



**FORMAT, APPROVAL, UPDATE AND DOCUMENT MANAGEMENT RELATING
TO THE PROTECTION OF CLIENT DATA AS PRESCRIBED IN THE
PROTECTION OF PERSONAL INFORMATION ACT AND AUGMENTED BY THE
COMPANY'S STANCE ON THE FAIR TREATMENT OF CUSTOMERS.**

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1. DEFINITIONS

- Act;* means the Protection of Personal Information Act 4 of 2013;
- Data Subject;* means the person to whom personal information relates;
- Policy;* means this policy on the lawful processing and protection of client information;
- Procedure;* means a statement or number of statements, contained in a separate yet linked document, the effect of which is to prescribe those things that must be done or omitted in order to ensure adherence with this policy and the Act;
- Processing* means any operation or activity or any set of operations, whether by automatic means, concerning personal information, including-
- (a) the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
 - (b) dissemination by means of transmission, distribution or making available in any other form; or
 - (c) merging, linking, as well as restriction, degradation, erasure or destruction of information.

2. POLICY STATEMENT

The development of a standard operating procedure to ensure adequate protection of personal client information which becomes available to Lebowa Capital (Pty) Ltd (“Lebowa”) and its personnel is of utmost importance for the effective operations and risk management of the company.

Moreover, internal control mechanisms to constantly review and measure adherence to procedure are important risk management tools and assist the company in treating our clients fairly.

Lebowa subscribes to the principles espoused in the Protection of Personal Information Act and the Constitution of South Africa in respect of:

- 1 The lawful processing of client data by the company acting as a responsible corporate citizen; and
- 2 The identification and allocation of accountability, where personal data is processed contrary to the prescripts of the Act.

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3. SCOPE AND APPLICATION

This policy shall apply in respect of:

THE LAWFUL PROCESSING OF PERSONAL INFORMATION

The following conditions for processing of personal information must be met prior to any processing of personal data:

- 1 The purpose of use of the data and the manner in which data was obtained are lawful;
- 2 The use of the data does not infringe on the privacy of the client.
- 3 The extent of the data obtained is commensurate with the purpose for which it is being processed; and
- 4 The data subject's consent was obtained, or processing is otherwise necessitated to comply with laws;
- 5 We shall obtain data directly from the data subject unless required by law to obtain data from another source; and
- 6 Where we obtain data from another source such as third-party processors, we shall have a written agreement in place with such providers:

bearing in mind that the data subject may at any time object to our processing of such data, in which case we must stop unless precluded to do so by law.

4. COLLECTION AND RETENTION OF QUALITY DATA FOR A SPECIFIC PURPOSE

We have to ensure that we collect data only if:

- 1 We have a defined specific purpose that relates to our business;
- 2 The data subject has been made aware of our data collection activities and purpose and does not object thereto, or the data is in the public domain;
- 3 Data collected is of the highest quality in the circumstances so as to avoid unnecessary mistakes and/or inconvenience to the data subject;
- 4 We retain records only for as long as reasonable for the original purpose or longer if required by law or purely for historical analysis purposes; and
- 5 destroy records in a comprehensive and responsible manner when they are no longer required to be kept.

5. TRANSPARENCY OF OUR ACTIVITIES

We must ensure that data subjects, prior to the collection of data;

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- 1 are able to, based on information provided by us in our manual published under the Promotion of Access to Information Act, assess the type of information we collect and hold on them;
- 2 are informed by us that we, as Lebowa, are the responsible party collecting and holding data about them as well as our reason for doing so;
- 3 are informed whether they are obliged, under any law, or otherwise voluntarily disclose the data to us and any other rights they may have, including the right to object and to lodge a complaint with the Regulator appointed under the Act.

6. PROTECTION OF DATA

- 1 We shall ensure that data in our possession is secure and confidential so as to protect us against loss, unlawful access or accidental destruction of data.
- 2 In so doing, we shall take measures to incorporate data protection in our risk management framework and adapt our risk management practices so as to align them, insofar as data protection is concerned, with generally accepted data security practices and procedures.
- 3 We shall ensure that any service provider to whom we outsource any aspect relating to data collection abides by the terms of this policy.
- 4 We shall ensure, in the event of a breach of security regarding data that we notify the Regulator and the affected data subjects as soon as reasonably possible, by such means and media as are appropriate in the circumstances to enable them to take steps to protect their interests.
- 5 We shall ensure, when requested to transfer data across the borders of South Africa, that we do so only with the consent of the data subject and thereafter only to a jurisdiction which has rules on the protection of data substantially similar to those contained in this policy and the Protection of Personal Information Act.

