



Website Privacy Notice



Equites Property Fund Limited
(Incorporated in the Republic of South Africa)
(Registration number 2013/080877/06)
("Equites" or "the Company")

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Website Privacy Notice

Welcome to Equites Property Fund Limited ("**Equites**"). Equites is a real estate investment trust listed on the Johannesburg Stock Exchange and is a "**Responsible Party**" pursuant to the Protection of Personal Information Act No.4 of 2013 as amended from time to time ("**POPI Act**").

As Responsible Party, Equites determines the purpose of and means for "**Processing**" the "**Personal Information**" of "**Data Subjects**".

"**Processing**", "**Processes**" or to "**Process**" means anything that can be done with Personal Information, including its collection, receipt, recording, organisation, collation, storage, updating, modification, retrieval, alteration, consultation, dissemination, merging, linking, restriction, degradation, erasure, destruction, or usage in any other manner whatsoever.

"**Personal Information**" means *inter alia* the types of information as listed in the POPI Act, relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person.

"**Data Subject**" or collectively "**Data Subjects**" means the person/s (natural or juristic) to whom Personal Information relates. This may include Equites' tenants, suppliers, service providers, shareholders, brokers, analysts, job applicants, employees, directors, interns, learners, scholarship/bursary recipients as well as users of its "**Website**".

Equites undertakes to Process the Personal Information of Data Subject only in accordance with the conditions of lawful processing as set out in the POPI Act, its policy on the protection of Personal Information ("**POPI Policy**") and to the extent required for Equites to discharge its legal/contractual/business obligations or to pursue its legitimate interests to perform its business on a day-to-day basis.

This "**Privacy Notice**" describes how Equites Processes the Personal Information of Data Subjects, both online during use of its "**Website**" and offline.

All other Capitalised terms used in this Privacy Notice shall have the meanings ascribed to them in the POPI Act.

More information can be found in the POPI Act.

More information about the POPI Policy can be found [here](#).

When does Equites collect Personal Information about Data Subjects?

Equites collects Personal Information about Data Subjects under *inter alia* the following circumstances:

- When Data Subjects enter competitions or promotions.
- When Data Subjects choose to participate in any surveys Equites sends to them.
- When Data Subjects contact Equites with queries and/or complaints.
- When Data Subjects use the Website, information is captured automatically through cookies and similar technologies. Data Subjects can manage this when they use the Website. For more information, see the "**What are cookies?**" and "**How to Manage cookies?**" sections below.
- When Data Subjects engage with Equites on social media i.e., where a Data Subject submits a comment or query on one of Equites' social media pages.
- When Equites enters in and discharges its obligations under tenancy agreements, employment agreements or supplier/service provider agreements with Data Subjects.
- When Equites discharges its obligations pursuant to the Financial Intelligence Centre Act No. 38 of 2001 ("**FICA**").
- When Equites issues invoices and collects arrears from debtors.
- When Equites screens prospective suppliers/service providers (i.e., B-BBEE verification).
- When Equites screens prospective tenants (i.e., credit checks).
- When Equites screens prospective employees, interns, learners, scholarship/bursary recipients and directors (i.e., qualifications and criminal record verification).
- When Equites registers shares, settles distributions, and communicates with stakeholders.
- Equites may also collect, use and share "**Aggregated Data**" such as statistical or demographic data for various purposes. Aggregated Data refers to information that could be derived from Data Subjects' Personal Information, but that will not directly or indirectly reveal their identity i.e., aggregated data relating to all the Website users.

Should a Data Subject provide Equites with the Personal Information of a third party (e.g., when a supplier provides Equites with the full names, telephone number and e-mail address of a trade referee), such Data Subject must ensure that he/she/it notifies the relevant third party before sharing their Personal Information with Equites by showing them this Privacy Notice and explaining that their Personal Information will be processed in accordance with this Privacy Notice and obtaining their consent, where appropriate.

Website Privacy Notice continued

What types of Personal Information does Equites collect?

Equites collects inter alia the following types of Personal Information about Data Subjects:

