

**JOHANNESBURG HERITAGE
FOUNDATION**

PRIVACY POLICY

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1. PURPOSE OF THIS POLICY

- 1.1 This Privacy Policy ("**Privacy Policy**") explains our approach to any Personal Information that we collect from you or which we have obtained about you from a third party and the purposes for which we process your Personal Information.
- 1.2 This Privacy Policy will inform you of the nature of your Personal Information that is processed by us as well as your rights in relation to your Personal Information, including the right to request that we delete, update, and/or provide you with access to your Personal Information, subject to applicable laws.
- 1.3 This Privacy Policy is intended to assist you in making informed decisions when engaging with us and/or to understand how your Personal Information may be processed by us and any third parties or to whom we may provide your Personal Information.
- 1.4 Please also note that this Privacy Policy only applies to Johannesburg Heritage Foundation's use of your Personal Information and does not cover the Processing of Personal Information by third parties.

2. WHO ARE WE AND WHAT DO WE DO

- 2.1 Johannesburg Heritage Foundation ("**JHF**") is a voluntary heritage organisation that seeks to protect Johannesburg's heritage and historic landmarks.
- 2.2 It also regularly organises heritage walks and talks to improve heritage awareness.
- 2.3 Some of the aims and objectives of the JHF are as follows:
 - (a) Increasing public awareness of heritage by creating opportunities for people to become familiar with heritage and its special significance;
 - (b) Identifying significant sites and areas and motivating the protection of such heritage through the application of the National Heritage Resources Act and measures in the town planning legislation;
 - (c) Restoring buildings, gardens, and sites, and marking them appropriately with heritage plaques;
 - (d) Offering tours and other activities for schools to ensure that learners get to know their city and take pride in their heritage;
 - (e) Offering tours and talks for members of the JHF and the public;
 - (f) Researching and publishing, both in print and online, information on many aspects of Johannesburg's heritage.

3. HOW TO CONTACT US

If you have any questions about this Privacy Policy or want to exercise your rights set out in this Privacy Policy, please contact the Information Officer:

Full name: Johannesburg Heritage Foundation

Physical Address: Northwards
21 Rockridge Road
Parktown
Johannesburg
South Africa
2193

Postal address: Northwards
21 Rockridge Road
Parktown
Johannesburg
South Africa
2193

Telephone number: 011 482 3349

Fax number: 086 759 3778

Email address: mail@joburgheritage.co.za

4. DEFINITIONS

"Data Subject" has the meaning given in POPIA and includes a natural person and juristic person (companies).

"Information Regulator" means the supervisory authority in South Africa, established in terms of POPIA.

"Operator" means a person who Processes Personal Information for a Responsible Party in terms of a contract or mandate, without coming under the direct authority of that party.

"Personal Information" means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to-

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

- any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
- the biometric information of the person;
- the personal opinions, views or preferences of the person;
- 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;
- the views or opinions of another individual about the person; and
- 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 about the person

"**POPIA**" means the Protection of Personal Information Act, 2013.

"**Process**", "**Processing**" or "**Processed**" means any operation or activity or any set of operations, whether or not by automatic means, concerning Personal Information, including-

- the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
- dissemination by means of transmission, distribution or making available in any other form; or
- merging, linking, as well as restriction, degradation, erasure or destruction of information.

"**Responsible Party**" means a public or private body or any other person which, alone or in conjunction with others, **determines** the purpose of and means for Processing Personal Information.

"**Special Personal Information**" means 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 a Data Subject; and
- the criminal behaviour of a Data Subject to the extent that such information relates to-
 - the alleged commission by a Data Subject of any offence; or
 - any proceedings in respect of any offence allegedly committed by a Data Subject or the disposal of such proceedings.

5. **WHY DO WE COLLECT YOUR PERSONAL INFORMATION**

We may collect Personal Information from you in the course of carrying out our activities, including when you contact the JHF or request information from us, as well as when you book and/or attend tours and events organised by the JHF. We may also take photographs on our tours and upload this on our website and social medial platforms.

Our primary goal in collecting Personal Information from you is to help us:

- verify your identity;
- provide our activities;
- record members' membership with the JHF;
- apply discounts in relation to members of the JHF;
- manage the booking of tours and events;

- implement your undertakings in respect of donations, fundraising etc;
- improve, develop and market our activities;
- carry out requests made by you in relation to our activities, including in relation to our research activities;
- comply with any applicable law, court orders, other judicial process, or the requirements of a regulator;
- enforce any agreements with you;
- protect the rights, property or safety of us or third parties, including our members;
- to pay our staff members;
- to manage our relationship with volunteers at the research centre and volunteer tour guides; and
- use as otherwise required or permitted by law.

6. WHAT PERSONAL INFORMATION DO WE COLLECT

To undertake the above purposes we may process the following Personal Information:

- Your name and surname;
- Your email address;
- Your payment details;
- Your billing address;
- Photographs.

Save for Personal Information that we are required or permitted by law to collect, all Personal Information provided by you is provided voluntarily. However, if you do not provide the requested information we may not be able to effectively provide our activities to you or manage our relationship with you.

7. HOW DO WE USE YOUR PERSONAL INFORMATION

We may use your information for the purpose of the fulfilment of our activities. Other purposes for which we may use Personal Information include:

- to provide information to our members;
- to carry out communications with our members and Data Subjects who book tours with the JHF;
- to market tours by means of newsletters and other marketing communications;
- to understand and assess members' ongoing needs and offer services to meet those needs;
- to pursue our legitimate interests.

This Privacy Policy may be amended from time to time to update you regarding any other purposes for which we wish to use your Personal Information that are not listed in this Policy, or any other changes we propose to make to the existing purposes set out in this Privacy Policy.

