



PRIVACY POLICY:

PROTECTION OF PERSONAL INFORMATION IN TERMS OF THE PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013

1. INTRODUCTION

This Policy is aimed at ensuring that SOUTH AFRICAN INSTITUTE OF PHYSICS (SAIP) gives effect to the constitutional right to privacy of its members, employees, volunteers and other third parties, by safeguarding their personal information when processed by SAIP. In doing so, SAIP shall, pursuant to the Protection of Information Act (POPIA), endeavour to:

- a. Balance the right to privacy against other rights, particularly the right of access to information, and
- b. Protect important interests, including the free flow of information within South Africa and across international borders.

SAIP will record and process personal information in accordance with the provisions of POPIA and other applicable legislation. The Policy captures the key principles and practices to be adhered to by SAIP. This Policy applies to the processing of all personal information by SAIP. Personal information is defined in POPIA as information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including but not limited to information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person; information relating to the education or the medical, financial, criminal or employment history of the person; and any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person.

2. POLICY STATEMENT

The South African Institute of Physics is a voluntary association established under common law and registered under the Nonprofit Organisations Act, No. 71 Of 1997 with registration number 130-172 NPO and partially exempted from tax under section 10(1)(d)(iv)(bb) of the Income Tax Act, No. 58 of 1962. SAIP processes personal information and is accordingly obligated to comply with provisions of the Protection of Personal Information Act No. 4 of 2013 (POPIA). POPIA requires that SAIP processes personal information. SAIP will ordinarily only process personal information related to its objectives and activities whilst pursuant to legislation, contractual undertakings and where data subjects have provided their consent for such processing.



SAIP will, as required under POPIA, ensure awareness on the part of the data subjects which includes its members, clients, and stakeholders as to how their personal Information is used, disclosed, and destroyed.

SAIP is, amongst other, aimed at being the voice of Physics in South Africa. This Policy sets out how SAIP deals with its members' and stakeholders' personal information and stipulates the purpose for which said Information is used.

1.1 Collection of Personal Information

Section 9 of POPIA states that "*Personal Information may only be processed if, given the purpose for which it is processed, it is adequate, relevant and not excessive.*" Processing is defined in POPI as any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including:

- a. the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
- b. dissemination by means of transmission, distribution or making available in any other form; or
- c. merging, linking, as well as restriction, degradation, erasure or destruction of information.

SAIP collects and processes various forms of personal information. The type of Information depends on the purpose for which it is processed. Where required under POPIA, SAIP will inform the members and stakeholders of the necessary personal information required and the information deemed optional. Examples of personal information we collect include, but is not limited to:

- a) Council Members, which personal information would include their identity numbers, names, surnames, and contact information that may include: residential and business addresses, postal codes, email and cellphone number
- b) Employees and volunteers, which personal information would include their identity numbers, names, surnames, and contact information that may include: residential addresses, postal codes, email and cellphone number – together with details of their next-of-kin;
- c) Consultants, service-providers which personal information would include their identity numbers, names, surnames, and contact information that may include: residential addresses, postal codes, email and cellphone number;
- d) Donors which personal information would include their identity numbers, names, surnames, and contact information that may include: residential addresses, postal codes, email and cellphone number, financial Information, e.g. banking details, etc;
- e) Members whose personal information would include their identity numbers, names, surnames, financial and contact information that may include: residential addresses,



postal codes, email and cellphone number, medical information;

- f) Description of the members, clients and stakeholder financial information, e.g. banking details, etc.; and
- g) Any other information required by SAIP to facilitate the delivery of services requested by clients.

SAIP collects and processes the members, clients, and stakeholders' personal information (where applicable) for members' benefit and marketing purposes to ensure that our products and services remain relevant to our members, clients, stakeholders, and potential clients.

SAIP has and, where applicable, aims to have agreements in place with all suppliers, insurers and third-party service providers to ensure a mutual understanding concerning the protection of the client's personal information and, in terms of this policy statement same regulations as applicable to SAIP.

1.2 Respecting the Rights of Persons

SAIP is required in terms of POPIA to respect the rights of persons whose personal information are collected and processed by it. Their rights include to:

- a) Be notified of the collection of their personal information,
- b) Be notified their personal information has been accessed in an unauthorised way,
- c) Establish if SAIP holds personal information about them,
- d) Request access to their personal information,
- e) Request the correction, destruction or deletion of their personal information,
- f) Object, within the framework of the law, to the processing of their personal information, and
- g) Object against the processing of their personal information for purposes of direct marketing (including solicitation of funding) through unsolicited electronic communication.

1.3 The Usage of Personal Information

The personal information of members, clients and stakeholders will be used for the purpose for which it was collected and as agreed or as permitted under POPIA for lawful purposes.

