



## **EQUESTRIA ESTATE PRIVACY POLICY**

(In compliance with the PROTECTION OF PERSONAL INFORMATION ACT 4 of 2013 "POPI.")

The Equestria Extension 31 Homeowners Association (hereinafter referred to as Equestria Estate) is a South African registered company for Non-Profit with registration number 2002/028113/08.

The main object of the Company is to protect and advance the collective interest of owners, occupants, and other users of any of the properties within the housing scheme developed on the property generally known and referred to as Equestria Extension 31 and comprising of the following properties: Equestria Extension 31; Extension 7; Extension 169 of the Farm The Willows 340.

Your personal information may sometimes be collected and stored by us. How we collect the information and how that information is used depends on how you interact with us and how you manage your privacy controls.

Equestria Estate is strongly committed to protecting your privacy and complying with your choices. Both personal and non-personal information collected is safeguarded according to the highest privacy and data protection standards adopted worldwide.

We have always had a robust and effective data protection program that complies with existing law and abides by the data protection principles. However, we recognise our obligations in updating and expanding this program to meet the demands of the POPI Act.

### **Our Commitment**

- Your information will not be shared, rented, or sold to any third party without your prior consent.
- We use security measures to protect your information from unauthorised users.
- We give you the possibility to control the information that you shared with us (opt-out)

Equestria Estate is committed to processing data per its responsibilities under the POPI Act.

**Section 4 of the Protection of Personal Information Act 4 of 2013 (Republic of South Africa) provides conditions for the lawful processing of information by and or a "responsible party" as follows:**

(1)

- (a) "Accountability", as referred to in section 8;
- (b) "Processing limitation", as referred to in sections 9 to 12;
- (c) "Purpose specification", as referred to in sections 13 and 14;
- (d) "Further processing limitation", as referred to in section 15;
- (e) "Information quality", as referred to in section 16;
- (f) "Openness", as referred to in sections 17 and 18;
- (g) "Security safeguards", as referred to in sections 19 to 22; and
- (h) "Data subject participation", as referred to in sections 23 to 25.

(2) The conditions, as referred to in subsection (1), do not apply to the processing of personal information to the extent that such processing is—

- (a) excluded, in terms of section 6 or 7, from the operation of this Act; or
- (b) exempted in terms of section 37 or 38 from one or more of the conditions concerned in relation to such processing.



- (3) The processing of the special personal information of a data subject is prohibited in terms of section 26 unless the—
  - (a) provisions of sections 27 to 33 are applicable; or
  - (b) Regulator has granted authorisation in terms of section 27(2), in which case, subject to section 37 or 38, the conditions for the lawful processing of personal information as referred to in Chapter 3 must be complied with.
- (4) The processing of the personal information of a child is prohibited in terms of section 34 unless the—
  - (a) provisions of section 35(1) are applicable; or
  - (b) Regulator has granted authorisation in terms of section 35(2), in which case, subject to section 37, the conditions for the lawful processing of personal information as referred to in Chapter 3 must be complied with.
- (5) The processing of the special personal information of a child is prohibited in terms of sections 26 and 34 unless the provisions of sections 27 and 35 are applicable, in which case, subject to section 37, the conditions for the lawful processing of personal information as referred to in Chapter 3 must be complied with.
- (6) The conditions for the lawful processing of personal information by or for a responsible party for the purpose of direct marketing by any means are reflected in Chapter 3, read with section 69 insofar as that section relates to direct marketing by means of unsolicited electronic communications.
- (7) Sections 60 to 68 provide for the development, in appropriate circumstances, of codes of conduct for purposes of clarifying how the conditions referred to in subsection (1), subject to any exemptions which may have been granted in terms of section 37, are to be applied or are to be complied with within a particular sector.

## **1. Notice**

We will inform you when information that personally identifies you ("personal information") is asked for, and you will have the choice to provide it or not. Generally, this information is requested when you send us a contact request on our website, contact us telephonically or reply to our emails or newsletters.

## **2. What information we collect from you**

When you interact with us, you may provide us with personal information, or we may collect personal information from you by law (we are required by law to verify the identity of the homeowners or residents within the Equestria Estate), or under terms of a contract we conclude with you. For security purposes and in terms of the Rules of the Equestria Estate, we may require you to record your personal information. In certain circumstances (which will be communicated to you), you can choose not to provide us with your personal information. However, without your requested personal information, we may not be able to provide or continue to provide you with the various services offered by Equestria Estate or allow you to gain full access to certain sections of our website. If you refuse, we may have to cancel a service you have with us, but we will notify you if this is the case. We will only collect, use, store and transfer the minimum personal information necessary for ordinary day to day business or security purposes within the Estate.



