

Privacy Policy of Tirhani Auctioneers

Consent to Process Personal Information in Terms of The Protection of Personal Information Act No.4 of 2013 (POPIA)

Effective date: September 2020

Please read this document before you make use of Tirhani Auctioneers' electronic facilities or provide Tirhani Auctioneers with any personal information. By providing us with your personal information, you consent to us processing said personal information, which we undertake to process strictly in accordance with this privacy policy.

Introduction

Tirhani Auctioneers respects the right to the privacy and confidentiality of our potential and existing client's personal information. We are committed to protecting your privacy and to ensure that your personal information is collected and used properly, lawfully and transparently.

For purposes of the Protection of Personal Information Act No.4 of 2013 ('**POPIA**'), it should be noted that Tirhani Auctioneers is the **Responsible Party** and **Data Controller** for the processing of **Data Subject's** personal information.

Who are Tirhani Auctioneers?

Tirhani Auctioneers Gauteng CC is a South African Auctioneering company with a registered address of 1 Centex Close, Eastgate Ext 4., Sandton, 2090

Terminology Used

'Data Controller' means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data.

'Data Subject' means the person to whom personal information relates.

'Person' means a natural person or a juristic person.

'Personal Information' means information relating to an identifiable living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to –

- (a) Information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;
- (b) Information relating to the education or the medical, financial, criminal or employment history of the person;
- (c) Any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
- (d) The biometric information of the person;
- (e) The personal opinions, views or preferences of the person;
- (f) Correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
- (g) The views or opinions of another individual about the person; and
- (h) The name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.

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'Responsible Party' means a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means for processing personal information.

Why do you collect information about me?

There are several reasons why Tirhani Auctioneers collects your information. The most important reason is that personal information is required for registration and verification purposes when individuals participate in our auctions.

Another reason is that we need to know how to contact you so that we resolve issues and offer you the best possible customer experience.

What happens if I do not want to provide requested information to Tirhani Auctioneers?

In order to provide our services to you, fulfil any contractual obligations, manage our legitimate business interests and/or comply with our legal obligations, Tirhani Auctioneers requires you to provide us with your personal information.

You can choose to not share information with Tirhani Auctioneers; however, you must understand that this may limit the services we are able to provide to you. For example, if you do not provide us with all requested information when registering for an auction we may not be able to approve you to bid on the auction.

What type of personal information do you collect about me?

The type of information that Tirhani Auctioneers may be required to collect from you includes:

- Your contact name and identity, email addresses, contact telephone numbers, Internet Protocol addresses (IP addresses), cookie identifiers.
- Bank account details, authorised signatory details, information relating to power of attorney arrangements.
- Any information that you provide to us relating to other individuals or that other individuals provide to us in relation to you. For example, information concerning bidder and purchaser details for a property or assets when someone registers to bid for an auction. Before you disclose information to us about another person, you need to be certain that you have their permission to do so.
- Information which you have consented to us using. For example, information allowing us to contact and send you auction related communications on a periodic basis.
- We may collect CCTV images at our office locations, for security reasons and to help prevent fraud or crime.

Sensitive Categories of Data Collected

We may hold information about you which includes sensitive personal data. We will only hold this data when we need to for the purposes of the services we provide to you or where we have a legal obligation to do so.

We are required to process sensitive personal data like your Identity Document (including green barcoded identity book, smart ID, local or foreign passport, driving licence) for the purpose(s) of complying with our anti-money laundering obligations (FICA). We will also hold information on data access, correction, restriction, deletion, porting, and complaints or queries received by and relating to you.

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How and when do you collect information about me?

We collect information about you in several different ways, including but not limited to:

- When you set up an account with us online
- When you register to participate in an auction
- When you request or consent to be added to our marketing database
- When you use our website or app (<https://www.tirhani.co.za/> / <https://tirhani.bidwrangler.com/>)
- When you or others give us information verbally or in writing. This may be in the format of registration forms, viewing attendee sheets, through correspondence with us, or if you lodge a complaint or query.
- From your online activities with third parties where you have given us your consent (e.g. by consenting to our use of certain cookies or other location tracking technologies).

How do you make use of my personal information?