This may include:

- a) The provision of products or services to members and stakeholders and to carry out SAIP's objectives, services or products requested;



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- b) Confirming, verifying and updating members and stakeholders' details;
 - c) For the detection and prevention of fraud, crime, money laundering or other malpractices;
 - d) For audit and record-keeping purposes;
 - e) In pursuit and/or support of legal proceedings;
 - f) To conduct market or client satisfaction research;
 - g) Providing communication in respect of SAIP and regulatory matters that may affect members and stakeholders; and
 - h) In connection with and to comply with legal and regulatory requirements or otherwise prescribed by law.

1.4 Information processing criteria

According to section 10 of POPIA, personal Information may only be processed if certain conditions, amongst other listed below, are met along with supporting Information for SAIP to process Personal Information:

- a) The data subject consents to the processing: - consent is obtained from members and stakeholders during the introductory, appointment and services required and needs analysis at the initial stage of the relationship;
- b) To fulfil contractual undertakings to which the data subject forms part;
- c) Necessity of processing: to capture accurate information of the members and stakeholders needs for services, products and information etc.;
- d) Processing for compliance with an obligation imposed by law on SAIP;
- e) Processing protects the legitimate interest of the members and stakeholders;
- f) Processing is necessary for pursuing the legitimate interests of SAIP —to provide SAIP members and stakeholders with products and or services that may require certain personal Information from the members, clients and stakeholders.

1.5 Disclosure of Personal Information

SAIP has policies in place to ensure that compliance with confidentiality and privacy conditions.

1.6 Safeguarding Members, Clients and Stakeholders Information

POPIA requires SAIP to protect personal Information adequately. SAIP will continuously review its security controls and processes to ensure that personal Information is secure.



The following procedures are in place to protect personal Information:

- a) SAIP's Information Officer is **Mr Brian Masara**, whose details are available below, and is responsible for the compliance with the conditions of the lawful processing of Personal Information and other provisions of POPIA.
- b) All employees and volunteers are required to agree to SAIP's confidentially undertakings containing relevant consent clauses for the use and storage of employee information, or any other action so needed, in terms of POPIA;
- c) SAIP's third-party service providers, where these may exist, must sign a SERVICE LEVEL AGREEMENT OR OTHER FORM OF WRITTEN UNDERTAKING guaranteeing their commitment to the Protection of Personal Information and will be regularly reviewed.
- d) All electronic files or data are securely BACKED UP by SAIP's Cloud services provider which incorporates a secure system that protects third party access and cyber and malware threats.

1.7 Access and Correction of Personal Information

Members and stakeholders have the right to access their Personal Information held by SAIP. In addition, they have the right to request SAIP to update, correct or delete their personal Information on reasonable grounds. Once members and stakeholders object to the processing of their Personal Information, SAIP may no longer process said personal Information or delete the Information, unless still permitted pursuant to applicable legislation.

1.8 The details of SAIP's Information Officer and Office contact details:

Information Officer Details

Name:	Ms Brian Masara
Telephone Number:	+27 (0)12 8412627
Email Address:	info@saip.org.za
WEBSITE:	www.saip.org.za

3. RESPECTING AND RETAINING PERSONAL INFORMATION

3.1 Directors, employees and volunteers must, when dealing with personal information:



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- 3.1.1 Ensure that organisational policies and measures are understood, embraced and complied with,
 - 3.1.2 Ensure that ongoing training is conducted to promote compliance with POPIA,
 - 3.1.3 Clarify roles and responsibilities in relation POPIA-compliance,
 - 3.1.4 Ensure that contracts with employees, volunteers and third parties capture relevant POPIA responsibilities, and
 - 3.1.5 Regularly monitor and review the effectiveness of policies and systems.
- 3.2 SAIP will not keep personal information for longer than necessary for achieving the purpose for which it was collected or processed, unless:
- 3.2.1 The law requires such retention period,
 - 3.2.2 SAIP requires such record for lawful purposes, including historical, research and/or statistical purposes,
 - 3.2.3 Retention is based upon a contract between the parties,
 - 3.2.4 The data subject has consented to such retention, or
 - 3.2.5 A competent person on behalf a minor has consented to such retention.

4. USE OF PERSONAL INFORMATION

SAIP will not collect personal information for one purpose and then process it for another. The further processing of personal information is, pursuant to POPIA, permissible in certain instances, including, where:

- 4.1 The data subject has provided consent or is pursuant to the law;
- 4.2 The personal information is available on a public record; or
- 4.3 The data subject has deliberately made public such personal information.

5. PROTECTION OF PERSONAL INFORMATION

SAIP implements suitable measures to safeguard personal information in its possession. SAIP must secure the integrity and confidentiality of personal information in its possession or under its control by taking appropriate, reasonably technical and organisational measures to prevent:

- 5.1 Loss of, damage to or unauthorised destruction of personal information, and
- 5.2 Unlawful access to or processing of personal information.
- 5.3 SAIP's Risk Management systems will be applied to ensure the protection of personal information.