



# NIENABER

A T T O R N E Y S

## PRIVACY POLICY

### 1. INTRODUCTION

- 1.1. Nienaber Attorneys recognises the importance of privacy and the protection of personal information provided to it and is committed to the safeguarding of such information.
- 1.2. This privacy policy explains how Nienaber Attorneys collects and uses personal information. It contains information regarding the rights of natural and juristic persons to whom personal information relates (data subjects).
- 1.3. Nienaber Attorneys reserves the right to amend this Privacy Policy or add provisions to it at any time by publishing an updated version on its website.

### 2. COLLECTION OF INFORMATION

- 2.1. Nienaber Attorneys collects personal information in various instances, including when:
  - 2.1.1. data subjects contact Nienaber Attorneys or request information or services;
  - 2.1.2. Nienaber Attorneys provides services to data subjects;
  - 2.1.3. persons apply for employment at Nienaber Attorneys;
  - 2.1.4. when persons use Nienaber Attorneys' website or engage with Nienaber Attorneys through social media.
- 2.2. Nienaber Attorneys 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).
- 2.3. The interaction with the firm on a Nienaber Attorneys website will result in the collection of information regarding the person's activities on the website. Similarly, when anyone engages with the firm via any one of Nienaber Attorneys' social media platforms. This information includes, but is not limited to, the person's name, contact details and information regarding the matter with which they need assistance.
- 2.4. In the course of engaging with clients on matters, Nienaber Attorneys will naturally be exposed to and collect personal information which includes the data subject's name, contact details, financial information as well as information regarding the matters that the firm assists them with.
- 2.5. As part of its recruitment processes, Nienaber Attorneys collects information from graduates and employment applicants. This information includes educational information as well as employment history. By enquiring regarding employment opportunities at Nienaber Attorneys or applying for employment, applicants are deemed to provide their consent to Nienaber Attorneys' processing of their personal information for recruitment purposes, which may include screening as well as background and reference checks.

### 3. BASIS AND PURPOSE FOR PROCESSING PERSONAL INFORMATION

- 3.1. Nienaber Attorneys may process personal information:
  - 3.1.1. to provide services to clients;
  - 3.1.2. to comply with legal or regulatory obligations;

- 3.1.3. if a data subject has provided their consent; or
  - 3.1.4. if the processing is allowed by law.
- 3.2. The purposes for which Nienaber Attorneys processes personal information include, but are not limited to:
- 3.2.1. marketing and promotion of Nienaber Attorneys' services;
  - 3.2.2. providing and improving services to clients;
  - 3.2.3. improving users' experience when using Nienaber Attorneys' website;
  - 3.2.4. communicating with persons for Nienaber Attorneys' internal purposes;
  - 3.2.5. enabling Nienaber Attorneys' internal operations;
  - 3.2.6. exercising and defending legal rights.

#### **4. DISCLOSURE OF PERSONAL INFORMATION**

- 4.1. Nienaber Attorneys may release personal information or disclose it to third parties in certain circumstances. These include, but are not limited to:
- 4.1.1. if Nienaber Attorneys is required or authorised to do so by law or a court order;
  - 4.1.2. in order for Nienaber Attorneys to enforce its rights;
  - 4.1.3. in order for Nienaber Attorneys to provide services to its clients.
- 4.2. The third parties to whom we disclose personal information include, but are not limited to:
- 4.2.1. advocates and other parties involved in legal services;
  - 4.2.2. third party service providers to Nienaber Attorneys or its clients;
  - 4.2.3. third parties who provide research services to Nienaber Attorneys or its clients;
  - 4.2.4. government authorities and registries, organs of state, regulators, courts, tribunals and law enforcement agencies.

#### **5. TRANSFER OF PERSONAL INFORMATION**

Personal information collected by Nienaber Attorneys may be transferred to persons in other countries. Those countries' laws might not protect personal information in the same way or on the same level as the law in the data subject's country. However, Nienaber Attorneys will take reasonable steps to ensure that recipients in other countries have appropriate privacy measures in place.

#### **6. RETENTION OF PERSONAL INFORMATION**

Nienaber Attorneys retains personal information for as long as may be reasonably necessary in accordance with applicable law.

#### **7. COOKIES**

- 7.1. Nienaber Attorneys' website makes use of cookies. Cookies store information regarding website visitors. Cookies have various purposes, such as improving the visitor's experience on the website and facilitating their use of the website.
- 7.2. A website visitor may disable or decline cookies. However, if the visitor does so, their user experience on the site may be diminished.

#### **8. DIRECT MARKETING**

Nienaber Attorneys may send marketing and promotional communications and material to persons. Recipients may opt out from receiving such communications by contacting Nienaber Attorneys at the details provided below or by clicking on the opt-out link that will be contained in the relevant electronic communication.

#### **9. SECURITY**

Nienaber Attorneys takes all reasonable steps to protect and avoid unauthorised access to personal information. It has implemented various policies, procedures and software to safeguard personal

information and routinely reviews its operations in order to ensure that personal information is adequately protected.

## **10. RIGHTS OF DATA SUBJECTS**

- 10.1. The law might provide data subjects with rights to access, amend or delete personal information that is in the possession of Nienaber Attorneys. However, Nienaber Attorneys may, in certain instances, legally refuse or decline such requests. If applicable, a data subject may also have the right to object to Nienaber Attorneys' processing of their personal information or to file a complaint with a regulator. If a data subject wishes to exercise their rights, they can contact Nienaber
- 10.2. Attorneys at the details provided below. Nienaber Attorneys may charge data subjects a fee for accessing, amending or deleting their personal information.
- 10.3. Data subjects are encouraged to contact Nienaber Attorneys in order to update their personal information as and when necessary.

## **11. CONTACT DETAILS**

- 11.1. In order to contact Nienaber Attorneys for purposes relating to this privacy policy, please contact us using these contact details:

**The Compliance Officer**  
**Nienaber Attorneys**  
**Co-Work@Midstream**  
**Midlands Office Park West**  
**Mount Quray Street**  
**Midstream**  
**Telephone: +27 12 012 5087**  
**E-mail: [renee@neinaberattorneys.co.za](mailto:renee@neinaberattorneys.co.za)**