

DATA PROTECTION AND PRIVACY POLICY

FOR

THE STANDARD GENERAL INSURANCE COMPANY LIMITED ("STANGEN")

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1. OVERVIEW

1.1 REVISION HISTORY

Version	Author	Date	Revision
1	Alisha Pala (Compliance Officer)	April 2021	Review
2	Christiene Pretorius (Head of Compliance)	May 2021	Review

1.2 OPERATIONAL APPROVALS

The document has obtained the following approvals:

Version	Names	Nature	Approval signature	Date of Approval
2	William Harris	Chief Operating Officer		2021/05/24
2	Makhosazana Bambisa	Head of Finance		2021/05/31

1.3 GOVERNANCE APPROVALS

The document has obtained the following approvals:

Version	Name	Nature	Approval signature	Date of Approval
2	Christiene Pretorius	Head of Compliance		2021/06/08

2. DEFINITIONS

In this Policy (as defined below), unless the context requires otherwise, the following capitalised terms shall have the meanings given to them —

- 2.1 **"Applicable Laws"** means any laws applicable to Personal Data and Personal Information and includes any statute, regulation, notice, policy, directive, ruling or subordinate legislation; the common law; any binding court order, judgement or ruling; any applicable industry code, policy or standard enforceable by law; or any applicable direction, policy or order that is given by any regulator, competent authority or organ of state or statutory industry body;
- 2.2 **"Child"** means any natural person under the age of 18 (eighteen) years;
- 2.3 **"Client"** means any natural person, or where applicable juristic person, who has concluded an agreement with Stangen in terms of which such person enjoys insurance benefits against payment of monthly policy premiums;
- 2.4 **"Competent Person"** means anyone who is legally competent to consent to any action or decision being taken by any matter concerning a juristic person or Child, for example a director, parent or legal guardian;
- 2.5 **"Controller"** means Stangen, in circumstances where it Processes Personal Data (as defined in Article 4 of the GDPR);
- 2.6 **"Data Subject"** means Stangen's clients, potential clients or any Third-Party in respect of whom Stangen Processes Personal Information/Personal Data;
- 2.7 **"GDPR"** means the General Data Protection Regulation, which is a European law that governs all collection and processing of personal data from individuals inside the European Union;
- 2.8 **"Operator"** means a person or entity who Processes Personal Information/Data for a Responsible Party;

- 2.9 **"Personal Data"** (as defined in Article 4 of the GDPR) means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly;
- 2.10 **"Personal Information"** shall have the same meaning as is given in section 1 of POPIA;
- 2.11 **"Policy"** means this Data Protection and Privacy Policy;
- 2.12 **"POPIA"** means the Protection of Personal Information Act, No 4 of 2013;
- 2.13 **"Processing"** means any operation or activity or any set of operations, whether or not by automatic means, concerning Personal Information/Personal Data, including:
- 2.13.1 the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
- 2.13.2 dissemination by means of transmission, distribution or making available in any other form by electronic communications or other means; or
- 2.13.3 merging, linking, blocking, degradation, erasure or destruction. For the purposes of this definition, **"Process"** has a corresponding meaning.
- 2.14 **"Regulator(s)"** means any applicable regulatory authority, including the Information Regulator established in terms of POPIA;
- 2.15 **"Responsible Party"** means in the context of this Policy, Stangen;
- 2.16 **"Stangen"** means Stangen Insurance Company Limited, FSP No. 43862, Registration Number. 2009/012496/06;
- 2.17 **"Special Personal Information/Data"** means Personal Information/Personal Data concerning, amongst other aspects contemplated in terms of section 26 of Part B of POPIA, a Data Subject's, religious beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life, biometric data, or criminal behaviour;
- 2.18 "Stangen" means The Standard General Insurance Company Limited, a licensed insurer in terms of the Insurance Act, 2017. Registration Number 1948/029011/06 (Authorised FSP: No 47235).
- 2.19 **"Third-Party"** means any employee, independent contractor, agent, consultant, broker, UMA, sub-contractor, Regulator(s), user of Stangen's websites or mobile application interfaces, or other representative of Stangen;
- 2.20 **"UMA"** means an underwriting management agency;
- 2.21 **"Website"** means the website/s owned and operated by Stangen inclusive of **www.stangenlife.co.za**; and
- 2.22 **"Web Portal"** means any of Stangen's internet based sites which enable the Clients to manage their individual profiles and/or share Personal Information/Special Personal Information with Stangen.

