



# **THE PROTECTION OF PERSONAL INFORMATION ACT (POPIA)**

## **CUSTOMER PRIVACY NOTICE**

**Dated: 17 June 2021**

Brenthurst Wealth Management is an authorised financial services provider  
(Reg No: 2004/012998/07) FSP No.7833



## PRIVACY POLICY

This Privacy Policy describes our policies and procedures that have been put in place with respect to the collection, processing, distribution, and disclosure of your personal information when making use of our services, and also to notify you of your rights to privacy and how the law protects you in this regard.

### Our Policy Statement

Brenthurst prides itself on the reputation that we have built over the years, a reputation that has been achieved by always putting our clients' best interests at the forefront in every instance, upholding high levels of integrity, ensuring that we always remain transparent in our business, the employment of highly qualified and skills financial advisors, paraplanners, fiduciary specialists and supporting staff and endeavour to offer our clients services of the highest quality.

It is also of utmost importance that Brenthurst has committed to comply with the legal requirements of POPIA and its regulations as well as the principles of good practice and treating customers fairly. We also recognise the importance of POPIA in protecting individuals (our clients) and their privacy, and will undertake to retain relevant, quality information from you and ensure that such information is always kept safe.

It is important for you our client to note that your personal data is utilised to provide and improve the services offered to you. Therefore, by entering a business relationship or single transaction with Brenthurst, you agree to the collection and use of information within the framework of this Privacy Policy.

All staff at Brenthurst that have access to your information have and will continue to receive ongoing training and support to ensure that they act in accordance with our processes and policies and remain compliant.

### DEFINITIONS

#### For the purposes of this Privacy Policy: -

**'Client'** means the individual accessing or using the Service, or the company, or other legal entity on behalf of which such individual is accessing or using the Service, as applicable.

**'Company'** (referred to as either "the Company"/"FSP" in this Policy) refers to Brenthurst Wealth Management (Pty) Ltd.

**'Cookies'** are small files that are placed on your computer, mobile device or any other device by a website, containing the details of your browsing history on that website among its many uses.

**'Country'** refers to South Africa.



**‘Device’** means any device that can access the Service such as a computer, a cell phone or a digital tablet.

**‘Personal Data’** is any information that relates to an identified or identifiable individual.

**‘Service’** refers to the list of services listed in Principle 3 of the Policy.

**‘Service Provider’** means any natural or legal person who processes the data on behalf of the Company. It refers to third-party companies or individuals employed by the Company to facilitate the Service, to provide the Service on behalf of the Company, to perform services related to the Service or to assist the Company in analysing how the Service is used.

**‘Usage Data’** refers to data collected automatically, either generated using the Service or from the Service infrastructure itself (for example, the duration of a page visit).

**‘Website’** refers to Brenthurst Wealth Management (Pty) Ltd accessible from [www.bwm.co.za](http://www.bwm.co.za)

## TYPES OF DATA COLLECTED

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### PERSONAL DATA

In order to make use of our services and for Brenthurst and its Advisors to render financial advice and/or intermediary services accurately, our clients will be required to provide us with certain personally identifiable information for us to make contact or identify and verify our clients.

#### **Personally, identifiable information may include, but is not limited to: -**

- Email address
- First name and last name
- Phone number
- Address, Postal code, City, Province

## COLLECTING AND USING PERSONAL DATA

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### USE OF YOUR PERSONAL DATA

The Company may use Personal Data for the following purposes: -

- For the performance of a contract: the development, compliance and undertaking of the contract for the products, items or services purchased by the client or of any other contract with Brenthurst through the Service.
- To contact the client by email, telephone calls, SMS, or other equivalent forms of electronic communication, regarding updates or informative communications

related to the products, services and the client portfolio, contracted services, when necessary or reasonable for their implementation.

- To provide the client with news, special offers and general information about other goods, services and events offered by Brenthurst which are similar to those that have already purchased or enquired about unless the client has opted not to receive such information.
- To attend and manage the clients' requests and instructions.
- Brenthurst may use client information for other purposes, such as data analysis, identifying trends, determining the effectiveness of promotional campaigns and to evaluate and improve our services, products, marketing, and client experience.

## **TRANSFER OF PERSONAL DATA**

Client information, including Personal Data, is processed at one of Brenthurst's national operating offices, relevant to where the client is located, and it is in that relevant office where the processing of such client's information will take place.

It may mean that information may be transferred to — and maintained on — computers located outside of South Africa or other governmental jurisdiction where the data protection laws may differ than those from South Africa.

