

Privacy Policy for Newton Agency (Pty) Ltd

PRIVACY NOTICE AND INFORMED CONSENT NOTICE

CONSENT TO PROCESS PERSONAL INFORMATION IN TERMS OF THE PROTECTION OF INFORMATION ACT, 4 OF 2013 (POPIA)

The Protection of Personal Information Act, 4 of 2013 (POPIA) gives effect to the constitutional right to data privacy in terms of Section 14 of the Bill of Rights of the Constitution.

The responsible use of the Newton Agency's website and related resources in respect of data privacy is important to Newton Agency.

Whilst Newton Agency is committed to protecting all person's rights to privacy and who in consequence will ensure that all person's Personal Information is used appropriately, transparently and according to applicable law, Newton Agency has to ensure that these rights to privacy are balanced with other rights such as the right to use and have access to Newton Agency Information and Services including its online and social media platforms and applications.

This Policy sets out the responsibilities and obligations of all persons who make use of, or access or receive Newton Agency Information and Communications via its electronic communication facilities and resources including its website, email and social media platforms and how all users of these facilities and resources are to ensure that when using these resources that they respect and process another's Personal Information lawfully and in accordance with the provisions of POPIA and the 8 Personal Information Processing Principles.

PLEASE READ THE DOCUMENT BEFORE YOU MAKE USE OF NEWTON AGENCY ELECTRONIC FACILITIES OR PROVIDE NEWTON AGENCY WITH ANY PERSONAL INFORMATION. BY PROVIDING NEWTON AGENCY WITH YOUR PERSONAL INFORMATION, YOU CONSENT TO NEWTON AGENCY PROCESSING YOUR PERSONAL INFORMATION, WHICH NEWTON AGENCY UNDERTAKES TO PROCESS STRICTLY IN ACCORDANCE WITH THIS PRIVACY POLICY.

1. INTRODUCTION

1.1. Newton Agency in order to carry out its aims and objectives, of providing athlete representation, public relations services for athletes, performance psychology, will on an ongoing basis receive, provide and process Personal Information.

1.2. In terms of a law known as the Protection of Personal Information Act, 4 of 2013 (POPIA) everyone has the right to privacy, including the right to the lawful collection, retention, dissemination and use of one's Personal Information.

1.3. In order to give effect to this right, Newton Agency is under a duty to provide any person whose Personal Information is processed by it, (known as a "Data Subject") with a number of details pertaining to the use of and subsequent processing of the Data Subject's Personal Information, before such Personal Information may be used or processed by Newton Agency.

1.4. In accordance with this requirement, Newton Agency sets out below

- the reasons why it will have to process a Data Subject's Personal Information,
- the conditions under which it will receive and use a Data Subject's Personal Information,
- how Newton Agency will use and handle this Personal Information, as well as
- the conditions under which it will provide its own Personal Information.

2. APPLICATION

2.1. The Privacy Policy of Newton Agency, is applicable to

2.1.1. all Newton Agency electronic platforms and facilities, including social media, websites and / or email, whether owned by, established by, used by, hosted by and / or accessed by Newton Agency, and

2.1.2. all and any Data Subject(s), who may access and make use of the aforementioned Newton Agency electronic platforms and facilities, including, without detracting from the generality thereof, Newton Agency employees and staff, consumers and customers, vendors, contractors, service providers and / or other third parties.

2.1.3. all the Personal Information which is owned by Newton Agency and which is provided to any responsible parties and / or operators as a result of such person accessing or making use of the Newton Agency's social media and electronic platforms.

2.1.4. this policy extends to all Personal Information received in any way or form by Newton Agency

3. ACCOUNTABILITY

- 3.1. Newton Agency takes the privacy and protection of a Data Subject's Personal Information very seriously and will only process a Data Subject's Personal Information in accordance with POPIA and the terms of this Privacy Policy.
- 3.2. In turn where Newton Agency provides any of its Personal Information to a Responsible Party or Operator, then such person will be required as a condition of receiving such information, to process such Personal Information in accordance with POPIA and the terms of this Privacy Policy.
- 3.3. Accordingly, the relevant data privacy principles relating to the processing of Personal Information, whether that belonging to Newton Agency or that belonging to a data subject (including, but not limited to, the collection, handling, transfer, sharing, correction, storage, archiving and deletion) will apply without exception, save where POPIA provides for such an exception, to all and any Personal Information provided by Newton Agency to another or received by Newton Agency as a result of the use of the Newton Agency electronic platforms and or facilities.