3 INTRODUCTION

- 3.1 This Policy regulates the Processing of Personal Information/Personal Data by Stangen and sets forth the requirements with which Stangen undertakes to comply when Processing Personal Information/Personal Data pursuant to undertaking its operations and fulfilling its contractual obligations in respect of Data Subjects and Third Parties in general.

- 3.2 Stangen values the privacy of every person or organisation with whom it interacts or engages with and therefore acknowledges the need to ensure that Personal Information/Personal Data is handled with a reasonable standard of care as may be expected from it.
- 3.3 Stangen is committed to ensuring that it complies with the requirements of POPIA, and also with the terms of the GDPR to the extent that the GDPR applies.
- 3.4 When a Data Subject or Third Party engages with Stangen, whether it be physically or via any digital, electronic interface such as Stangen's Website, the Data Subject or Third Party acknowledges that they trust Stangen to Process their Personal Information/Personal Data.
- 3.5 All Data Subjects and Third Parties have the right to object to the processing of their Personal Information/Personal Data. Acceptance of the terms and conditions contained in this Policy is voluntary. Stangen does however require the Data Subject or Third Party's acceptance to enable Stangen to effectively enter into a policy of insurance with a Data Subject, liaise with a Data Subject and/or otherwise exercise its rights and/or enforce obligations as arises from the applicable relationship and comply with Applicable Laws.

4 PURPOSE AND APPLICATION

- 4.1 The purpose of this Policy is not only to inform Data Subjects on how Stangen Processes their Personal Information/Personal Data, but also to establish a standard by which Stangen and its employees and representatives shall comply in as far as the Processing of Personal Information/Personal Data is concerned.
- 4.2 Stangen, in its capacity as a Responsible Party and/or Operator and/or Controller, as the case may be, shall strive to observe and comply with its obligations under POPIA and the GDPR (as may be applicable and to the extent necessary) when it Processes Personal Information/Personal Data from or in respect of any Data Subject.
- 4.3 The type of information Stangen collect will depend on the purpose for which it is collected and used. Stangen will only collect information that we need for that purpose. When personal information is collected, Stangen will indicate the purpose for the collection and whether the information required is compulsory or voluntary.
- 4.4 Examples of personal information include but are not limited to, contact information, financial information, information relating to race, gender, sexual orientation, age, contact details, identity number, religion, name, culture, language and nationality.

5 COLLECTING & PROCESSING OF PERSONAL INFORMATION/PERSONAL DATA

- 5.1 Whenever any Data Subject completes an application form, contacts Stangen electronically or telephonically, or uses one of the products, services, facilities, tools or utilities offered by Stangen through its Website, Stangen will in effect be Processing the Data Subject's Personal Information/Personal Data. Stangen collects information either directly from the data subject, the employer or through intermediaries.
- 5.2 It may be from time to time that Stangen has collected a Data Subject's Personal Information/Personal Data from other sources. In the event that a Data Subject has shared their Personal Information/Personal Data with any third parties, Stangen will not be responsible for any loss suffered by the Data Subject, their dependents, beneficiaries, spouse(s) or employees (as the case may be).
- 5.3 Stangen will Process Personal Information/Personal Data in order to facilitate and enhance the delivery of products and services to its Members, foster a legally compliant workplace environment, as well as safeguard the Personal Information/Personal Data relating to any Data Subjects which it in fact holds. In such an instance, the Data Subject providing Stangen with such Personal Information/Personal Data will confirm that they are a Competent Person and that they have authority to give the requisite consent to enable Stangen to process such Personal Information/Personal Data.