- Applicable FICA documents.
- Full names, telephone number, e-mail address, business address, residential address, and postal address.
- B-BBEE rating certificate and report.
- Reports from verification agencies in re credit history, qualifications, and criminal record of Data Subjects.
- Bank account detail and latest financial statements.
- Professional body affiliations and membership numbers.
- Public liability insurance policy number, professional indemnity insurance policy number and details of other insurance policies and policy numbers.
- Full names, telephone numbers and e-mail addresses of trade referees.
- Registration (juristic person) or identity number (natural person).
- Number of securities held, date on which securities were acquired / transferred and from / to whom they were acquired / transferred and consideration paid for securities.
- Curriculum vitae, disclosure of directorships and/or interests and contact detail of referees.
- Qualification certificates, academic transcripts and proof of registration with tertiary education institutions.
- Demographic data (i.e., age, gender and race) and information on health condition of Data Subject.
- Identity numbers, demographic data (i.e., age, gender and race) and information on health condition of spouse and child/ren.
- Details relating to financial standing / resources.
- Income tax and VAT registration numbers.
- Details of Data Subjects' interactions with Equites on its social media pages. For example, where a Data Subject enquires about Equites' services/ products or submit other comments on its Facebook wall, Equites may collect that comment and any Personal Information contained in that comment (i.e., the Data Subject's social media username and any other profile data associated with the comment).
- Copies of documents which Data Subjects provide Equites to prove their age or identity, where the law requires this. For example, if a Data Subject sends Equites a request relating to his/her/its Personal Information, Equites may need further information to verify his/her/its identity. Equites will therefore process the Personal Information contained in the identity documents the Data Subject choose to provide it with.
- Information Equites collects through cookies and similar technologies. Information which Equites collects automatically includes the type of web browser or mobile device, the Data Subject's operating system, the Data Subject's IP address, the URL of the landing page and the referring website, the time and date of the Data Subject's visit to the Website, and the search terms used by the Data Subject to reach the Website. For more information, see the "What are cookies" and "How to manage cookies?" sections below.
- There may be circumstances under which Equites may need to process more sensitive information about Data Subjects, which is known as "Special Personal Information". For example, Equites may collect certain details about employees' health conditions and history, as well we the health conditions and history of their spouse and child/ren when they are enrolled with a Medical Aid provider, pursuant to the employment agreement.

What are cookies?

Equites uses cookies and similar technologies on the Website. A cookie is a small file that is downloaded on the Data Subject's device when he/she/it accesses a webpage on the Website. The cookie contains information about the Data Subject and his/her/its visit to the Website. Cookies are widely used to make websites work, to distinguish unique users, and learn how users interact with websites. Please refer to Equites' Cookie Notice (attached hereto as **Appendix A**) for more information about how Equites uses cookies and similar technologies.

How to manage cookies?

Data Subjects can change their browser settings anytime so that cookies are not accepted. Data Subjects can learn more about how to block cookies by visiting <http://www.allaboutcookies.org/>. Please note that if Data Subjects block cookies completely, many websites will not work properly and some functionality on the Website may not work at all.

What lawful bases do Equites rely on to Process Personal Information?

There are several different reasons pursuant to the POPI Act for Equites to Process Personal Information about Data Subjects. These include:

To discharge its contractual obligations. In some circumstances, Equites requires Personal Information about Data Subjects to discharge its contractual obligations pursuant to lease agreements, employment agreements or supplier/service provider agreements with Data Subjects. For example, to pay a supplier/service provider Equites requires his/her/its bank account information.

Further to a Data Subject's consent. This is where a Data Subject have given Equites his/her/its consent to Process Personal Information about him/her/it for a specified purpose. For example, where a job applicant consents to criminal record checks being conducted by a verification agency appointed by Equites.

Complying with a legal obligation. If the law requires Equites to do so, it must Process Personal Information about Data Subjects. For example, to comply with FICA requirements.

When Processing is necessary to pursue Equites' legitimate interests or to protect the Data Subject's legitimate interest. Equites may Process Personal Information about Data Subjects, where it is done in pursuit of its legitimate interests as a company or to protect the legitimate interest of Data Subjects.

Website Privacy Notice continued

For example, Equites will *inter alia* Process Personal Information about Data Subjects:

- to respond to their queries, service/product-related requests, and complaints;
- to send Data Subjects requests for feedback and surveys and carry out market research so that Equites can improve its services/products and assess customer satisfaction;
- to deliver relevant content to Data Subject on the Website and to measure and understand the effectiveness of the content its serves to Data Subjects;
- to administer and protect the Website (including troubleshooting, data analysis, testing, system maintenance, support, reporting, and hosting of data);
- to use data analytics to improve the Website, content, marketing, and user experience;
- to protect its business from fraud and other illegal activities; and
- to protect or enforce its legal rights, for example defending Equites in the case of legal disputes.

With whom does Equites share Personal Information?

Equites may share Personal Information about Data Subjects with the third parties described below.

Service providers

Equites may disclose Personal Information about Data Subjects with companies which provides services to it. Examples of the types of service providers Equites work with *inter alia* include:

- the IT company that operates the Website/s on behalf of Equites;
- delivery companies, such as couriers, which Equites uses for the delivery of documents to Data Subjects;
- public relations and marketing companies, who help Equites to manage its electronic communications with Data Subjects; and
- the payroll company, processing salary payments on behalf of Equites.

