us.

Telephone Number: 011 245 0860

Physical Address: Westbrooke House, 32 Impala Road, Chislehurst

Email address: info@waam-sa.com

We are obliged to store information which is accurate and updated. Users may contact our offices using the above details to update, correct, amend or delete your personal information at any time. We will take all reasonable steps to confirm a Users identity before making changes to personal information.

9. Complaints

Users have the right to address any complaints you may have regarding your personal information through our normal Complaints channels, details of which are available on our website. Alternatively, they may contact the Personal Information Regulator:

The Information Regulator (South Africa)

SALU Building

316 Thabo Sehume Street

0001 PRETORIA

Tel: 012 406 4818

Fax: 086 500 3351

info@justice.gov.za

10. Acceptance and consent

By agreeing to the terms and conditions set out in WAAM's POPIA Consent form, Users provide us with consent that We may Process their Personal Information on the terms and conditions set out therein, which will include, to the extent required, their consent and authorisation for the transfer of their Personal Information outside of South Africa to any third parties whom We may engage in relation to the storage and/or Processing of such Personal Information and/or in relation to WAAM accessing any offshore portals for software services which may be used by WAAM and/or the WAAM Group from time to time.

11. Amendments

WAAM may amend this policy from time to time. Any updates will be made available on our website (www.westbrooke.com).