Personal information we collect from you may include:

- Your first and last name or company name, Identity Number, email address, phone number, billing information, VAT registration number, and other contact information, and any other information that you may provide to us via our website, Applications or Agreements;
- Login and account information for authentication purposes and account access;
- Your marketing preferences;
- Demographic data such as your gender, age, country, and preferred language;
- Data about how you and your PC or device interact with us, including web pages you visit when using our Sites and device, connectivity, and configuration data.
- To send you a statement, quote, or invoice, we might collect your publicly available personal information from the Internet.

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 your express consent or unless we are required to do so by law.

If we link other data with your personal information as provided to us, we will treat that linked data as personal information.

### **3. How we access your personal information**

We access and store your personal information when:

- you contract with us;
- you engage us to provide our services;
- we process invoices and payment transactions;
- we respond to your enquiries and requests;
- as a result of communications between you and our representatives;
- we obtain feedback from you about our services;
- we conduct our administrative and business functions;
- you submit an application form for a security tag for access to the Estate;
- you subscribe to our mailing lists and newsletters;

### **4. The purpose for which we may use your personal information.**

- to send communications to you;
- establish, manage, and maintain our business relationships;
- respond to inquiries and requests;
- develop, provide, and improve our services;
- inform you about our services and solutions;
- obtain feedback from you on our services and solutions;
- to perform the required background criminal or credit background checks when required.
- to conduct lawful identity verification, criminal screening, credit assessment, and risk management procedures where required for estate security, access control, tenancy administration, contractor approval, employment processes, or compliance purposes.
- 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 effectively to use and to improve our website or applications,
- compile website usage statistics;
- enable you to subscribe to newsletters and mailing lists;
- assess the performance of our website and to improve its operation; and
- send you updates on the latest legal developments.



- to distribute statements and invoices.
- to verify your identity for login purposes
- To comply with any applicable legislation.

## **5. Consent**

When you provide your personal information, you consent that it can be used for the above purposes and that Equestria Estate is an authorised holder of such information. When you contract with us, you are providing your consent to receive information from us occasionally. In each communication from us, you will have the opportunity to unsubscribe from further communications; alternatively, you may contact us to express your choices at the address provided at the bottom of this page.

## **6. Access to your information**

You are entitled to review the personal information you have provided us and ensure that it is accurate and current at all times. To review or update this information, please send us an email.

## **7. Security of information**

Equestria Estate is strongly committed to protecting your information and ensuring that your choices are honoured. We have taken strong security measures to protect your data from loss, misuse, unauthorised access, disclosure, alteration, or destruction.

Secure Sockets Layer (SSL) technology is employed when you place online orders or transmit sensitive information on our website or by email. SSL is one of the safest methods of passing information over the Internet.

Personal information and security-related records may also be stored on secured internal servers, network video recorder (NVR) systems, cloud-based systems, Microsoft 365 platforms, and controlled access management systems with restricted staff access and appropriate security safeguards.

## **8. Retention of information**

We retain information only for as long as it is necessary and while you remain a resident within the Estate and subject to any legal obligations to retain such information for a specific period thereafter. Information associated with you will generally be kept until it is no longer necessary, or you ask us to delete it. Additionally, we may retain information for a specific period to comply with the law, prevent fraud, resolve disputes, troubleshoot problems, assist with investigations, enforce the Terms of Use, and take other actions permitted by law. The information we retain will be handled per this Privacy Policy. Finally, your data could also be stored for statistical purposes.

## **9. Users' Rights**

You always have the right to access, rectify, or erase your information, as well as the right to restrict and object to specific processing of your information. While some of these rights apply generally, certain rights apply only in certain limited circumstances. We describe these rights below:

*You have the right to access your personal data and, if necessary, have it amended or deleted, or restricted. In certain instances, you may have the right to the portability of your data. You can also ask us not to send marketing communications and not use your personal data when we carry out profiling for direct marketing purposes. You can opt-out of receiving email newsletters and other marketing communications by following the opt-out instructions provided to you in those emails. Transactional account messages will be unaffected if you opt-out of marketing communications.*



To request information from us regarding any personal information that we may have stored, you may contact us by email at [support@equestria-estate.co.za](mailto:support@equestria-estate.co.za), alternatively by contacting us on 012 807 1064 during office hours.

## **10. Promotion of Access to Information Act**

In terms of section 10 of the Promotion of Access to Information Act No. 2 of 2000 ("Act"), the South African Human Rights Commission has published a guide containing information relating to:

- 10.1 obtaining access to a record of a Private Body and the assistance that is available from the South African Human Rights Commission in this regard.
- 10.2 lodging a court application against a decision by the head of a private body.
- 10.3 the fees that are payable for accessing a record; and
- 10.4 the voluntary disclosure of information by private bodies.