Equites' service providers are required to keep Personal Information about Data Subjects confidential and are not allowed to use it for any other purpose than to carry out the services they are performing for Equites.

Third parties where required by law

Equites may disclose Personal Information about Data Subjects to a third party, if and where it is necessary to comply with a legal obligation or the decision of a judicial authority, a public authority or a government body or if disclosure is necessary for national security, law enforcement or other matters of public interest.

Subsidiaries, affiliated companies and/or business partners

Equites may share Personal Information about Data Subjects with its subsidiaries, affiliated companies and/or business partners for their own purposes, if it is necessary for the provision of services / products to Data Subjects.

Professional advisors and consultants

Equites may disclose Personal Information about Data Subjects to its professional advisors and consultants, such as analysts, lawyers, auditors and insurers, as necessary in the course of the professional services they provide Equites with.

Third parties in connection with a business sale

If Equites makes a sale or transfer of assets or are otherwise involved in a merger or business / asset transfer, it may transfer Personal Information about Data Subjects to one or more third parties as part of that transaction.

Other third parties with Data Subjects' consent

With Data Subjects' consent, Equites may also share their Personal Information with other third parties.

Does Equites transfer Personal Information internationally?

When Equites shares Personal Information about Data Subjects with third parties, as described in "With whom does Equites share Personal Information?" section above, these third parties may be located outside of the Republic of South Africa. Should Equites transfer Personal Information about Data Subjects outside of the Republic of South Africa, it will take steps to ensure that the Personal Information about Data Subjects will receive the same level of protection as if it was being processed within the borders of South Africa.

What about third-party websites and content?

Third parties, whose sites Data Subjects may visit after clicking a link on the Website, may have less stringent privacy policies. Equites does not have control over these sites and urge Data Subjects to read their privacy notices, before providing any Personal Information to such sites.

Website Privacy Notice continued

For how long does Equites keep Personal Information?

Equites will delete Personal Information about Data Subjects or render it anonymous, within a reasonable time after fulfilling the purposes mentioned above, unless:

- retention of the Personal Information is required by law;
- Equites reasonably require the Personal Information for lawful purposes related to its functions of activities;
- retention of the Personal Information is required by a contract between the parties thereto; or
- where the Data Subject has consented to the retention of the Personal Information.

Further to section 14(2) of the POPI Act, Equites may also retain Personal Information for periods in excess of those contemplated above for historical, statistical or research purposes, as it has established appropriate safeguards against the Personal Information being used for any other purposes.

How does Equites keep Personal Information secure?

Equites will take reasonable precautions to protect Personal Information about Data Subjects against loss, misuse or alteration. Among other measures, Equites ensure the security of Personal Information about Data Subjects by means of encryption, password protection and by otherwise restricting access to it.

Unfortunately, the transmission of information via the internet is not entirely secure. Although Equites will do its best to protect Personal Information about Data Subjects, as required by law, it cannot guarantee the security of Personal Information transmitted to it via unsecured means; any such transmission is at the Data Subject's own risk.

What are Data Subjects' rights relating to their Personal Information?

Data Subjects have, under certain circumstances, by law the right to:

Request access to their Personal Information. This enables them to receive a copy or description of the Personal Information Equites holds about them and to check that Equites is lawfully processing it.

Request rectification of the Personal Information that Equites holds about them. This enables Data Subjects to have any incomplete or inaccurate information Equites holds about them to be rectified.

Request destruction or deletion of their Personal Information. This enables them to request Equites to delete or remove Personal Information that is held about them, where there is no good reason for Equites to hold such information or continue processing it. Data Subjects also have the right to request Equites to do delete or remove the Personal Information that is held about them, where they have exercised their right to object to the processing thereof (see below).

Object to processing the processing of their Personal Information, where Equites is relying on a legitimate interest (or those of a third party) and there is something about their situation which makes them want to object to Equites' processing of their Personal Information on this ground.

Lodge a complaint with the Regulator should they not be satisfied with Equites' response to any of their above requests. The Regulator is an independent body established pursuant to section 39 of the POPI Act. Data Subjects can find more information about the Regulator and the contact details thereof at <https://www.justice.gov.za/infocreg>

Who do Data Subjects contact to exercise their rights?

Pursuant to sections 55 and 56 of the POPI Act, Equites has appointed an Information Officer to discharge the following duties:

- encouraging compliance, by Equites, with the conditions for the lawful processing of Personal Information;
- dealing with requests made to Equites pursuant to the POPI Act; and
- working with the Regulator on investigations conducted pursuant to the POPI Act.

