



Privacy Policy

of

Audax Accounting Solutions



AUDAX.
ACCOUNTING
SOLUTIONS

In accordance with The
Protection of Personal Information
Act 4 of 2013



www.audax.co.za



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PRIVACY POLICY

1. ABOUT AUDAX ACCOUNTING SOLUTIONS

Audax Accounting Solutions (“Audax”) was registered as Audax Accounting Solutions (PTY) LTD in 2017, with registration number 2017/154716/07. The company provides accounting, tax, secretarial and advisory services to individuals and small-to-medium sized businesses. The registered office is in Cape Town, South Africa, but services are delivered to clients across South Africa. The director of the company is Dewald Coetzer.

2. PURPOSE OF THIS POLICY

The Protection of Personal Information Act 4 of 2013 (“POPI”) gives effect to the constitutional right to privacy, regulates the manner in which personal information may be processed and provides rights and remedies to protect personal information.

As an employer as well as service provider and advertiser, the collection and processing of personal information is directly aligned to the execution of Audax Accounting Solutions’s business purpose.

This Policy provides for what must and must not be done at Audax Accounting Solutions as regards personal information to which Audax Accounting Solutions becomes privy. The Policy in addition provides procedural guidelines, where appropriate, outlining how the Policy is to be implemented.

This POPI Policy must be adhered to by all key individuals including directors employees and service providers.

3. PRINCIPLES

The primary purpose of the POPI Act is to regulate the collection and processing of personal information in a manner that will safeguard such information against unauthorised access and usage.

The purpose of this POPI Policy is to establish the requirements and conditions for the collection, distribution and retention of personal information, in line with the prescripts of the POPI Act and the Promotion of Access to Information Act 2 of 2000 (“PAIA”).

This Policy articulates the parameters in the collection, processing, storage, distribution and destruction of personal information by Audax Accounting Solutions, as aligned to the POPI Act. In addition, this Policy sets out how Audax Accounting Solutions deals with data subjects’ personal information as well as the purposes for which personal information will be used. This Policy is made available on Audax Accounting Solutions’s website www.audax.co.za and by request from our Information Officer, whose details are provided below.

4. DEFINITIONS

“consent” – any voluntary, specific and informed expression of will in terms of which permission is given for the processing of personal information.

“data subject” – a person to whom the personal information relates. This will include directors, employees and client’s as well as prospective clients of Audax Accounting Solutions, and persons and/or organisations who supply goods or services to Audax Accounting Solutions, as well as any persons or organisations which communicate and/or conclude any agreement and business with Audax Accounting Solutions.

“person” – a natural or juristic person.

“personal information” – any information in any form (including electronic and paper-based files) relating to an identifiable, living, natural person and, where applicable, an identifiable, existing juristic person. This can include, but is not limited to information relating to the race, sex, pregnancy, marital status, national, ethic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of a person. It also includes information relating to the education, medical, identifying and biometric information of an individual.

“processing” – any activity, automated or manual, concerning personal information. Such activity may include, but is not limited to, collection, receipt, recording, organisation, storage, collation, retrieval, alteration, updating, distribution, dissemination by means of transmission, erasure or destruction of personal information.

“special personal information” – this is very sensitive personal information that requires stringent protection. Special personal information includes, but is not limited to, religious beliefs, political affiliations, race and ethnic origin, health, sex life and biometric information;

“secondary personal information” – this is personal information relating to third parties

provided to us by our client’s or prospective client’s for the purposes of the provision of advertising and marketing services, including but not limited to, competitions, direct marketing, newsletters, lead generation and digital marketing.

5. COLLECTION OF PERSONAL INFORMATION

Audax Accounting Solutions collects and receives personal information directly and indirectly from data subjects through various sources.