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7. ACCESS TO INFORMATION

- 1 We shall ensure that data subjects have access to such information as we may hold on them.
- 2 We shall modify data held at the request or instruction from a data subject.
- 3 We shall not process information regarding a data subject in respect of;
 - 3.1 the religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life or biometric information;
 - 3.2 the criminal behaviour of a data subject to the extent that such information relates to-
 - (i) the alleged commission by a data subject of any offence; or
 - (ii) any proceedings in respect of any offence allegedly committed by a data subject or the disposal of such proceedings,unless the data subject has authorised such processing or unless otherwise required by law.
- 4 We shall not process data regarding children unless authorised by such children's guardian or otherwise as required by law.

8. DISCLOSURE AND CONSENT FOR CUSTOMER DUE DILIGENCE IN TERMS OF THE FINANCIAL INTELLIGENCE CENTRE ACT

1. Lebowa is an accountable institution as defined in the Financial Intelligence Centre Act. As such, we are required by law to obtain and process information about our Clients for the purposes of conducting Customer Due Diligence" (CDD) which includes enhanced due diligence. The purpose of CDD is to determine the risk that the Client may be engaged in money-laundering and/or terror-financing activities. We are required to obtain and process information about our Clients in respect of the following:
 - a. The Client identity and that of any person whom the Client purport to represent, including the Clients status as a prominent person as defined in the act;
 - b. The Clients place of residence and/or registration of business;
 - c. The Client status as defined by reference to sections 26A (i.e. whether they are a person against whom financial sanctions have been imposed) and section 28A (i.e. whether they are a person in respect of whom there is an absolute prohibition against doing business with);
 - d. The nature and ownership/control structure of the Clients business; and
 - e. The nature of our products and services, how they relate to the Clients' requirements and how they use them.

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2. In certain circumstances and in the course of our CDD activities, we may avail ourselves of detail available about the Client in the public domain as well as additional detail we require to verify some of the information we collect about the Client. These sources may include commercially and publicly available information with regards to references made about and by the Client in, including but not limited, the press and media including social media, law enforcement agencies such as Interpol and information collected and processed about the Client by credit bureau and similar agencies including the verification of bank account details in the Clients' name.
3. The Client will be required to consent to and authorize us and any agency lawfully appointed by us to obtain and process the information as described above as part of our duty in law.

9. INFORMATION OFFICER

We shall appoint an Information Officer ("IO"), the purpose of which is to ensure compliance with this policy.

10. STANDARDS AND APPLICATION

In adopting the processes required to give effect to this policy, we shall at all times adhere to the highest standards set by the South African regulatory authority.

This policy document shall be circulated to all heads of departments with a view of them assessing the extant process requirements and making recommendations to the Head: Compliance in respect of any changes required to meet the demands of this policy.

11. Obligation by employees

All employees have an obligation to promote the compliance culture as well as adhering to the provisions of this policy. Disregard for the compliance philosophy, compliance culture and failure to comply with any provisions of the legislation or this policy will result in remedial and/or disciplinary action being taken.

12. Implementation

This policy will be made available and distributed to all employees and representatives working in or on behalf of the organisation. Executive Management is responsible to ensure that this policy is communicated, observed and that it remains appropriate on an ongoing basis.

13. Endorsement

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This policy is approved and endorsed by Executive Management.

14. Review of policy

This policy will be reviewed by Executive Management in consultation with the IO on at least a bi-annual basis or more frequently in the event of material amendments to the regulatory environment and may be altered and improved at any time and will be enforceable with immediate effect. All changes and amendments will be communicated and distributed to all stakeholders who will be required to adhere to such changes without delay.

Compliance with this policy shall be reviewed annually and reported on by the IO to the Executive Management.

15. AUTHORITY

The IO is hereby appointed to act in terms of this policy and is specifically furnished with the power to delegate any functions to one or more deputies.

16. OWNERSHIP & ACCOUNTABILITY

This policy is owned by **Lebowa Capital (PTY) LTD**, a soon to be authorised financial services provider in terms of the Financial Advisory & Intermediary Services Act (37 of 2002) and subordinate legislation.

As Key Individual of the Provider, I, **Hobs Mojalefa** hereby confirm the adoption of the policy on behalf of the governing body of the Provider.

I hereby accept responsibility for the successful training of employees and successful implementation of this Policy.

Signature: Key Individual

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