As a Data Subject we make use of and process your information in various ways to comply with South African legal obligations. Ways in which we may make use of your information are:

- We may use your personal information for matters such as confirming your identity, to help us in the processing of an application for one of our services or to improve your customer experience with us.
- To manage and administer your account.
- To process transactions for example invoicing after an auction is completed, or where you require a refund and we will make use of your banking details.
- To contact you by telephone, text message, email, post, or social media, or other means but not in a way that is contrary to your instructions to us, legitimate interest or contrary to law.
- To recover debt you may owe, and to manage and respond to a complaint or appeal that you have.
- To conduct marketing activities such as direct marketing (should you have not objected to us using your details this way) and research, including customer surveys, analytics and related activities.
- To carry out strategic planning and business portfolio management. This could include compiling and processing your information for audit, statistical or research purposes (including, in some instances, making your data anonymous) in order to help us to understand trends in our customer behaviour and to understand our risks better, including providing management information, operational and data risk management.
- To protect our business, reputation, resources and equipment, to manage network information and security (developing, testing and auditing our websites and other systems, dealing with accidental events, unlawful or malicious actions that compromise the availability, authenticity, integrity and confidentiality of stored or transmitted personal data, and the security of the related services.
- To comply with your information rights, to establish your identity and to comply with laws and regulations concerning the prevention of money laundering, fraud and terrorist financing. As a result, we may need to disclose information to government and other statutory bodies.
- We need to use your information to manage and administer legal and compliance matters within Tirhani Auctioneers, including compliance and regulatory, legislative and voluntary codes of practice to which we have committed.

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What are my responsibilities as a Data Subject?

Each Data Subject is responsible for maintaining the confidentiality of his/her username, password, banking details and any other security information provided to or chosen by the Data Subject.

Tirhani Auctioneers encourages Data Subjects to:

- Use strong passwords for their website account
- Not share account login details with any person; and
- Change their password on a regular basis.

The Data Subject remains responsible for restricting access to the their computer or other electronic devices used to access the website, but shall be liable for any purchases made or bids placed using his/her details, regardless of whether a third party had gained access to such Data Subject's computer or other electronic devices or username, password and other security information without his/her permission.

Fraudsters may send invoices to users purporting to originate from Tirhani Auctioneers or make other requests for payment. If you ever have any reason to doubt the authenticity of an invoice with the name of Tirhani Auctioneers on it or any payment communication, you as the Data Subject should enquire if the request is authorised and ask Tirhani Auctioneers to confirm if it a valid invoice.

Does Tirhani Auctioneers share my information with anyone else?

We will only share your information with a certain number of other parties and only as necessary. Examples of information sharing include:

- Third parties we need to share your information with to facilitate payments (e.g. SWIFT, merchant banks) and those you ask us to share your information with.
- Companies that provide support services for the purposes of protecting our legitimate interests. Your personal information remains protected when our service providers use it. We only permit service providers to use your information in accordance with our instructions, they will be required to have appropriate measures in place to protect your information. Our service providers may include marketing and market research companies, IT and telecommunication service providers, software development contractors, data processors, banking institutions, property contractors, towing services, document storage and destruction companies, debt collection agencies, computer maintenance contractors, auditors and other consultants, including legal advisers.
- Statutory and regulatory bodies and law enforcement authorities. These bodies include the likes of: The Information Regulator (South Africa), Financial Intelligence Centre (FIC), SARS, police authorities, and other designated authorities in connection with combating financial and other serious crime.

How long will Tirhani Auctioneers keep my information for?

The length of time Tirhani Auctioneers keeps your information and data depends on various factors, such as statutory and regulatory requirements, the type of data we hold about you, whether the data is required for any legal disputes, and whether you or a regulatory authority request us to keep it for a valid reason. However, if you request that Tirhani Auctioneers delete your data we shall process your request unless there is a valid reason to not delete the data, such as a requirement to hold onto your data as we have a legal obligation to do so.

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Can I request access to the information about me that you hold?

As the Data Subject, you have the right to request a copy of the personal information about you that Tirhani Auctioneers holds. To do this, contact us at the numbers/addresses provided on our website and specify what information you require. Before providing details of your personal information, we will need a copy of your Identity Document to confirm your identity. This is to help protect your data.

Some of my personal details were not captured correctly or have changed since we last did business together. How do I request this to be corrected or updated?

You have the right to ask us to update, correct or delete your personal information. We will require a copy of your Identity Document to confirm your identity before making changes to personal information Tirhani Auctioneers may hold about you. We encourage you to provide us with accurate and up-to-date personal information.

How do I contact Tirhani Auctioneers and/or your Data Protection Officer?

If you have any questions about how your personal data is gathered, stored, shared or used, or if you wish to exercise any of your data rights, you can read the Privacy Policy or contact our Data Protection Officer at:

Telephone: +27 (11) 608 2280

Email: info@tirhani.co.za

Address: Tirhani House, 1 Centex Close, Eastgate Ext. 4, Sandton, Gauteng

Who else can I contact?

If you are not satisfied with how we are dealing with your query or complaint you can contact:

The Information Regulator (South Africa)

Website: <https://www.justice.gov.za/infoereg/>

Email: infoereg@justice.gov.za

Update of Privacy Policy

Tirhani Auctioneers reserve the right to and may from time to time update this Privacy Policy. Any such revision will be published as an amended version on the Tirhani Auctioneers website. Please check our website periodically to inform yourself of any changes.

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