Information is collected by Audax Accounting Solutions as follows:

- directly from the data subject;
- from clients or prospective clients who may seek Audax Accounting Solutions’s assistance and/or services;
- from Audax Accounting Solutions’s suppliers, service providers or third-party institutions e.g. SARS or CIPC;
- from Audax Accounting Solutions’s own records relating to its previous provision of assistance or responses to the data subject’s request for services.

Audax Accounting Solutions will not collect personal information regarding a child except when the consent of the child’s parent or guardian is given;

Audax Accounting Solutions will not collect personal information regarding or individual's religious or philosophical beliefs, trade union membership, political opinions, health or sexual life unless permitted by law or with consent from the data subject.

6. PURPOSE SPECIFICATION

POPI requires that the data subject be informed of the purpose or reason for the collection of their data so that they may either give consent or refuse it. The purpose for which personal information is collected should be specified at the time the information is being collected. In addition, any further use of the collected personal information should be compatible with the initial purpose of collection.

Audax Accounting Solutions needs to collect personal information for the following purposes:

- assessing prospective clients’ business, financial or tax situation in order to provide advice regarding our suitability to assist them; and to recommend or provide suitable accounting services in line with their objectives; or to provide a quotation for such services before an engagement contract is entered into;
- providing the mandated accounting, tax or secretarial services as agreed to in a letter of engagement with the client; The terms of our Standard Terms and Conditions of Engagement will contain further detail;
- assessing, entering into agreements with, and processing payment of suppliers and service providers. The terms of our supply agreements will contain further detail;
- providing personalised communication;
- audit and record-keeping purposes;
- assessing, processing and entering into employee agreements. The terms of our employment contracts, employment policies, job adverts and applications will contain further detail;

- training and assessment purposes;
- for the statutory retention of records;
- in connection with legal proceedings including debt collection;
- in connection with and to comply with legal and regulatory requirements or when it is otherwise allowed by law; and/or
- for a purpose that is ancillary to the above and for any other purpose for which consent is provided by the data subject.

This purpose will be explained to the data subject when the information is collected and they may then decide whether to grant Audax Accounting Solutions consent to collect and process personal information or not.

In the event that Audax Accounting Solutions seeks to use the information for another purpose which is different to the purpose for which the information was collected initially, then Audax Accounting Solutions will contact the data subject to obtain their consent for further processing.

7. PROCESSING LIMITATION AND SHARING OF PERSONAL DATA

Audax Accounting Solutions will ensure that the personal information collected from data subjects will be processed if, given the purpose for which it is processed, it is adequate, relevant and not excessive.

Furthermore, information will be collected directly from the data subject by Audax Accounting Solutions or third parties authorised by Audax Accounting Solutions only after consent from the data subject concerned.

Audax Accounting Solutions will not process a data subject's personal information without consent unless:

- it is necessary to carry out actions for the conclusion or performance of a contract to which the data subject is party;
- the processing complies with an obligation imposed on Audax Accounting Solutions by law;
- the processing protects a legitimate interest of the data subject;
- the processing is in the public interest;
- the processing is necessary for pursuing Audax Accounting Solutions's legitimate interests or the legitimate interests of a third party to whom the information is supplied.

8. CONSENT

Unless one of the additional conditions listed in paragraph 7 above applies, Audax Accounting Solutions will not collect or process personal information without the consent of the data subject. Consent is normally sought explicitly by Audax Accounting Solutions, however, there are also some actions and behaviour that may amount to consent. This includes signing an agreement or application or ticking a tick box on a form whether physical or online.

No person is compelled to consent to Audax Accounting Solutions's collection or processing of their personal information, however a refusal to consent may result in a restriction of that person's participation in services offered by Audax Accounting Solutions. Data subjects will be advised of the consequences of not giving consent to Audax Accounting Solutions for the collection and processing of their personal information as required by law. Data subjects will be made aware that failure to give written consent will result in the data subject's record being invalid and not subject to any performance on the part of Audax Accounting Solutions.

