



## **Privacy statement**

The Observatory Improvement District NPC (hereinafter referred to as OBSID) treat the personal information we collect through our channels (website and other channels) as private and confidential.

This Privacy Statement and our Cookie Notice applies when you use our Channels.

The OBSID Board of Directors and the Chief Executive Officer sign POPIA declarations annually, service providers with access to personal information are required to abide by POPIA regulations as these apply to their business operation.

### **1. Lawful processing of personal information**

OBSID is committed to processing personal information in keeping with its responsibilities under the applicable data protection laws.

The following conditions of lawful processing of personal information are the principles in terms of which we will be processing the collected personal information. They are:

- Accountability – the Company as the responsible party and through its employees will make sure that personal information is processed in a lawful and responsible manner.
- Processing limitation – we shall lawfully collect personal information for a defined purpose and where applicable, with the consent of our clients and third parties.
- Purpose specification – we will only use personal information for the purposes that our members, the community, third parties and employees expect us to use it for.
- Information quality – we will take reasonable steps to ensure your personal information is accurate, complete and updated and not misleading.
- Openness – from the start, we will be open, clear and honest with our members, employees and the community on how and why we use their personal information and how we protect their personal information.
- Security safeguards – we will apply and follow appropriate and reasonable technical and organisational measures to make sure that the confidentiality, integrity and availability of personal information are secured. These measures will also be applied to protect personal information against loss, damage, unauthorised destruction or unlawful access.
- Data subject participation – we have processes in place for our members, third parties and employees to access, correct and delete personal information and exercise their rights in terms of applicable data protection laws.

### **2. Collection**

We collect and process the following categories and types of personal information through the relevant channels, including:

1. personal details (this can be your address, erf number, name, age, identity document information, banking details);
2. contact details (this can be your mobile number and email address);
3. transactional details (this can be information about programmes, projects, incident reporting, queries or complaints).

We will collect personal information directly from you.

#### **4. If you decide to give us express consent, we will use your personal information to:**

- Meet our responsibilities to you.
- Process your personal information for ordinary business purposes (this includes to add you to membership and communication lists and registers, add you to payroll, add you to our finance management systems as a supplier) and maintain our overall relationship with you.
- Comply with applicable laws and regulations.

OBSID will not intentionally or knowingly collect personal information directly from minors (anyone under the age of 18).

OBSID will only use and share your personal information where it is necessary for us to carry out our lawful business activities. To enable you to fully understand the way in which we process your personal information, we have described the different lawful grounds for such processing in detail below:

1. Consent – We may process your personal information for a specific and explicitly defined purpose where you, or a competent person in the case of personal information relating to a minor, provide us with your express consent for such processing or where law requires.
2. Contractual need - We may process your personal information where it is necessary to enter into a contract with you in order for us to pay for services or to honour employment arrangements. Please note that if you do not agree to provide us with the requested personal information, it may not be possible for us to continue to operate your account or provide services to you.
3. Compliance with an obligation imposed by law.
4. Legitimate interests of the Company - We may process your personal information where it is in our legal interests to do so as an organisation and without harming your interests or fundamental rights and freedoms (for example, for marketing purposes, site maintenance, etc.).

#### **When can we process or share your personal information?**

We will process your personal information if you give us your consent willingly or according to the grounds of lawful processing highlighted above.

We will only share your personal information if:

- the law requires it;
- we have a public duty to share the personal information;
- our or your legitimate interests require us to share the personal information;
- it is necessary to conclude or perform due to an agreement between you and us; or
- you agreed that we may share your personal information.

#### **Personal information sharing and data transfers**

1. We will not share your personal information to external organisations that are not our service providers.
2. We will share information with professional advisers like auditors or independent contractors who process personal information on behalf of OBSID.
3. Any court of justice, regulatory body, taxation authority (including any authority investigating an offence) or their agents.

The transfer of your personal information will be based one of the following conditions:

1. You provide your consent to the transfer.
2. The transfer is necessary for the conclusion or performance of a contract to which you are a party.
3. The transfer is for your benefit, and it is not reasonably practical to obtain your consent to that transfer; and if it were reasonably practicable to obtain such consent, you would be likely to give it.

## **Storing personal information**

We will store and keep your personal information according to the retention (holding) periods defined by law for legitimate business purposes and will take reasonably practicable steps to make sure that it is kept up to date and deleted and archived according to our defined retention schedules.