4. AGREEMENT TO BE BOUND AND CONSENT TO PROCESS

- 4.1. By accessing or using the Newton Agency electronic platforms and or facilities including all website and URL's, any sites housed under its domain names and / or social media platforms, and / or when sending or receiving emails using the Newton Agency email, the Data Subject:
 - 4.1.1. acknowledges that it has read and understood this Privacy Policy and related provisions;
 - 4.1.2. agrees to be bound by this Privacy Policy;
 - 4.1.3. agrees to comply with this Privacy Policy; and
 - 4.1.4. gives Newton Agency consent to process and further process the required Personal Information for the required purpose, in accordance with this Privacy Policy.

5. RECEIPT, USE AND SHARING OF PERSONAL INFORMATION BY NEWTON AGENCY

- 5.1. Newton Agency will receive Personal Information pertaining to a Data Subject when the Data Subject submits a query or request via the Newton Agency electronic platforms or facilities, including via its website, or by way of email, telephone or via social media.
- 5.2. On receipt of the request or query, Newton Agency will thereafter use and process the Data Subject's Personal Information for the purpose of the query and for a variety of related purposes, which will all depend on the query or

request, and which without detracting from the generality thereof may include: for the purposes of identifying and / or verifying the Data Subject's details;

- for the purposes of providing information, products and / or services or details in connection therewith or pertaining thereto, that the Data Subject, may have requested;
- for trade application and / or purchasing purposes;
- to enroll the Data Subject as a vendor;
- for employment application purposes;
- for the purpose of concluding an employment relationship with an applicant;
- for the purposes of managing any information pertaining to the Data Subject;
- for further processing or general administration purposes;
- for legal or contractual purposes;
- to help Newton Agency improve the quality of the Newton Agency products and services;
- to help Newton Agency detect and prevent fraud and money laundering;
- for the purposes of recovering unpaid monies and / or any other amount due to Newton Agency
- for the purpose of debt collection;
- for the purposes of research, analytical and statistical purposes;
- for the purpose of carrying out analysis and consumer / customer profiling;
- for the purposes of identify other products and services which might be of interest to the Data Subjects;
- for the purposes of informing a Data Subject about Newton Agency products and services.

5.3. In order to correctly handle any request or query, and in order to perform the purposes described above, Newton Agency may from time to time share a Data Subject's Personal Information with the following parties:

- Newton Agency employees, which will only be done on a need to know basis;
- Newton Agency suppliers, which will only be done on a need to know basis;
- Newton Agency carefully selected business partners who provide products and services which may be of benefit to a Data Subject which will only be done on a need to know basis; and
- Newton Agency operators such as service providers and agents who perform services on behalf of the Newton Agency which will only be done on a need to know basis and in terms of a Newton Agency operator agreement.

5.4. Newton Agency does not share a Data Subject's Personal Information with any third parties who have not been described above, unless:

- Newton Agency is legally obliged to provide such information to another for legal or regulatory purposes;
- Newton Agency is required to do so for purposes of existing or future legal proceedings;
- the onward transmission or sharing of Personal Information is necessary for the pursuance or protection of Newton Agency legitimate interests or that of the Data Subject or a third party;
- Newton Agency are involved in the prevention of fraud, loss, bribery or corruption and are using another agent or service provider under a mandate to provide such service, and the agent or service provider needs to process the Data Subject's Personal Information for the purpose of investigating and or preventing any act of fraud, loss, bribery or corruption,
- and under all of the abovementioned circumstances, Newton Agency will take reasonable measures to ensure that such Personal Information is only provided to the recipient, if such recipient undertakes to keep the Personal Information confidential and secure.

5.5. Where Newton Agency has to transfer the Data Subject's Personal Information across the South African borders, it will before it does so, ensure that the recipient thereof agrees to be bound by POPIA under and in terms of a set of binding corporate rules or binding agreements that provide an adequate level of protection and uphold the principles for the reasonable and lawful processing of such Personal Information.