The procedure undertaken is that data subjects will be informed of the purpose for which information is being collected and thereafter prompted to give consent to having the information collected and processed. Once consent has been granted to Audax Accounting Solutions the information will be collected and may only be used for the purpose for which the consent was obtained and purpose which are compatible with that initial purpose.

In the event that Audax Accounting Solutions seeks to process a data subject's information for a different purpose to that which consent has been granted, additional consent will be sought for the further processing.

The data subject may withdraw or revoke his/her consent at any time. This withdrawal of consent must be

communicated to the Information Officer in writing with reasonable notice. The withdrawal of consent is subject to the terms and conditions of any contract that is in place. Should the withdrawal of consent result in the interference of legal obligations, then the withdrawal will only be effective if Audax Accounting Solutions agrees to same in writing. Audax Accounting Solutions will inform the data subject of the consequences of the withdrawal where it will result in Audax Accounting Solutions being unable to provide the requested services. The revocation of consent is not retroactive and will not affect disclosures of personal information that have already been made. Disclosure and/or distribution of personal information

Audax Accounting Solutions will only use a data subject's personal information for business purposes and in a manner which is consistent with the purpose for which consent has been given.

In the case of personal information being collected indirectly or distributed to third parties, it will be used in line with the purpose for which the information was collected. No personal information will be disclosed or distributed to third parties unless the disclosure or distribution satisfies any of the conditions listed in paragraph 7 above, or prior consent or approval has been given by the data subject.

Audax Accounting Solutions may nevertheless transfer or disclose data subjects' personal information where it is required to do so in terms of applicable legislation; where it is required for the providing of services as bound to by the contractual engagement letter; or as may be necessary in order to protect Audax Accounting Solutions's rights.

In the event that Audax Accounting Solutions does share personal information with a third party, it shall take all reasonable steps to ensure that the third party treats the information in a manner which is consistent with this Policy.

9. RETENTION OF PERSONAL INFORMATION

Where Audax Accounting Solutions collects personal information for a specific purpose, it will not keep it for longer than is necessary to fulfil that purpose, unless:

- further retention is required by law;
- Audax Accounting Solutions reasonably requires it taking into account the nature of the information and the purpose consented to;
- retention is required by a contract between the parties; and/or
- the data subject consents to further retention.

Once the purposes for collection have been fulfilled, the personal information may be destroyed in accordance with POPI.

In order to protect information from accidental or malicious destruction, when Audax Accounting Solutions deletes information from its servers it may not immediately delete residual copies from its servers or remove information from its backup systems. Copies of correspondence that may contain personal information is stored in archives for record-keeping and back-up purposes only.

Where the law requires Audax Accounting Solutions to keep personal information post its use for a specified period of time, all personal information will be kept securely for the duration specified by law.

10. SAFEGUARDS, SECURITY AND INCIDENT MANAGEMENT

Audax Accounting Solutions strives to ensure the security, integrity and privacy of personal information submitted. While no data transmission over the Internet can be guaranteed to be totally secure, Audax Accounting Solutions will endeavour to take all reasonable steps to protect personal information submitted to it or via its online services.

The following methods of protection are in place to ensure that personal information disclosed to Audax Accounting Solutions is protected:

- Password protection is active on all computers and handheld devices that may contain personal information, thereby limiting access to authorised Audax Accounting Solutions personnel only;

- Secure login details are required for all online servers, software or applications, with 2-factor authentication where possible;
- Laptops remain securely stored on company property and are not allowed to leave the office premises (company policy);
- Anti-Virus software and Anti-Malware software is installed on all company computers and laptops;
- Physical security measures are in place such as the limitation of access to the building.
- All employees are aware of and bound by the policies on the implementation and maintenance of document management.