- 5.4 Stangen undertakes to process any Personal Information/Personal Data in a manner which promotes the constitutional right to privacy, retains accountability and Data Subject participation. In addition to the above, Stangen will process Personal Information/Personal Data for the following purposes:
- 5.4.1 To provide or manage any information, products and/or services requested by Data Subjects;
 - 5.4.2 To establish a Data Subject's needs, wants and preferences in relation to the products and/or services provided by Stangen;
 - 5.4.3 To identify a Data Subject's risk profile and make an election as to whether Stangen wishes to enter into a contractual relationship with the Data Subject and if so, on what terms;
 - 5.4.4 To help Stangen identify Data Subjects when they contact Stangen;
 - 5.4.5 To facilitate the delivery of products and/or services to Clients;
 - 5.4.6 To administer claims and Client premiums;
 - 5.4.7 To activate policies;
 - 5.4.8 To securely store, retain and recall such member's Personal Information/Personal Data from time to time;
 - 5.4.9 To maintain records of Data Subjects and specifically Client records;
 - 5.4.10 To maintain Third Party records;
 - 5.4.11 For recruitment purposes;
 - 5.4.12 For employment purposes;
 - 5.4.13 For apprenticeship purposes;
 - 5.4.14 For general administration purposes;
 - 5.4.15 For legal and/or contractual purposes;
 - 5.4.16 For health and safety purposes;
 - 5.4.17 To provide health and wellness information to Stangen's employees and Clients;
 - 5.4.18 To retain the records of brokers;
 - 5.4.19 To monitor access, secure and manage any facilities owned or operated by Stangen regardless of location in South Africa;
 - 5.4.20 To transact with Third Parties;
 - 5.4.21 To improve the quality of Stangen's products and services;
 - 5.4.22 To detect and prevent money laundering and terrorist financing;
 - 5.4.23 To analyse the Personal Information/Personal Data collected for research and statistical purposes;
 - 5.4.24 To enable UMAs to process claims and discharge any functions specified in a binder agreement;
 - 5.4.25 To help recover bad debts;
 - 5.4.26 To transfer Personal Information/Personal Data across the borders of South Africa to other jurisdictions (for storage purposes only)
 - 5.4.27 To carry out analysis and Client profiling;
 - 5.4.28 To identify other products and services which might be of interest to our Clients and Data Subjects in general, as well as to inform them of such products and/or services; and
 - 5.4.29 To obtain and share information about a Data Subject's credit worthiness and risk profile with any credit bureau or credit provider's industry association or industry body, which includes information pertaining to a Data Subject's credit history, claims history, financial history, judgements, default history and sharing information for purposes of risk analysis, tracing and related purposes.
- 5.5 When collecting Personal Information/Personal Data from a Data Subject, Stangen shall comply with the notification requirements as set out in Section 18 of POPIA, and to the extent applicable, Articles 13 and 14 of the GDPR.
- 5.6 Stangen will collect and Process Personal Information/Personal Data in compliance with the conditions as set out in POPIA and/or the Processing principles in the GDPR (as the case may be), to ensure that it protects the Data Subject's privacy.
- 5.7 Stangen will not Process the Personal Information/Personal Data of a Data Subject for any purpose other than for the purposes set forth in this Policy, unless Stangen is permitted or required to do so in terms of Applicable Laws or otherwise by law.
- 5.8 Stangen may from time to time Process Personal Information/Personal Data by making use of automated means (without deploying any human intervention in the decision-making process) to make decisions about the Data

Subject or their application. In this instance it is specifically recorded that the Data Subject may object to or query the outcomes of such a decision.