The clients consent to this Privacy Policy followed by submission of such information represents an agreement to that transfer.

Brenthurst will take all steps reasonably necessary to ensure that data is treated securely and in accordance with this Privacy Policy and no transfer of Personal Data will take place to an organization or a country unless there are adequate controls in place including the security of such data and other personal information.

## **DISCLOSURE OF PERSONAL DATA**

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### **LEGAL REQUIREMENTS**

**Brenthurst may disclose Personal Data if such action is necessary to comply with a legal obligation such as: -**

- Required by the Financial Intelligence Centre.
- Required by the Financial Services Conduct Authority.
- Required by SAPS.
- Required by the South African Reserve Bank.
- Required by South African Revenue Services.
- Required by a Court of Law.

## SECURITY OF PERSONAL DATA

Brenthurst will take every reasonable measure to keep data protected however, no method of transmission over the Internet, or method of electronic storage is 100% secure. While Brenthurst strives to use commercially acceptable means to protect Personal Data, absolute security cannot be guaranteed.

## CHILDREN'S PRIVACY

Brenthurst does not undertake any business which addresses any person under the age of 16, unless prior consent is obtained from that child's legal guardians.

## POLICY CONDITIONS

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### Condition 1: Accountability

- Brenthurst is accountable for the personal information that is processed or that is held in our possession and therefore reasonable steps must be taken to ensure that personal information obtained from clients is stored safely and securely.
- This includes contact details, financial information, any information required under the FIC regulations and any other personal information that may be obtained for the purpose of providing our services to the client.

### Condition 2: Processing limitation

- Brenthurst will collect personal information directly from clients.
- Brenthurst will only process or release client information with their consent, except where it is required to do so by law, necessary to carry out actions for the conclusion of performance of a contract, protects a legitimate interest and necessary for proper performance.
- Personal information will be processed in a lawful and reasonable manner that does not infringe the privacy of our clients.

### Condition 3: Specific purpose

- Brenthurst collects personal information from clients to enable to represent them and for the purpose of rendering our services to our clients, such services include: -
  - Long-Term Insurance Sub-Categories A, B, B1-A, B2-A and C
  - Retail Pension Benefits
  - Pension Fund Benefits

- Shares
- Participatory Interest in a collective investment scheme
- Short-Term Deposits and Long-Term Deposits
- Structured Deposits
- Participatory Interest in a Hedge Fund

#### **Condition 4: Limitation on further processing**

- Personal information may not be processed further in a way that is incompatible with the purpose for which the information was collected initially. Brenthurst collects personal information for the purpose of rendering financial services, and it will only be used for that purpose.

#### **Condition 5: Information quality**

- Brenthurst is responsible for ensuring that client information is complete, up to date and accurate before it is used. This means that it may be necessary to request clients, from time to time, to update their information and confirm that it is still relevant.
- If Brenthurst is unable to reach a client for this purpose their information will be deleted from our records FIVE years after the termination of the business relationship as per the requirements of the FAIS Act.

#### **Condition 6: Openness**

- In the instance where personal information is collected from a source other than directly from the client (E.g.: credit checks, AML checks, Astute checks, other portals). Clients will be made aware that their information is being collected by us and of the specific reason why we are collecting their information.

#### **Condition 7: Security safeguards**

- Brenthurst will ensure technical and organisational measures are put in place to secure the integrity of personal information, and safeguard it against the risk of loss, damage or destruction.
- Personal information must also be protected against any unauthorised or unlawful access or processing, therefore, Brenthurst is committed to ensuring that information is only used for legitimate purposes with our clients consent and only by authorised employees and third parties which have been disclosed.

## Condition 8: Participation of individuals

- Clients are entitled to know particulars of their personal information held by Brenthurst as well as the identity of any authorised employees that had access thereto.
- Clients are also entitled to correct any information held by Brenthurst.

## OUR COMMITMENT TO COMPLY WITH RELEVANT DATA PROTECTION LAWS

Brenthurst endeavours to take all reasonable steps in ensuring compliance with all relevant data protection laws, which includes but is not limited to: -

- Reviewing and updating our Privacy Policy.
- Updating our data security on our equipment, infrastructure and systems.
- Ongoing training for all staff that have access to your personal data.
- Access to personal data is limited to only those who require it and those who working closely with your advisor.

## CHANGES TO THIS POLICY

Brenthurst may update its Privacy Policy from time to time.

Clients are advised to review this Privacy Policy periodically for any changes.



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