

Privacy Policy



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COMPLIANCE WITH THE PROTECTION OF PERSONAL INFORMATION ACT, ACT 4 OF 2013 AS AMENDED (PoPI ACT)

This Privacy Policy Statement is subject to the PoPI Act and requires the implementation of the Eight Conditions for the Lawful Protection of Personal Information in terms of the Act.

Goosen & Hattingh Attorneys

INFORMATION OFFICER:

Petrus Jacobus Hattingh (jaco@goosen-hattingh.com)

DEPUTY INFORMATION OFFICER:

Tharina Hattingh (tharina@goosen-hattingh.com)

Goosen & Hattingh Attorneys

PRIVACY POLICY

This Privacy Policy describes our policies and procedures on the collection, use and disclosure of your information when you use our service and tells you about your privacy rights and how the law protects you.

Goosen & Hattingh Attorneys (G&H) recognises the importance of privacy, and the protection of personal information provided to us, and we are committed to the safeguarding of such information.

We use your personal data to provide a service. By using the service, you agree to the collection and use of information in accordance with this Privacy Policy.

This Policy includes Goosen & Hattingh Attorneys (the “Responsible Party”)’s Data Protection and Information Security Policy.

1.

GOOSEN & HATTINGH ATTORNEYS’ PRIVACY STATEMENT

Goosen & Hattingh Attorneys is committed to protecting our client’s privacy. You can visit most pages on our website without giving us any information about yourself. But sometimes we do need information to provide services that you request, and this Privacy Statement explains data collection and use in those situations.

This Privacy Statement only applies to Goosen & Hattingh Attorneys; it does not apply to other online or offline websites, products or services. Please read the complete Privacy Policy and Statement.

2.

COMPLIANCE WITH THE PROTECTION OF PERSONAL INFORMATION ACT, ACT 4 OF 2013 AS AMENDED (PoPI ACT)

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3.

COLLECTION OF YOUR PERSONAL INFORMATION

Goosen & Hattingh Attorneys collects personal information in various instances, including when:

- data subjects contact the firm or request information or services,
- The firm provides services to data subjects,
- Persons apply for employment at Goosen & Hattingh,
- when persons use G&H’s websites

We will ask you when we need Information that personally identifies you (Personal Information) or allows us to contact you. Generally, this Information is requested as part of the client intake process. ***It is important that you be aware that by law (the Financial Intelligence Centre Act 38 of 2001 (“FICA”), we are required to gather certain personal information from prospective clients before***

we may enter into any business relationship with them. By providing this information, you consent to the collecting and processing thereof, as per the requirements of the Protection of Personal Information Act (POPIA). Rest assured, the firm adheres strictly to POPIA and will not share your information with third parties unless required by law or with your explicit consent."

The Firm may collect the information directly from a data subject or from third parties (such as regulators, government authorities and registries, or attorneys representing our clients' counterparties).

Goosen & Hattingh Attorneys website is purely informational. However, seeing that most websites do collect some level of data automatically for basic functionality or analytics purposes and thus the sight includes a privacy policy informing users of any automatic data collection practices in order to remain compliant with privacy laws like POPIA or similar.

4.

USE OF YOUR PERSONAL INFORMATION

Goosen & Hattingh Attorneys will require to collect personal information upon receiving a mandate from the client to proceed with a personal injury claim / general litigation / administering of estates or in the transfer and/or bond registration and/or bond cancellation and/or any other conveyancing process by said attorneys.

- The purpose of the processing of the information will be solely for the fulfilment of the client's mandate and will not be re-purposed.
- Goosen & Hattingh and their staff will have access to the personal details which the client or persons acting on behalf the client have furnished them for the purposes of attending to the relevant transaction and matters ancillary thereto.
- Failing to supply the required information will result in Goosen & Hattingh Attorneys not being able to proceed to the matter.
- Information will only be collected in terms of the relevant act relating to their specific matter.
- The consent will cover the natural sharing of information that may be necessary between the relevant parties involved in the process for example when selling a property, any Financial Institution, Bond Originator/s, Insurer, Home Owners Association, Municipality, Transfer, Bond and Cancellation Attorneys, Irrigation Board, Estate Agent and Agency (if applicable) involved in this transaction, as well as any other Related Party/Parties, solely for the purposes of that specific transaction.
- The information will not be transferred to a third party unless specifically instructed.
- In addition to its POPI compliance Goosen & Hattingh are required to store the details, as provided for and specified by the Legal Practice Council and relevant banking institutions (from time to time).

