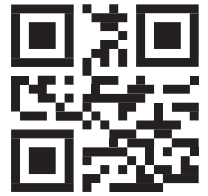




Empowering the Financial Services Industry.

T (27) 11 214 0900  
E support@astutefse.com  
A Building 2, Corporate Campus, 74 Waterfall Drive, Waterfall City, Waterfall, 2090  
P PO Box 2958, Sunninghill, 2157



www.astutefse.com

# Astute Privacy Policy

January 2024

EXCELLENCE



ACCOUNTABILITY



INTEGRITY



COLLABORATION

The Financial Services Exchange (Pty) Ltd | Reg No. 1999/025503/07. **Directors**, O Kaempf (Director & Group CEO), \* M Morojele (Chairperson), \*\* B Elliot, \* Y Naidoo, \* L Budhram, \* K Chetty, \* B Viljoen, \* T Mantshimuli, \* P Govender \* *Non-Executive Director*, \*\* *Non-Executive Independent Director*, \* *Alternative Director*

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**For internal use only**

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## INTRODUCTION

### 1 Who We Are?

**Astute** (referred to as "The Company", "we", "us", "our") respect and acknowledge the importance of protecting your personal information.

Astute is a "responsible person" in terms of the South African Protection of Personal Information Act, 2013 ("**POPIA**") and a "controller" in terms of the General Data Protection Regulation ("**EU GDPR**") 2016/679 of the European Union in that it determines the purpose and the manner of processing of personal information .

Astute does not provide services intended for children and accordingly, we do not knowingly collect personal information relating to children.

This Privacy Policy sets out how we will process your personal information in the ordinary course of conducting our business and applies to our website. Please ensure that you read this Privacy Policy together with any other notifications that we may forward to you when we are collecting or processing your personal information so that you are always fully informed of how and why we are using your personal information. This Privacy Policy supplements the other notices and is not intended to override them

The Financial Services Exchange (Pty) Ltd T/A ASTUTE, Registration Number 1999/025503/07  
Address: Waterfall Corporate Campus, 74 Waterfall Drive, Midrand, 2090  
Phone: 011 214 0900  
E-mail: mtaylor@astutefse.com

### 2. What We Need

Our Data Protection Policy governs the use and storage of your Personal Information. You can request a copy of our Data Protection Policy from our Data Protection Officer.

The Financial Services Exchange (Pty) Ltd T/A ASTUTE is a Responsible Party (as defined in the Protection of Personal Information Act No. 4 of 2013) of the Personal Information you (the Data Subject) provide to us. We collect the following types of Personal Information from you: •

- Personal identification information (Name, email address, phone numbers etc.)
- Payment Card Information (PCI), i.e. cardholder data such as the cardholder's name, the primary account number
- Log-in and account information for authentication purposes and account access.

It is not standard practice for us to collect sensitive personal information about you, such as information relating to your health, religion, political beliefs, race, or sexual orientation, except with your express consent or unless we are required to do so by law.

### 3. Why We Need It and What We Do with It

We need your Personal Information in order to provide you with the following services:

- Astute Services - A list of these Services is available on our Website.
- Correctly identify the user and their access rights.
- Audits of transactions and usage
- You engage us to provide our products and services.



- You create an account with us.
- We respond to your inquiries and requests.
- As a result of communications between you and our representatives.
- To obtain feedback from you about our products and services.
- You register for any of our events, workshops and/or seminars.
- You subscribe to our mailing lists and newsletters.
- We market our solutions and services to you.
- You access and use our websites.
- We use your Personal Information in order to provide you with the above listed services. •
- We may disclose your Personal Information to our third-party service providers, where necessary. However, should we make such a disclosure we require that our service providers take appropriate, reasonable, technical and organisational measures to keep your Personal Information secure. In addition, our service providers may not use or disclose Personal Information for any purpose other than providing the services on our behalf. •

We will only use your personal information when we are permitted to do so by law. Most commonly we collect and use personal information to:

- Send you communications.
- Establish, manage, and maintain our business relationships.
- Respond to inquiries and requests.
- Develop, provide and improve our services and products.
- Inform you about our services and solutions.
- Obtain your feedback on our services and solutions.
- Provide you with a more personalised experience when you interact with us.
- Conduct administrative and business functions.
- Update our records and keep contact details up to date.
- Enable you to effectively use, and to improve our websites.
- Compile website usage statistics.
- Enable you to subscribe to newsletters and mailing lists.
- Enable you to register for Astute’s events, workshops and seminars.
- Assess the performance of our websites and to improve its operation.
- Process and respond to privacy questions, concerns and complaints.
- Fulfil legal, regulatory and contractual obligations.