6 PERSONAL INFORMATION/PERSONAL DATA FOR DIRECT MARKETING PURPOSES

- 6.1 Stangen acknowledges that it may only use Personal Information/Personal Data to contact Data Subjects for purposes of direct marketing where Stangen has complied with the provisions of POPIA and GDPR (where applicable) and when it is generally permissible to do so in terms of Applicable Laws.
- 6.2 Stangen will ensure that a reasonable opportunity is given to all Data Subjects to object (opt-out) to the use of their Personal Information/Personal Data for Stangen's marketing purposes when collecting the Personal Information/Personal Data and on the occasion of each communication to the Data Subject for purposes of direct marketing.
- 6.3 Stangen undertakes to obtain external lists only where it can be guaranteed that the list is up to date and those on the list have been given an opportunity to opt out.
- 6.4 Records of personal information will be retained for the period necessary for achieving the purpose for which the information was collected. Please note that you have a right to object to the processing of your personal information for example for purposes of direct marketing, unless consent was obtained from you.

7 STORAGE AND RETENTION OF PERSONAL INFORMATION/PERSONAL DATA

- 7.1 Stangen will retain Personal Information/Data it has Processed, in an electronic or hardcopy file format, with a Third-Party service provider appointed for this purpose (the provisions of clause 9 below will apply in this regard).
- 7.2 Personal Information/Personal Data will only be retained by Stangen for as long as necessary to fulfil the purposes for which that Personal Information/Personal Data was collected and/or as permitted in terms of Applicable Law.
- 7.3 It is specifically recorded that any Data Subject has the right to object to the Processing of their Personal Information and Stangen shall retain and store the Data Subject's Personal Information/Personal Data for the purposes of dealing with such an objection or enquiry as soon and as swiftly as possible.

8 FAILURE TO PROVIDE PERSONAL INFORMATION

Where Stangen is required to collect Personal Information/Personal Data from a Data Subject by law or in order to fulfil a legitimate business purpose of Stangen and the Data Subject fails to provide such Personal Information/Personal Data, Stangen may, on notice to the Data Subject, decline to render services without any liability to the Data Subject.

9 SECURING PERSONAL INFORMATION/PERSONAL DATA

- 9.1 Stangen has implemented appropriate, reasonable, physical, organisational, contractual and technological security measures to secure the integrity and confidentiality of Personal Information/Personal Data, including measures to protect against the loss or theft, unauthorised access, disclosure, copying, use or modification of Personal Information/Personal Data in compliance with Applicable Laws.
- 9.2 In further compliance with Applicable Laws, Stangen will take steps to notify the relevant Regulator(s) and/or any affected Data Subjects in the event of a security breach and will provide such notification as soon as reasonably possible after becoming aware of any such breach.
- 9.3 Notwithstanding any other provisions of this Policy, it should be acknowledged that the transmission of Personal Information/Personal Data, whether it be physically in person, via the internet or any other digital data transferring technology, is not completely secure. Whilst Stangen has taken all appropriate, reasonable measures

contemplated in clause 9.1 above to secure the integrity and confidentiality of the Personal Information/Personal Data its Processes, in order to guard against the loss of, damage to or unauthorized destruction of Personal Information/Personal Data and unlawful access to or processing of Personal Information/Personal Data, Stangen in no way guarantees that its security system is 100% (one hundred percent) secure or error-free. Therefore, Stangen does not guarantee the security or accuracy of the information (whether it be Personal Information/Personal Data or not) which it collects from any Data Subject.

9.4 Any transmission of Personal Information/Personal Data will be solely at the own risk of the Data Subject. Once Stangen has received the Personal Information/Personal Data, it will deploy and use strict procedures and security features to try to prevent unauthorised access to it. As indicated above, Stangen reiterates that it restricts access to Personal Information/Personal Data to Third Parties who have a legitimate operational reason for having access to such Personal Information/Personal Data. Stangen also maintains electronic and procedural safeguards that comply with the Applicable Laws to protect your Personal Information from any unauthorized access.

9.5 Stangen shall not be held responsible and by accepting the terms and conditions to which this Policy relates and the Data Subject agrees to indemnify and hold Stangen harmless for any security breaches which may potentially expose the Personal Information/Personal Data in Stangen's possession to unauthorized access and or the unlawful processing of such Personal Information/Personal Data by any Third-Party.