5.

PROCESSING OF INFORMATION

- The purpose of the processing of the information will be solely for legal purposes (such as conveyancing, notarial purposes, RAF claims, and general litigation , etc) and will not be re-purposed.

- Failing to supply the required information will result in Goosen & Hattingh Attorneys not being able to proceed to the registration of your transaction or completion of your claim.
- Information will only be processed in terms of South African legislation or any other applicable international law as contained in Goosen and Hattingh Attorney's PAIA Manual. The Manual is readily available on the Firm's website www.goosen-hattingh.com or upon request directly from the office at tharina@goosen-hattingh.com.

6.

CONTROL OF YOUR PERSONAL INFORMATION

Goosen & Hattingh, as firm of attorneys has the privilege of confidentiality under the law pertaining to its clients. We may however, disclose your Personal Information if required to do so by law or in good-faith believe that such action is necessary to:

- conform to the edicts of the law or comply with legal process served on the Responsible Party,
- protect and defend the rights or property of the Responsible Party; or
- act in urgent circumstances to protect the personal safety of the Responsible Party's employees, users of our products or services or members of the public.

7.

DISCLOSURE AND SHARING OF YOUR PERSONAL DATA

- **Legal proceedings**
During the course of legal proceedings, it may be necessary to share information between the relevant parties involved in the legal process including (but not limited to):-
 - * The Estate Agent
 - * The Bond Originator
 - * The Transferring / Bond / Bond Cancellation Attorney
 - * The Financial Institution
 - * SARS
 - * Municipalities / Local Authorities / Body Corporates / Homeowner Associations
 - * RAF
 - * Council / Advocate(s)
- **Law enforcement**
Under certain circumstances, the firm may be required to disclose your personal data if required to do so by law or in response to valid requests by public authorities (e.g. a court or a government agency),
- **Other legal requirements**
The Firm may disclose your personal data in good faith and the belief that such action is necessary to:
 - * Comply with a legal obligation
 - * Protect and defend the rights or property of the firm
 - * Prevent or investigate possible wrongdoing in connection with the legal service
 - * Protect the personal safety of clients or the public

- * Protect against legal liability
Information will otherwise not be transferred to a third party unless specifically instructed.

8.

TRANSFERRING OF PERSONAL DATA

- Your information, including personal data, will be processed at the firm's operating offices and in any other place where the parties involved in the processing are located. It means that this information may be transferred to, and maintained on, computers located outside of the firm's operating address. Your consent to this Privacy Policy followed by your submission of such information represents your agreement to that transfer.
- The Firm will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this privacy policy and no transfer of your personal data will take place to an organization or a country unless there are adequate controls in place including the security of your data and other personal information.

9.

ACCESS TO YOUR PERSONAL INFORMATION

We are required by law to retain personal records for a period of 5 (five) years. Should you wish to access your personal information to ensure it is up to date, you can follow these general steps:

- Complete the "**Formal Request to access information**" (copy contained in our PAIA manual or available on request)
- Draft a **letter and email it**, together with the completed and signed 'Formal Request' to the firm's designated Information Officer (jaco@goosen-hattingh.com) or Deputy Information Officer (tharina@goosen-hattingh.com)
- Remember to **include the following details**:
 - * Your full name, ID Number and File Reference Number
 - * The department which handled your transaction
 - * A clear statement indicating that you are requesting access to your personal information in accordance with the Protection of Personal Information Act (POPIA).
 - * Specify the information you wish to access or review, such as files or documents that may contain your personal information.
 - * **Include the following identification**:
 - Attach a copy of your identification (ID or passport) to verify your identity.
This step is crucial to ensure that your personal information is not disclosed to unauthorized persons.
- **Specify the Purpose**: It can be helpful to briefly state why you want to access your information, such as verifying its accuracy or ensuring compliance with legal obligations.
- **Request Confirmation**: Ask the firm to acknowledge receipt of your request and to provide a timeframe in which you can expect a response.
- **Follow Up**: If you do not receive a response within a reasonable period (typically 30 days as

per POPIA), consider following up with the firm to ensure your request is being processed. We will provide you with the means to ensure that your Personal Information is correct and current.

