



PRIVACY NOTICE

1. Introduction

We respect the privacy of everyone who visits this estate and/or submits information to the Oubai Homeowners Association through means of manual forms or any other electronic format, including but not limited to e-mails. As a result, we would like to inform you regarding the way we would use your Personal Information. We recommend that you read this Privacy Notice and Consent notice so that you understand our approach towards the use of your Personal Information. By submitting your Personal Information to us, you will be treated as having given your permission – where necessary and appropriate – for disclosures referred to in this policy. By entering the estate or using the web site, you acknowledge that you have reviewed the terms of this Privacy Notice and Consent to Use of Personal Information (the “Privacy Notice and Consent”) and agree that we may collect, use and transfer your Personal Information in accordance therewith.

If you do not agree with these terms, you may choose not to enter the estate or use our site, and please do not provide any Personal Information. This Privacy Notice and Consent notice forms part of our Site Terms and Conditions of Use, and such shall be governed by and construed in accordance with the laws of South Africa. This Notice explains how we obtain, use and disclose your personal information, as is required by the Protection of Personal Information Act, 2013 (POPI Act). At Oubai Homeowners Association, we are committed to protecting your privacy and ensuring that your Personal Information is collected and used properly, lawfully and openly.

2. Who we are

Oubaai Homeowners Association is the entity that administers all aspects of the Oubaai Golf Estate community and serves the best interests of its members.

3. The information we collect

Collection of Personal Information

We collect and process your Personal Information mainly to provide you with access to our estate and associated services, to help us improve our offerings to you and for certain other purposes explained below. The type of information we collect will depend on the purpose for which it is collected and used. We will only collect information that we need for that purpose.

We collect information directly from you where you provide us with your personal and other applicable details, when you submit enquiries or forms to us, or contact us. Where possible, we will inform you to what information you are required to provide to us and the reason the information is needed. Personal information may include, but is not limited to:

- Your name and surname
- The names and surnames of your family members, including children
- Your stand number and/or physical address details
- Your identity number
- Your vehicle registration and licence information
- Your biometric information for secure access purposes
- Your email address
- Your telephone/cell number
- Your vehicle/s identification
- Your bank details
- Your biometric information for identification and access control

Collection of Non-Personal Information

We may automatically collect non-Personal Information about you such as the type of internet browsers you use or the website from which you linked to our website. We may

also aggregate details which you have submitted to the site. You cannot be identified from this information, and it is only used to assist us in providing an effective service on this website. We may, from time to time, supply third parties with this non-personal or aggregated data for uses in connection with this website. **We may, from time to time, supply third parties with this non-personal or aggregated data for uses in connection with this website.**

4. How we use your information

We will use your Personal and Non-Personal Information only for the purposes for which it was collected or agreed with you, for example:

- To confirm and verify your identity or to verify that you are a homeowner, resident, worker, contractor or visitor for security purposes.
- To grant or withhold access to the estate to ensure that security risks are reduced
- To carry out our obligations arising from any contracts entered into between you and us.
- To notify you about changes to our services.
- For the detection and prevention of fraud, crime, or other malpractice.
- To conduct member satisfaction research or for statistical analysis.
- For audit and record-keeping purposes.
- In connection with legal proceedings.
- We will also use your Personal Information to comply with legal and regulatory requirements or industry codes to which we subscribe or which apply to us, or when it is otherwise allowed by law.
- To contact you regarding services which may be of interest to you, provided you have given us consent to do so, or you have previously requested a service from us, and the communication is relevant or related to that prior request and made within any timeframes established by applicable laws.
- To respond to your queries or comments.
- Where we collect Personal Information for a specific purpose, we will not keep it for longer than is necessary to fulfil that purpose, unless we have to keep it for legitimate business or legal reasons. In order to protect information from accidental or malicious destruction, when we delete information from our services, we may not immediately delete residual copies from our servers or remove information from our backup systems.

5. Disclosure of Personal Information

We may disclose your Personal Information to our service providers who are involved in the delivery of products or services to you. We have agreements in place to ensure that they comply with these privacy terms.

We may share your Personal Information with, and obtain information about you from:

- Third parties for the purposes listed above;

We may also disclose your information:

- Where we have a duty or a right to disclose in terms of law or industry codes;
- Where we believe it is necessary to protect our rights.

6. Personal Information Security

We are legally obliged to provide adequate protection for the Personal Information we hold and to stop unauthorised access and use of personal information. We will, on an ongoing basis, continue to review our security controls and related processes to ensure that your Personal Information is secure.

Our security policies and procedures will cover:

- Physical security;
- Computer and network security;
- Access to personal information;
- Secure communications;
- Security in contracting out activities or functions;
- Retention and disposal of personal information; acceptable usage of personal information;
- Governance and regulatory issues;
- Investigating and reacting to security and estate management incidents.

When we contract with third parties, we impose appropriate security, privacy and confidentiality obligations on them to ensure that Personal Information that we remain responsible for is kept secure.

We will ensure that anyone to whom we pass your Personal Information agrees to treat your information with the same level of protection as we are obliged to.

7. Retention of Personal Information

We will retain your personal information for as long as it is required for the intended purpose or to comply with the retention requirements of a law. We retain visitors' personal information for 90 days to enable investigations into any incidents to be conducted, after which it will be destroyed. If the personal information of a visitor is contained in an incident which results in a legal proceeding, we are obliged to retain the information until the proceeding has been resolved.

8. Access to your Personal Information

You have the right to request a copy of the Personal Information we hold about you. To do this, please raise a request via Form 2 in our PAIA Manual available at <https://oubaaigolfestate.co.za/>. We will take all reasonable steps to confirm your identity before providing details of your personal information.

Please note that any such access request may be subject to a payment of a legally allowable fee, as laid down in our POPI Act Policy.

9. Correction of your Personal Information

You have the right to ask us to update, correct or delete your personal information. We will take all reasonable steps to confirm your identity before making changes to the Personal Information we may hold about you. We would appreciate it if you would take the necessary steps to keep your Personal Information accurate and up-to-date by notifying us of any changes we need to be aware of.

10. Definition of Personal Information

According to the POPI Act “**Personal Information**” means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person. The POPI Act, which has more specific examples if you need them, can be found at the following link:

<https://www.gov.za/documents/protection-personal-information-act>

11. Right to object

In terms of the POPI Act (POPIA) section 18. (h) (iv) you have the right to object to the processing of personal information as referred to in section 11(3) of the POPIA.

12. Right to lodge a complaint

In terms of the POPI Act (POPIA) section 18. (h) (v) you have the right to lodge a complaint to the Information Regulator (South Africa) (IRSA). The IRSA contact details are:

Information Regulator South Africa
Woodmead North Office Park
54 Maxwell Drive
Woodmead
Johannesburg, 2191

POPIA Complaints

POPIAComplaints@inforegulator.org.za

PAIA Complaints

PAIAComplaints@inforegulator.org.za

13. Changes to this notice

Please note that we may amend this notice from time to time.

14. How to contact us

If you have any queries about this notice or believe we have not adhered to it, or need further information about our privacy practices or wish to give or withdraw consent, exercise preferences or access or correct your personal information, please contact us at the numbers/addresses listed on our website <https://oubaaigolfestate.co.za/> in the Oubai Homeowners Association PAIA Manual.