## **Our security practices**

The security of your personal information is important to us. We have implemented appropriate and reasonable technical and organisational measures to prevent loss, unauthorised destruction, damage or access to your personal information by unauthorised third parties. The security of your personal information is important to us. We make sure that we implement organisational and technical procedures to keep your personal information safe.

However, you must not share or send us any personal information over unauthorised channels, since it is not a secure way of communication and carries a risk of interception and unauthorised access. You should only share personal information over authorised channels of OBSID.

## **Marketing by electronic means**

We would like to share information about our programmes, projects and activities, via your preferred method of communication (as indicated to us), such as email, text message, social media platforms or web mailers, subject to your express consent and the option to opt-out or unsubscribe at any time.

If you have opted-in to receive marketing communications, you may always opt out at a later stage using the “Unsubscribe” option included in every marketing communication sent to you. You have the right at any time to stop us from contacting you for information sharing purposes.

## **Cookies**

A “cookie” is a small text file that is stored on your computer, smartphone, tablet, or other device when you visit our website. They contain specific information related to your use of our website or app, such as login credentials, your preference settings or tracking identifiers.

Cookies make it easier for us to give you a better experience online. For all types of cookies, we will obtain your consent before these cookies can be used or stored on your device.

Please refer to our Cookies Policy for more details.

## **Links to other websites**

Our website and social media channels may have links to or from other websites. Although we try to link only to websites that also have high privacy standards, we are not responsible for their security, privacy practices or content. We recommend that you always read the privacy and security statements on these websites.

## **Social media**

We operate and communicate through our designated profiles, pages and accounts on some social media sites (such as Facebook and Twitter) to inform, help and engage with the community. 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, read, share, and comment on any information posted on these sites. We are not responsible for any information posted on those sites, except for the information posted by our designated officials.

We do not endorse the social media sites themselves nor 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 process is outside our control and may be in a country outside South Africa that may have different privacy principles. For more information about the privacy practices of a social media site, please refer to and read the terms and conditions of that site.

We will not ask you to share personal, account or security information on social media sites in a public post.

We may ask you to message us in private through one of our official accounts, profiles or pages on a social media site.

We regularly update and monitor our social media presence 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 official OBSID social media accounts.

Emerging themes and helpful suggestions will be given to the relevant people within OBSID for consideration but we cannot guarantee that any themes or suggestions will be acted on.

## **Your rights**

We want to ensure that you are aware of your rights in relation to the personal information that we process about you.

1. Right to access - You have a right to get access to the personal information that we hold about you. If you would like a record or description of the personal information that we hold about you, please request this under PAIA via email to the Information Officer on [matt@obsid.org.za](mailto:matt@obsid.org.za)
2. Right to rectify/correct/ update - You have a right to correct inaccurate personal information and to update incomplete personal information. Please request this via email to the Information Officer on [matt@obsid.org.za](mailto:matt@obsid.org.za).
3. Right to be notified – You have the right to be notified that your personal information is being collected by us or has been accessed or acquired by an unauthorised person.
4. Right to object - You have a right to object to us processing your personal information where we have relied on one of the lawful grounds above for legitimate interest or where we perform a public law duty (and to request us to restrict processing). Please object via email to the Information Officer on [matt@obsid.org.za](mailto:matt@obsid.org.za).
5. Right to deletion - You have a right to request that we delete your personal information. Please request this via email to the Information Officer on [matt@obsid.org.za](mailto:matt@obsid.org.za).
6. Right to object to the processing of personal information for the purposes of marketing and communications - You have a right to object at any time to the processing of your personal information for marketing and communication purposes. Please object via email to the Information Officer on [matt@obsid.org.za](mailto:matt@obsid.org.za).
7. Right to lodge a complaint with the Regulator. If you wish to raise a complaint on how we have handled your personal information, you can contact our Information Officer on [matt@obsid.org.za](mailto:matt@obsid.org.za) who will investigate the matter. We hope that we can address any concerns you may have.

## **Queries and complaints**

If you have any queries or complaints about privacy, please contact the Information Officer, Matt Tyrrell - Email: [Matt@obsid.org.za](mailto:Matt@obsid.org.za)

## **Physical address:**

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