**We may also disclose your Personal Information:**

- When such disclosure is necessary to protect the legitimate interests (safety, property or other rights) of the Company, our directors, employees, consultants, or any other person, or where required or permitted by law; or
- If we are under a duty to disclose or share your Personal Information in order to comply with any legal obligation.
- There is a possibility that the Personal Information that we collect from you may have to be transferred to, and stored at, a destination outside of the Republic of South Africa or the EU (for example, by a third-party data hosting service provider). If your information is transferred outside of South Africa, we will take reasonable organizational and/or contractual measures to ensure that your Personal Information is processed by such third party service providers for the purposes for which it has been provided to us and that the required levels of protection have been implemented by such third party service providers to safeguard your Personal Information.

**4. How Long we keep It**

Personal Information provided to us via our website will only be stored until the purpose for which it was processed has been fulfilled. Insofar as retention periods under commercial and tax law must be observed, the storage period for certain data can be up to seven years. However, storage periods may also be amended due to our legitimate interest (e.g. to guarantee data security, to prevent misuse or to prosecute criminal offenders). For more information on our Personal Information retention schedule or this information may be requested from our Information Office

The criteria we use to determine retention periods, excluding marketing and service notifications, include whether:

- We are under a legal, contractual or other obligation to retain personal information including pursuant to data retention laws, as part of an investigation or for litigation purposes.
- Personal information is needed to provide our solutions and services business including performance improvement and to maintain accurate business and financial records.
- There are automated means to enable you to access and delete your personal information at any time. We will generally retain personal information for a shorter period, where this is not the case.
- The personal information is Special PII in which event we will generally retain this for a shorter period.
- You have consented to us retaining your personal information for a longer retention period, in which case, we will retain personal information in line with your consent.

## 5 Transfers across borders

It may be necessary for us to process, transfer and/or store your personal information in other countries, either to carry out your instructions or for ordinary business purposes. These countries may not have the same level of protection as is required by POPIA or the GDPR. Where this is the case, we will only process your personal information with your consent. If necessary, we will ask the party to whom we transfer your personal information to agree to our privacy principles, associated policies and practices so that your personal information will be protected to the same extent that it would have been had it been processed by us. Please contact us if you want further information on the specific mechanism used by us when transferring your Personal information out of South Africa or the European Economic Area.

## 6. Security of your personal information

Astute is committed to protecting your personal information from misuse, loss, unauthorised access, modification or disclosure by using a combination of physical, administrative and technical safeguards and contractually requiring that third parties to whom we disclose your personal information do the same.

Whilst Astute makes every effort to secure its websites, you should note that the internet is not completely secure; thus when you submit or post personal information online, you should be aware that Astute cannot guarantee the security of any personal information that you submit or post online.

## 7. What Are Your Rights?

Should you believe that any Personal Information we hold on you is incorrect or incomplete, you have the right to



request to see this information, rectify it or have it deleted. Please contact us by sending an E-mail to Support@astutefse.com

In the event that you wish to complain about how we have handled your Personal Information, please contact our Information Officer at mtaylor@astutefse.com or in writing at Waterfall Corporate Campus, 74 Waterfall Drive, Midrand, 2090. Our Data Protection Officer will then investigate your complaint and work with you to resolve the matter.

If you still feel that your Personal Information has not been handled appropriately according to the law, you can contact [inforeg@justice.gov.za] and file a complaint with them.

In order to access, correct, update, block or delete your personal information, you have the right to:

- **Request access to your personal information.** This allows you to receive a copy of your personal information held by us and to check that we are lawfully processing it.
- **Request correction of your personal information held by us.** This allows you to have any of your incomplete or inaccurate information corrected, although we may need to verify the accuracy of the new information that you provide.
- **Request erasure of your personal information.** This allows you to request that we delete or remove your personal information where there is no justifiable reason for us to continue processing the information. In addition, you have the right to request us to delete or remove your personal information where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal information in order to comply with a legal requirement. Please note that for specific legal reasons which will be communicated to you, we may not always be able to comply with your request of erasure.
- **Object to processing of your personal information.** You may object to our processing of your information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal information for direct marketing purposes. In some cases, we may be able to demonstrate that we have compelling legitimate grounds to process your information which overrides your rights and freedoms.
- **Request restriction of processing of your personal information.** This allows you to request that we suspend the processing of your personal information in the following scenarios:
  - If you want us to establish the accuracy of the information.
  - Where our use of the information is unlawful, but you do not want us to erase it.
  - Where you need us to hold the information even if we no longer require it as you need it to establish exercise or defend legal claims.
  - You have objected to our use of your information, but we need to establish whether we have overriding legitimate grounds to use it.
- **Request the transfer of your personal information to you or to a third party.** We will provide you, or a nominated third party, with your personal information in a structured, commonly used, machine-readable format. Please note that this right only applies to automated information which you initially provided consent for us to use, or where we used the information to perform a contract with you.
- **Withdraw consent at any time where we are relying on consent to process your personal information.** However, this will not affect the lawfulness of any processing carried out before the withdrawal of your consent. If



you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

**No fee usually required:** You will normally not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

**What we may need from you:** We may need to request specific information from you to assist us to confirm your identity and ensure your right to access your personal information (or to exercise any of your other rights). This is a security measure to ensure that personal information is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request in order to speed up our response.