THIRD PARTIES

Audax Accounting Solutions makes use of cloud-based storage servers, as well as third-party services providers to facilitate the delivering of services, such as accounting, payroll, CRM, and proposal software or tools, including:

- GreatSoft CRM and GreatSoft CDM
- Xero Accounting Software
- Dext
- Simple Pay
- Practice Ignition
- Draftworx

Audax Accounting Solutions may further transfer personal information, as applicable, to the following third-party bodies institutions in the delivery of services as mandated in the contractual letter of engagement or where required to in terms of legislation:

- South African Revenue Services (SARS)
- Company and Intellectual Property Commission (CIPC)
- Unemployment Insurance Fund (UIF)
- The Department of Labour
- Other bodies or institutions, in accordance with the services to be delivered.

If you are a client, supplier or employee you hereby consent to the following information being used on or transferred to the above platforms or institutions, as applicable, for the purposes of delivering accounting, tax or secretarial services as mandated in our contractual engagement letter; client communication and billing; payments; and invoicing: names, addresses, identification and registration numbers, tax numbers, banking details including account numbers. You specifically consent to Audax Accounting Solutions sharing your bank account details with the software service providers for this purpose.

Audax Accounting Solutions remains the responsible party for any personal information used on the third-party applications or software;

Third parties who provide these services are obligated to respect the confidentiality of any personal information;

Audax Accounting Solutions's Information Officer, whose contact details are provided below, is responsible for the overseeing of compliance with POPI by any third party we choose to make use of;

Audax Accounting Solutions will review and update its security measures in accordance with future legislation and technological advances.

ACCOUNTABILITY

The management and Information Officer of Audax Accounting Solutions are responsible for administering and overseeing the implementation of this Policy and any applicable supporting guidelines and procedures.

Audax Accounting Solutions remains responsible for all personal information collected and stored. This includes all and any information collected directly from a data subject and from any other source or authorised third parties.

DATA SUBJECT'S ACCESS TO AND CORRECTION OF PERSONAL INFORMATION

Data subjects have the right to be informed whether Audax Accounting Solutions holds their personal information and to view any such personal information Audax Accounting Solutions may hold.

Furthermore, data subjects have the right to be informed as to how that information was collected and to whom their personal information has been disclosed.

Data subjects may at any time, request disclosed information by contacting Audax Accounting Solutions's Administrator.

Information requested will be provided to a data subject within a reasonable time.

Data subjects are entitled to, at any time, inform Audax Accounting Solutions of any changes to their personal information in the possession of Audax Accounting Solutions. Upon receipt of any changes to personal information, Audax Accounting Solutions will, within a reasonable period, update the personal information. Audax Accounting Solutions relies largely on data subjects to ensure that their personal information is correct.

Data subjects have the right to ask Audax Accounting Solutions to amend or delete their personal information on reasonable grounds.

Data subjects may be prompted periodically by a representative to update the personal information that Audax Accounting Solutions holds. Failure to reply to the prompts to update personal information will result in the assumption that all information that is on Audax Accounting Solutions's systems is accurate.

VIOLATIONS

Violations of this Policy and of POPI will be dealt with by the Information Regulator. A data subject who has a complaint against Audax Accounting Solutions, either concerning its conduct or this Policy, may refer a complaint to the Information Regulator in terms of sections 63(3) and 74 of POPI.

EFFECTIVE DATE

This Policy is effective as of 1 July 2021.

AMENDMENTS TO THIS POLICY

Audax Accounting Solutions will amend this policy periodically. Data subjects are advised to check Audax Accounting Solutions's website periodically to ascertain whether any changes have been made.

QUERIES AND OBJECTIONS:

The details of Audax Accounting Solutions's Information Officer are as follows:

Name: Dewald Coetzer

Telephone number: 084 487 7472

Email address: dewald@audax.co.za

Physical address and Postal address: 18 Compass Close, Blouberg Sands, Cape Town, 7441

Website: www.audax.co.za

All questions and queries relating to personal information must be directed the Information Officer using the contact information listed above. The Information Regulator has issued the following useful forms for applications for information and granting forms of consent which may be useful for you:

<http://www.justice.gov.za/inforeg/docs/InfoRegSA-RegulationsDraft- Aug2017.pdf>