10 **PROVISION OF PERSONAL INFORMATION/PERSONAL DATA TO THIRD PARTIES**

Stangen may disclose Personal Information/Personal Data to Third-Party service providers where necessary and to achieve the purpose(s) for which the Personal Information/Personal Data was originally collected and Processed. Stangen will enter into written agreements with such Third-Party service providers to ensure that they comply with Applicable Laws pursuant to the Processing of Personal Information/Personal Data provided to it by Stangen from time to time.

11 **TRANSFER OF PERSONAL INFORMATION/PERSONAL DATA OUTSIDE OF SOUTH AFRICA**

11.1 Stangen may, under certain circumstances, transfer Personal Information/Personal Data to a jurisdiction outside of the Republic of South Africa in order to achieve the purpose(s) for which the Personal Information/Data was collected and Processed, including for Processing and storage by Third-Party service providers.

11.2 Stangen will obtain the Data Subject's consent to transfer the Personal Information/Personal Data to such foreign jurisdiction unless consent is not required by Applicable Law.

11.3 The Data Subject should also take note that, where the Personal Information/Personal Data is transferred to a foreign jurisdiction, the Processing of Personal Information/Personal Data in the foreign jurisdiction may be subject to the laws of that foreign jurisdiction.

12 **ACCESS TO PERSONAL INFORMATION/PERSONAL DATA**

12.1 A Data Subject has the right to a copy of the Personal Information/Personal Data which is held by Stangen (subject to a few limited exemptions as provided for under Applicable Law).

12.2 The Data Subject must make a written request (which can be by email) to the Information Officer designated by Stangen from time to time.

12.3 Stangen will provide the Data Subject with any such Personal Information/Personal Data to the extent required by Applicable Law and subject to and in accordance with the provisions of Stangen's PAIA Manual (published in terms of section 51 of the Promotion of Access to Information Act, 2000 ("PAIA"), which PAIA Manual can be sourced on Stangen's website at **www.stangenlife.co.za**

12.4 The Data Subject can challenge the accuracy or completeness of his/her/its Personal Information/Personal Data in Stangen's records at any time in accordance with the process set out in Stangen's PAIA Manual.

13 KEEPING PERSONAL INFORMATION/PERSONAL DATA ACCURATE

13.1 Stangen will take reasonable steps to ensure that Personal Information/Personal Data that it Processes is kept updated where reasonably possible.

13.2 Stangen may not always expressly request the Data Subject to verify and update his/her/its Personal Information/Personal Data and expects that the Data Subject will notify Stangen from time to time in writing:

13.2.1 of any updates or amendments required in respect of his/her/its Personal Information/Personal Data;

13.2.2 where the Data Subject requires Stangen to delete his/her/its Personal Information/Personal Data; or

13.2.3 where the Data Subject wishes to restrict the Processing of his/her/its Personal Information/Personal Data.

14 COSTS TO ACCESS PERSONAL INFORMATION/PERSONAL DATA

14.1 The prescribed fees to be paid for copies of the will not exceed the maximum applicable published by the Minister of Justice and Constitutional Development in the Government Gazette..

14.2 Stangen reserves the right to make amendments to this Policy from time to time.

15 COMPLAINTS TO THE INFORMATION REGULATOR

15.1 In the event that any Data Subject or Third Party is of the view or belief that Stangen has Processed their Personal Information/Personal Data in a manner or for a purpose which is contrary to the provisions of this Policy, the Data Subject is required to first attempt to resolve the matter directly with Stangen, failing which the Data Subject or Third Party shall have the right to lodge a complaint with the Information Regulator, under the provisions of POPIA.

15.2 The contact particulars of the Information Regulator are:

The Information Regulator (South Africa)
JD House,
27 Stiemens Street,
Braamfontein, Johannesburg, 2001
E-mail: **complaints.IR@justice.gov.za**

16 CONTACTING US

16.1 All comments, questions, concerns or complaints regarding Personal Information/Personal Data or this Policy, should be forwarded to Stangen's Information Officer and Deputy Information Officer.

16.2 Information Officer

Name: Christiene Pretorius
Email: Christiene.Pretorius@stangen.co.za

16.3 Deputy Information Officer

Name: William Harris
Email: wharris@stangen.co.za