

1. INTRODUCTION

- a.** Welcome to the website of Makomoto and Sebe Environmental Consulting (hereafter “M&SEC”, “we”, “us”, “our”).
- b.** We value your privacy and personal information. We have compiled this Privacy Policy to assist you to understand how we process and protect your personal information.
- c.** We understand and fully commit to the protection of your privacy and personal information as legislated by the Protection of Personal Information Act, 4 of 2013.
- d.** By providing us with your personal information, you consent to us processing your personal data in accordance with this Policy. In turn, we commit to take reasonable care in protecting the privacy of your personal information and abiding by this Policy.

2. PERSONAL INFORMATION THAT WE MAY COLLECT.

- a.** Personal information is information which identifies or could reasonably be associated with you. We may collect and process different types of personal information while operating our business and providing our services. These may include:
 - i.** your name, personal details, contact details, identification number and related documents, information relating to your tax registration, employment information, educational background, financial and banking information, and any further information that you may provide us with;
 - ii.** your basic contact information when you subscribe to our mailing list and to receiving updates, or applying for a position through the Website, and may include your name and job title, telephone number, postal, residential or email address, your preferences and interests;
 - iii.** website usage and other technical data such as details of your visits to the Website, information collected through cookies and other tracking technologies, your Internet Protocol address, operating system, and browser type, as well as other digital information such as location data, communication data and traffic data; and
- b.** any other data relating to you that you may provide.

3. HOW WE COLLECT AND USE YOUR PERSONAL INFORMATION

- a.** We will only collect, use, disclose or otherwise process your personal information in accordance with the Privacy Policy and we may do so in various ways, including—
 - i.** where you provide your personal information to us directly (for example, by email or other direct communication such as online forms found on the Website);
 - ii.** where we monitor the use of, or interactions with, our websites, any marketing we may send to you, or other email communications sent from or received by Fix Legal and Compliance Services;
 - iii.** third-party sources (for example, where we collect information about you to assist with security and “know-your-client” checks as part of our client acceptance procedures or where we receive information about you from recruitment agencies for recruitment purposes); or
 - iv.** publicly available sources, where we may use such sources to help us keep contact details, we already have for you accurate and up to date or for professional networking purposes.
- b.** The personal information you have provided will be used;
 - i.** to send you publications and newsletters which you have subscribed to receive;
 - ii.** to communicate with you regarding upcoming webinars and seminars;
 - iii.** to process employment applications submitted through our recruitment profile;
 - iv.** where it is necessary to enter into or perform our contract with you;
 - v.** where it is necessary to comply with our legal obligations;
 - vi.** where it is in order to achieve a legitimate interest (both ours and that of our directors, employees, consultants, or any other person) and our reasons for using your personal information outweigh any prejudice to your personal information rights;
 - vii.** where it is necessary for us to defend, prosecute or make a claim against you, us or a third party; and
 - viii.** where you have consented to our use of your personal information (which consent may be withdrawn through unsubscribing or similar action at any time).
- c.** We endeavour to collect and use only that personal information which is necessary for the intended purpose of the collection, and we will not retain your personal

information for longer than is necessary to achieve the purpose for which we collected it, unless there is a lawful basis or legal requirement for us to retain your personal information for a longer period.

4. SHARING OF PERSONAL INFORMATION

- a.** We generally do not disclose your information to third parties unless it is necessary, and we require our third-party service providers to take reasonable, appropriate, technical and organisational measures to keep your personal information safe. Those third parties include;
 - i.** our professional advisors (legal, financial, business, risk management or others);
 - ii.** our bankers and auditors;
 - iii.** our insurers; and
 - iv.** to government, regulatory or law enforcement agencies in connection with enquiries, proceedings, or investigations by such parties anywhere in the world or where compelled by law to do so.
- b.** There remains a possibility that your personal information that we collect may have to be transferred to, and stored at, a destination outside of the Republic of South Africa. Insofar as this may occur, we will take reasonable organisational and/or contractual measures to ensure that your personal information is processed by such third-services providers for the purposes of which it has been provided to us and that the required levels of protection have been implemented by such third-party service providers to safeguard your personal information.
- c.** Please continue reading under clause 5 for more information on cross-border transfers of personal information which relate to the General Data Protection Regulation 2016/679 ("GDPR").
- d.** You agree that once your personal information has been de-identified (where we delete any information that identifies you) such de-identified information may be shared in the following circumstances –
 - i.** to our agents, advisers, service providers and suppliers (which may include search engine optimisation agencies, creative, brand, digital and media agencies, and Microsoft, Google and other research agents);
 - ii.** to monitor web traffic, web servers serving the Website will automatically collect information about you in relation to the Website pages you visit; and

- iii. for statistical purposes, we may perform statistical analyses to measure interest in the various areas of the Website.

5. CROSS-BORDER TRANSFER

- a. Your personal information may be stored and processed in countries, other than the Republic of South Africa, where we have facilities or in which we engage service providers.
- b. By using the Website, you understand that your information may be transferred to countries outside of your country of residence and which may have protection of personal information rules that are different from those of your country.
- c. In certain circumstances, courts, law enforcement agencies, regulatory industries or security authorities in those other countries may be entitled to access your personal information.
- d. Some non-European Economic Area (“EEA”) countries are recognised by the European Commission in terms of the GDPR as providing an adequate level of data protection according to GDPR standards (the full list of these countries is available [here](#).) The Republic of South Africa is not recognised by the European Commission as having the requisite GDPR standards at this time.
- e. If you are based in the EEA or in non-EEA recognised country, your personal information may be transferred to, accessible from, and/or stored at, a destination outside the EEA (or non-EEA recognised country) in which data laws may not be as comprehensive as is in the case of countries recognised by the European Commission.
- f. Regardless of the location of our processing of your personal information, we continue to use and implement a range of commercially reasonable physical, technical and procedural measures to ensure that your personal information is protected appropriately and in terms of applicable laws.

6. HOW WE PROTECT YOUR PERSONAL INFORMATION

- a. We take all reasonable and appropriate measures to ensure that your Personal information is safeguarded and secure by using reasonable standards of technology and operational security in place to attempt to prevent the misuse of any of your Personal information.

- b.** Any of our authorised employees who are responsible for the maintenance of any special Personal information as defined by the Protection of Personal information Act (No. 4 of 2013) (hereinafter “POPIA”) submitted by you are requested to maintain the confidentiality of such information unless you have expressed to us otherwise.
- c.** You may have the right to request from us to –
 - i.** provide you with further details on how your information is used;
 - ii.** provide you with a copy of information that we hold about you;
 - iii.** update any inaccuracies in the personal information we hold;
 - iv.** delete any personal information that we no longer have a lawful ground to use;
 - v.** where processing is based on consent, to withdraw your consent so that we stop that particular processing;
 - vi.** object to any processing based on the legitimate interests ground unless our reasons for undertaking that processing outweigh any prejudice to your protection of personal information rights; and
 - vii.** restrict how we use your information whilst a complaint is being investigated.

7. CONTACT INFORMATION

- a.** If you have questions regarding this Policy or our privacy practices, please contact our Information Officer at Privacy@makomotoandsebe.co.za
- b.** You may also contact us if:
 - i.** you would like to review, correct, update or delete the information we hold about you,
 - ii.** you would like to object to or withdraw your consent to our use of your information or,
 - iii.** if you would like to unsubscribe from our marketing communications.