8. WHAT IS OUR LEGAL BASIS FOR PROCESSING YOUR PERSONAL INFORMATION

8.1 We may Process your Personal Information with your consent. We may also Process your Personal Information on the following legal bases:

- (a) where Processing is necessary to carry out actions for the conclusion or performance of a contract to which you are a party;
- (b) where Processing complies with an obligation imposed by law on the JHF;
- (c) where Processing protects your legitimate interests;
- (d) where Processing is necessary for pursuing the legitimate interests of the JHF or of a third party to whom the information is supplied.

8.2 When Processing your Special Personal Information we will only process such information where permitted by law and when one or more of the following justifications apply:

- (a) you have consented to the processing. You may refuse or revoke your consent at any time, but should you not provide the data or revoke your consent then we may not be able to manage our relationship with you and/or you may not be able to participate in all our activities;
- (b) the Processing is necessary for the establishment, exercise or defence of a right or obligation in law;
- (c) the Processing is necessary to comply with an obligation of international public law;
- (d) the Processing is for historical, statistical or research purposes to the extent that the purpose serves a public interest and the Processing is necessary for the purpose concerned; or it appears to be impossible or would involve a disproportionate effort to ask for your consent, and sufficient guarantees are provided to ensure that the Processing does not adversely affect your individual privacy to a disproportionate extent;
- (e) You have deliberately made the Personal Information public;
- (f) The Processing is on the basis of any other justifications under POPIA.

9. WHO DO WE SHARE YOUR PERSONAL INFORMATION WITH?

From time to time we may also share Personal Information with the following categories of third parties as necessary:

- a) service providers;
- b) payroll service providers;

- c) accountancy firms;
- d) tax authorities (i.e. the South African Revenue Service);
- e) banks;
- f) professional service providers;
- g) insurance companies;
- h) IT service providers;
- i) cloud service providers.

Please note this list is non-exhaustive and there may be other examples where we need to share Personal Information with other parties.

When we share your Personal Information with Operators we ensure that there is a written agreement in place in terms of which the Operator agrees to keep the Personal Information confidential and implement and maintain appropriate security safeguards to protect the Personal Information from unauthorised access or disclosure. ns.

10. WHERE DO WE TRANSFER YOUR PERSONAL INFORMATION TO?

- 10.1 We will take steps to ensure that any international transfer of Personal Information is carefully managed to protect your rights and interests. In this regard, we will only transfer your Personal Information outside of South Africa to countries which provide an adequate level of data protection similar to that of POPIA or where we are satisfied that there is an appropriate justification under POPIA for the transfer.
- 10.2 To the extent that prior authorisation from the Information Regulator is required for the transfer of Special Personal Information or Personal Information relating to children to third parties in foreign countries that do not provide an adequate level of data protection, we shall ensure that such prior authorisation requirements are complied with, in circumstances where required.

11. HOW LONG DO WE KEEP YOUR PERSONAL INFORMATION FOR?

We will retain your Personal Information for as long as required to satisfy the purpose for which it was collected and Processed, unless a longer period is required or authorised in terms of applicable laws or is necessary for our legal obligations or to defend a legal claim. It may also be retained for a longer period if required by a contract between JHF and you or on the basis of your consent. JHF may also retain Personal Information for historical, statistical or research purposes provided there are appropriate safeguards against the Personal Information being used for any other purpose.

12. HOW DO WE SECURE AND ENSURE THE CONFIDENTIALITY OF YOUR PERSONAL INFORMATION?

We are committed to keeping the Personal Information provided to us secure and we have implemented appropriate information security policies, rules and technical measures to protect

the Personal Information that we have under our control from unauthorised access, improper use or disclosure, unauthorised modification and unlawful destruction or accidental loss.

All of our employees, consultants and volunteers who have access to, and are associated with the processing of Personal Information, are obliged to respect the confidentiality of such Personal Information.

13. WHAT ARE YOUR RIGHTS IN REGARD TO YOUR PERSONAL INFORMATION?

In terms of POPIA Data Subjects have the following rights:

- To request access to your Personal Information (subject to the grounds of refusal in the Promotion of Access to Information Act, 2000));
- To request rectification or correction of your Personal Information;
- To request the destruction or deletion of your Personal Information in certain circumstances including where it is no longer necessary for the JHF to process the Personal Information for the purpose it was collected;
- To object on reasonable grounds to the Processing of your Personal Information (such as where the processing is on the basis that it protects your legitimate interests or is on the basis that it is necessary for pursuing the legitimate interests of JHF or a third party to whom the personal data is supplied);
- To object to the processing of your Personal Information for the purposes of direct marketing;
- not to be subject to a decision which is based solely on the basis of automated processing of your Personal Information;
- to institute civil proceedings; and
- to withdraw consent (where such consent was obtained and relied on for the purposes of the Processing).

You also have the right to lodge a complaint with the Information Regulator, the details of which are as follows:

The Information Regulator (South Africa)

JD House

27 Stiemens Street

Braamfontein

Johannesburg

2001

Email: inforeg@justice.gov.za / complaints.IR@justice.gov.za

14. CHANGES TO THIS PRIVACY POLICY

We may make changes to this Privacy Policy from time to time. To ensure that you are always aware of how we use your Personal Information we will update this Privacy Policy from time to time to reflect any changes to our use of your Personal Information. We may also make changes as required to comply with changes in applicable law or regulatory requirements. Where it is practicable, we will notify you of any significant changes. However, we encourage you to review this Privacy Policy periodically to be informed of how we use your Personal Information.