For more information on how to access such information and the required forms and fees applicable, please visit the Department of Justice website at the following link: [Justice/Forms/PAIA](#)

## **11. Sharing your information**

Your information is never sold to third parties. Access to personal information is restricted to authorised employees, estate management personnel, and service providers who require such access to perform their functions and services.

Personal information may be stored electronically and physically on secure systems, cloud-based platforms, secure servers, network video recorder (NVR) systems, and locked filing systems with restricted access controls.

Equestria Estate HOA may share or process personal information with carefully selected third-party service providers, operators, contractors, and professional advisors for legitimate operational, security, legal, administrative, and estate management purposes.

These third-party service providers may include:

- Microsoft 365 and Microsoft OneDrive for document management, email services, cloud storage, and administrative record keeping;
- ClickOn Communications for estate access control systems, biometric systems, visitor management, resident access management, tag systems, licence plate recognition systems, and related access control records;
- ProShield Gauteng security personnel and guarding services operating within the Estate environment;



- TPN Credit Bureau and screening services for tenant, contractor, employee, and agent criminal screening, background verification, and credit assessment processes where legally permissible and operationally required;
- Pretor Group Proprietary Limited as managing agents responsible for owner administration, financial administration, membership administration, levy management, and related estate management functions;
- Website, domain, email, and hosting service providers, including MWEB and related technology service providers.

Personal information processed by these operators and service providers may include resident information, owner information, access control records, visitor records, vehicle registration details, complaints, statements, invoices, criminal screening reports, credit assessment records, and related estate administration records.

Equestria Estate HOA takes reasonable steps to ensure that all operators, service providers, and contractors who process personal information on its behalf are subject to appropriate confidentiality obligations, security safeguards, and POPIA compliance requirements.

Certain personal information may be stored on cloud-based systems and servers managed by third-party providers, including Microsoft-managed cloud infrastructure. These servers and systems may be located within or outside the Republic of South Africa, subject to applicable data protection and security standards.

We may disclose personal information to third parties in the following circumstances:

- where we have the consent of the data subject;
- where such disclosure is necessary for the performance of estate management, security, access control, financial administration, or related operational services;
- where we are legally required to do so;
- where disclosure is necessary to protect the rights, safety, property, or legitimate interests of Equestria Estate HOA, residents, owners, staff, contractors, or the public; or
- where disclosure is permitted under applicable legislation.

In rare instances, Equestria Estate HOA may disclose personal information without notice where required by law or where reasonably necessary to comply with legal obligations, legal proceedings, regulatory requirements, or law enforcement requests.

## **12. How to opt-out**

We provide users with the opportunity to opt-out from receiving updates on our products, newsletters, and other communications from us. You can opt-out by clicking on an unsubscribe link provided in our electronic mailings or contacting us at the address at the bottom of this page.

## **13. Does Equestria Estate's privacy policy apply to linked websites?**

Our Privacy Policy applies to information collected on [our website](#) or from you personally.

Our website may contain links to the websites of third parties. Equestria Estate is not responsible for the actions of these third parties, including their privacy practices and any content posted on their websites.



We encourage you to review their privacy policies to learn more about what, why, and how they collect and use personal information. Equestria Estate adheres to industry recognised standards to secure personal information in our possession and secure it from unauthorised access and tampering.

However, as is true with all online actions, third parties may unlawfully intercept transmissions of personal information, or other users of the site may misuse or abuse your personal information that they may collect from the site.

Equestria Estate may use third-party advertising companies to serve our ads on the site. Please review our Cookie Policy for all details. These third-party advertising companies may employ cookies and 1x1 pixel.gifs or web beacons to measure and improve the effectiveness of ads for their clients. To do so, these companies may use anonymous information about your visits to our website and other websites. However, they will not collect any information that can personally identify you or be linked to you. This information may include the date and time of the banner ad shown, the banner ad that was shown, their cookie, and the IP address. This information can also be used for online preference marketing purposes.

#### **14. Changes to this policy**

If we make changes to our Privacy Policy, we will post these changes here so that you are always aware of what information we collect, how we use it, and under what circumstances we disclose it. If we decide to use your information differently from when it was collected, we will notify you by email.

#### **15. Enforcement of policy**

If, for some reason, you believe Equestria Estate has not adhered to these principles, please notify us, and we will do our best to make corrections promptly.

#### **16. Questions or comments**

If you have questions or comments about this privacy policy, please email us:

[support@equestria-estate.co.za](mailto:support@equestria-estate.co.za)

For information about contacting Equestria Estate, please visit our [contact page](#).