**Time limit to respond:** We will endeavour to respond to all legitimate requests within 30 days. Occasionally it may take us longer than this if your request is particularly complex or if you have made several requests, in which case, we will notify you of the delay and keep you updated.

## 8. Cookies and Similar Technologies

When you access our websites, we may use cookies<sup>1</sup> and similar technologies including scripts, embedded web links, web beacons, Local Shared Objects<sup>2</sup> and Local Storage<sup>3</sup> to assist us to do things such as:

- Enable you to sign in.
- Authenticate you.
- Keep track of the information you have provided to us.
- Improve your browsing experience.
- Customise our interactions with you.
- Store and manage your preferences and settings.
- Compile statistical data.
- Analyse the performance and usability of our websites.
- Measure website traffic patterns.
- Determine which areas of our websites have been visited.

These technologies collect information that your browser sends to our websites including your browser type, information about your IP address<sup>4</sup>, geographic location, browser type and version, operating system, referral source, length of visit, page views and website navigation paths, as well as information about the timing, frequency and pattern of your service use, together with the date, time and duration of your visit, the pages you view and the links you click.

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<sup>1</sup> small text files containing a unique ID number which are placed on your PC or device

<sup>2</sup> flash cookies

<sup>3</sup> HTML 5

<sup>4</sup> a unique identifier assigned to your computer or device which allows your PC or device to communicate over the Internet



Our sites may also contain web beacons or similar technologies from third party analytics providers, through which they collect information about your online activities across our websites to help us compile aggregated statistics about the effectiveness of marketing campaigns or other business operations.

You can stop your browser from accepting cookies by changing the settings on your web browser. Be aware that restricting cookies may impact the functionality of our websites. We recommend that you allow cookies. On most browsers' cookies are enabled by default. You can adjust the settings and options on your browser to disable or enable them or visit <https://www.aboutcookies.org> for detailed information about managing cookies on various browsers.

For more information on how we use cookies and other technologies, please contact our Information Officer on the details set out below.

## 9. Social media

We operate and communicate through our designated channels, pages and accounts on some social media sites to inform, help and engage with our customers. We monitor and record comments and posts made about us on these channels so that we can improve our services.

The general public can access and read any information posted on these sites. We are not responsible for any information posted on those sites other than the information posted by our designated officials. We do not endorse the social media sites themselves, or any information posted on them by third parties or other users.

When you engage with us through social media, your personal information may be processed by the site owner; this processing occurs outside of our control and may take place in a country outside South Africa that may have different privacy regulations.

We regularly update and monitor our social media accounts and welcome feedback and ideas sent to us through these channels. We try to join conversations whenever possible but cannot guarantee that we will read or reply to all messages sent to the official Astute social media accounts.

Consistent feedback and helpful suggestions will be given to the relevant people within the company for consideration, but we cannot guarantee that any feedback or suggestions will be acted upon by Astute.

## 10. Links to third party websites and applications

Our websites may contain links to sites and applications operated by third parties. We make no representations or warranties in relation to the privacy practices of any third-party site or application and we are not responsible for any third-party content or privacy statements. Your use of such sites and applications is subject to the relevant third-party privacy statements.

## 11. Changes to our Privacy Policy

We may update this Privacy Policy from time to time. Any updates of this Policy will be posted on the Astute website together with an updated revision date. Unless otherwise stated, any new Privacy Policy will supersede the previous Policy.





## 12. How to contact us

We have appointed a Data Protection Officer who is responsible for overseeing questions in relation to this Privacy Policy. If you have any questions about how your personal information is handled by Astute, you have a privacy concern or you wish to make a complaint, please contact us by addressing the Data Protection Officer at [mtaylor@astutefse.com](mailto:mtaylor@astutefse.com)

## 13. Validity and Document Management

Our Company keeps this Privacy Policy under regular review and places updates on our web page, alternatively the updates can be requested from our Data Protection Officer. This document is valid as of 01 April 2021

The owner of this document is the Astute Data Protection Officer, who must check and, if necessary, update the document at least once a year.

Executive: CIO  
Data Protection Office  
Michelle Taylor

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