Should Data Subjects therefore want to exercise any of their above-mentioned rights or have any question/s about how Equites processes their Personal Information or about this Privacy Notice in general, they can use the "PERSONAL INFORMATION REQUEST FORM" annexed to the [POPI Policy](#) or e-mail the Company's Information Officer at riaan@equites.co.za or the Company's Deputy Information Officer at todd@equites.co.za.

Equites will consider all requests received and provide feedback to Data Subjects. For the avoidance of any doubt, it is recorded that despite a Data Subject's request for Personal Information to be destroyed or deleted, Personal Information will only be destroyed or deleted when Equites is no longer authorised to retain such records, pursuant to section 14 of the POPI Act.

Website Privacy Notice continued

Appendix A – Cookie Notice

Equites asks that Data Subject's read this "**Cookie Notice**" carefully, as it contains important information about how it uses cookies or similar technologies on the Websites.

Throughout the Website Equites may include links to third-party websites, plug-ins, and applications. These other third-party websites may also use cookies or similar technologies in accordance with their own separate cookie notices. For privacy information relating to these other third-party websites, please consult their cookie notices as appropriate.

What are cookies?

A cookie is a small text file which is placed onto Data Subjects' devices (i.e., computers, smartphones, or other electronic devices) when they use the Website. A cookie file is stored in the Data Subject's web browser and allows Equites or a third-party to recognise the Data Subjects and remember things like his/her/its personalised details or user preferences. Cookies also help Equites learn more about how Data Subjects use and access the Website, so that it can make improvements and update features.

Cookies can be "**persistent**" or "**session**" cookies. Persistent cookies remain on Data Subjects' device when they go offline, while session cookies are deleted as soon as Data Subjects close their web browser.

How are cookies used?

Cookies help Equites to learn more about how Data Subjects use and access the Website. These cookies allow Equites to count visits and traffic sources so that it can measure and improve the performance of the Website. Cookies help Equites to know which pages are the most and least popular and see how visitors move around the Website.

For further information on Equites' use of cookies, including a detailed list of Data Subject information which Equites and others may collect through cookies, please see below.

Types of cookies

The cookies Equites places on Data Subjects' devices fall into the following categories:

- **Strictly necessary cookies.** These cookies are necessary for the Website to function and cannot be switched off in Equites' systems. They are usually only set in response to actions made by Data Subjects which amount to a request for services, such as setting their privacy preferences, logging in or filling in forms. Data Subjects can set their browser to block or alert them about these cookies, but some parts of the Website may then not work at all. These cookies do not store any Personal Information.
- **Functional cookies.** These cookies enable the Website to provide enhanced functionality and personalisation. They may be set by Equites or by third party service providers, whose services Equites have added to the Website. If Data Subjects do not allow these cookies, then some or all of these services may not function properly.
- **Performance cookies.** These cookies allow Equites to count visits and traffic sources so it can measure and improve the performance of the Website. They help Equites to know which pages are the most or least popular and see how visitors move around the Website. All information these cookies collect is aggregated and therefore anonymous. If Data Subjects do not allow these cookies Equites will not know when they have visited the Website.
- **Targeting cookies.** These cookies may be set through the Website by Equites' advertising partners. They may be used by those companies to build a profile of Data Subjects' interests and show them relevant adverts on other sites. They do not store direct Personal Information but are based on uniquely identifying Data Subject's browser and internet devices. If Data Subjects do not allow these cookies, they will experience less targeted advertising.

Third party cookies

All of the cookies described so far in this Cookie Notice are "**First Party Cookies**", which means they are set and controlled by Equites.

Occasionally, third parties may set cookies on the Website which Equites do not control. These are called "**Third Party Cookies**". This will happen where, for example, Equites have included embedded content on some pages of the Website. When Data Subjects visit a page with embedded content, the third-party service provider may set its own cookies on Data Subjects' web browser. This also applies if Data Subjects choose to connect with Equites' social media accounts by clicking on one of the social media buttons on the Website, as Data Subjects may be sent cookies by these websites.

Please note that Equites does not control Third Party Cookies and cannot access them. Cookies can only be accessed by the party who originally set them. Data Subjects should therefore check the third-party websites for more information about these cookies.

How to manage cookies

Data Subjects can change their browser settings anytime, so that cookies are not accepted. Data Subjects can learn more about how to block cookies by visiting <http://www.allaboutcookies.org/>. Please note that if Data Subjects block cookies completely, many websites will not work properly and some functionality on the Website may not work at all.



**Cape Town
(Head Office)**

+27 21 460 0404
14th Floor, Portside Tower
4 Bree Street
Cape Town
8001
South Africa

Johannesburg

+27 10 286 0469
4 Meadowview Lane
Equites Park, Meadowview
Linbro Park
2065
South Africa