6. RECEIPT, USE AND SHARING OF NEWTON AGENCY PERSONAL INFORMATION

6.1. Newton Agency on receipt and in response to a query or request received from a Data Subject, referred to under section 5 above, may transmit via its website, or by way of email, telephone or via social media, its own Personal Information, which Personal Information on receipt by the requesting or receiving party, may only be used for the purpose relating to the initiating of the request or query and for no other purpose. Furthermore, the recipient undertakes that it will not use this Personal Information for any other purpose or share this information with any other party, save where it has been given express permission to do so by Newton Agency.

7. INFORMATION QUALITY/OPENNESS/DATA SUBJECT PARTICIPATION

7.1. Whilst Newton Agency will make all effort to ensure the integrity and accuracy of a Data Subject's Personal Information, this may not at all times be possible. Following this, the Data Subject accepts the responsibility for

keeping his / her or its Personal Information up to date and undertakes to inform Newton Agency of any changes to his / her and its Personal Information.

7.2.A Data Subject has a right of access to any Personal Information which Newton Agency may have and where applicable may ask Newton Agency to correct any inaccuracies in or to any such Personal Information. Any access request must be done by way of a formal Newton Agency process, which is accessible on www.newtonagency.co.za

8. SECURITY OF PERSONAL DATA

8.1. Newton Agency makes all reasonable effort to keep its social media and electronic platforms including its website secure at all times, however the Newton Agency advises that it cannot guarantee the security of any information provided to the Newton Agency or by the Newton Agency through the Newton Agency website, e-mail, internet or social media sites. Following this the Newton Agency cannot be held responsible for any loss or unauthorised use or interception of information transmitted via these social media and electronic platforms or sites, including its Internet, which is beyond the Newton Agency reasonable control.

8.2. The Newton Agency website may contain links to other websites outside of Newton Agency control. Newton Agency is not responsible for the content, privacy or security of these other third party-controlled websites.

8.3. Newton Agency has placed cookies on its website which makes contact with your / a Data Subject's device to help make the Newton Agency social media and electronic platforms website better.

8.4. Newton Agency makes use of social plugins of social networks such as Facebook, YouTube, LinkedIn, Google+ and Twitter. Please note that Newton Agency has no influence on or control over the extent of the data retrieved by the social networks' interfaces and Newton Agency can accordingly not be held responsible or liable for any processing or use of Personal Information transmitted via these social plugins. For information on purpose and extent of the data retrieval by the social network concerned, and about the rights and settings which are available for you to access for the protection of your private information, please refer to the data protection information provided by the social network in question.

8.5. Note that all Newton Agency social media and electronic platforms including its website and telephone facilities and your use of them will be monitored on a regular basis including the recordal and interception of content placed on or stored on said facilities which is done for security, integrity and quality

assessment purposes and by using such electronic platforms and facilities you expressly acknowledge notice of such monitoring and interception and give consent thereto in accordance with the Regulation of Interception of Communications and Provision of Communication-Related Information Act 70 of 2002 ("RICA"),

8.6. Subject to the provisions above, Newton Agency has implemented the appropriate technical and organisational security measures which are required in order to protect all Personal Information and related data which it holds from and / or against unauthorised access, accidental or wilful manipulation, loss or destruction.

9. THIRD PARTY INFORMATION AND THAT BELONGING TO MINORS

9.1. If a Data Subject provides Newton Agency with Personal Information on behalf of another, Newton Agency will not be able to process the query or request unless such query or request is accompanied with the required permission and consent from the owner of that Personal Information.

9.2. If a Data Subject is under the age of 18, such person's Personal Information will only be processed if the minor's parent or legal guardian gives the required consent or permission to the processing of the provided Personal Information.

10. CONTACT DETAILS

You can contact Newton Agency in relation to this Privacy Policy by writing to us at kirsten@newtonagency.co.za or by calling us on 031 312 7960

11. REVISION OF POLICIES

11.1. Newton Agency reserve the right to and may from time to time update this Privacy Notice. Any such revision will be published as an amended version on the Newton Agency website.

11.2. Following this, any change to this Policy will be posted as an updated version and readers are advised to visit and re-read this policy on a regular basis.