10.

SECURITY OF YOUR PERSONAL INFORMATION

Goosen & Hattingh Attorneys is committed to protecting the security of your Personal Information. We use a variety of security technologies and procedures to help protect your Personal Information from unauthorised access, use or disclosure. For example, we store the Personal Information you provide in computer servers with limited access that are located in controlled facilities. When we transmit sensitive Information (such as a credit card number) over the internet, we protect it through the use of encryption, such as the Secure Socket Layer (SSL) protocol.

11.

RETENTION OF YOUR PERSONAL DATA

We are required, in terms of our service level agreement with certain financial institutions, to retain bond registration and supporting documents for the minimum period of five years after date of registration in the relevant deeds registry.

The Firm will retain your personal data only for as long as and to the extent necessary to comply with our legal obligations, resolve disputes, and enforce our legal agreements and policies.

12.

PROTECTION OF CHILDREN'S PERSONAL INFORMATION

Goosen & Hattingh Attorneys does not knowingly collect any Personal Information from children, unless we are legally obligated to do so and then our firm will only collect personal identifiable information from anyone under the age of 13 directly from the parents/guardians should this information be required during the transaction, (for example if the minors are trustees in a trust or members of a close corporation that has to be verified in terms of the Financial Intelligence Centre Act 38 of 2001). If we become aware that we have collected personal data from anyone under the age of 13 without parental consent, the information will be removed from our records.

13.

USE OF COOKIES

The website of the firm is for information purposes only; however, many websites use cookies to store data about user preferences, session information, and browsing behaviour.

Websites also typically log visitors' IP addresses automatically. This information is used for purposes like identifying geographic location, ensuring security, and analysing traffic trends.

Websites often use tools like Google Analytics to collect anonymized information about user behaviour (e.g., how long they stay on the site, which pages they visit). Even if no personal details are requested, such tools might still gather general data on users.

Web servers may automatically log data like the type of device, browser used, and the time of access, which helps in maintaining and securing the site. When someone visits our website, a cookie is placed on the customer's machine (if the customer accepts cookies) or is read if the customer has visited the site previously. One use of cookies is to assist in the collection of the site visitation statistics described above.

14.

SUBSCRIPTIONS AND OPT-OUT PROCEDURE

Please note that our website does not support subscription features or similar services that would necessitate an opt-out procedure. As such, users are not required to take any action regarding subscriptions or communications from our firm.

15.

LINKS TO OTHER WEBSITES

- To the best of our knowledge, our website does not contain any links to other websites. Should you click on a third-party link, you will be directed to that third party's site. We strongly advise you to review the Privacy Policy of every site you visit.
- We have no control over and assume no responsibility for the content, privacy policies or practices of any third-party sites or services.
- Please contact our office immediately should you encounter such links whilst on our site.

16.

CHANGES TO THIS POLICY

Goosen & Hattingh Attorneys may update the privacy policy from time to time and will notify you of any changes by posting the new privacy policy on our website or providing you with a hardcopy when next visiting our offices.

You are advised to review the privacy policy periodically for any changes. Changes to this privacy policy are effective when they are posted on our web page.

17.

CONTACT INFORMATION

Physical Address:	GOOSEN & HATTINGH ATTORNEYS DE JURE BUILDING, 1 ST FLOOR 43 GOVERNMENT SQUARE MARBLE HALL, LIMPOPO PROVINCE
Postal Address:	PO BOX 330, MARBLE HALL, 0450
Office Number:	+27 (0)13 261-2497

Goosen & Hattingh Attorneys welcomes your comments regarding this Privacy Statement, please contact us by e-mail or postal mail.

This Privacy Policy is available on our website: www.Goosen-Hattingh.com or upon request directly from Goosen & Hattingh Attorneys: tharina@goosen-hattingh.com

INFORMATION OFFICER DETAILS

Contact Person: JACO HATTINGH
Tel: (013) 261-2497
Cell: 082 411 3441
E-mail: jaco@goosen-hattingh.com
Website: www.goosen-hattingh.com

DEPUTY INFORMATION OFFICER DETAILS

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