

Standard Website Privacy & Cookies Policy

The Protection of Personal Information Act, 2013 (“POPI”) came into complete commencement on 1 July 2021, in this regard we have a number of obligations and duties in terms of POPI that we must comply with. The protection of your personal information is a high priority for us, and we have taken steps to ensure that your personal information is protected and remains private.

In addition to this document serving as our privacy policy, this document will also serve as our data subject notification as contemplated in section 18 of POPI. In this regard, this document will inform you of what personal information we collect, why we collect it, how we use it and what safety measures are in place to protect it.

Where we refer to “process”, it means how we collect, use, store, make available, destroy, update, disclose, or otherwise deal with your personal information. As a general rule we will only process your personal information if this is required to deliver or offer a service, provide a product or carry out a transaction.

We may combine your personal information and use the combined personal information for any of the purposes stated in this Privacy Policy.

In this document any reference to “we” or “us” or “our” is reference to **Halo Properties**.

If you use our services, goods and/or products, you agree that we may process your personal information as explained under this Privacy Policy.

We may change this Privacy Policy from time to time if the law or our business practices requires it.

The version of the Privacy Policy displayed on our website at the time of your interaction with us will be applicable.

What is personal information?

Personal information refers to any information that identifies you or specifically relates to you. Personal information includes, but is not limited to, the following information about you:

Age	Financial history	Personal views
Belief	Gender	Physical address
Birth	Identity number	Physical health
Biometric	Language	Pregnancy
Colour	Location information	Race
Conscience	Marital Status	Religion
Correspondence	Mental Health	Sex
Criminal history	Medical History	Sexual orientation
Culture	Name	Social origin
Disability	National Origin	Symbol
Education	Online identifier	Telephone number
E-mail address	Other particular assignment	Well being

Employment history
Ethnic origin

Personal opinions
Personal preferences

Is the supply of personal information voluntary or mandatory?

The provision of certain personal information is mandatory in terms of applicable South African legislation. Where we are legally required to collect and verify your personal information, failure to provide the required information may prevent us from establishing or maintaining a business relationship with you, complying with our legal obligations, or providing our services.

Depending on the nature of the services we provide to you, we may collect and process personal information to comply with, amongst others, the following legislation:

- Protection of Personal Information Act, No. 4 of 2013 ("POPIA");
- Financial Intelligence Centre Act, No. 38 of 2001 ("FICA");
- Property Practitioners Act, No. 22 of 2019, together with its Regulations and Code of Conduct;
- Financial Advisory and Intermediary Services Act, No. 37 of 2002 ("FAIS"), where applicable;
- Income Tax Act, No. 58 of 1962;
- Value-Added Tax Act, No. 89 of 1991, where applicable;
- Companies Act, No. 71 of 2008;
- Consumer Protection Act, No. 68 of 2008, where applicable;
- Electronic Communications and Transactions Act, No. 25 of 2002;
- Prevention of Organised Crime Act, No. 121 of 1998; and
- Any other legislation, regulations or directives applicable to the property, financial, rental or real estate industry.

Where we collect personal information because we are legally required to do so, and you do not provide the requested information, we may be unable to comply with our statutory obligations. As a result, we may not be able to provide you with our services, conclude or administer an agreement with you, or continue our business relationship.

In other circumstances, the provision of personal information is voluntary. However, certain information is necessary for us to respond to enquiries, market properties, arrange property viewings, facilitate sales or leasing transactions, perform property management services, verify your identity, conduct due diligence, communicate with you, and otherwise provide our products and services. If you choose not to provide the information requested in these circumstances, we may be unable to provide the relevant products or services or fulfil your request.

When will we process your personal information?

Halo Properties will only collect, use, disclose or otherwise process your personal information where there is a lawful basis for doing so and where such processing is necessary for our business operations and the provision of our services.

We may process your personal information where:

- you have given your voluntary, specific and informed consent;
- processing is necessary to take steps at your request before entering into a contract or to conclude or perform a contract with you;
- processing is required to comply with a legal or regulatory obligation, including obligations under the Protection of Personal Information Act, 2013 (POPIA), the Financial Intelligence Centre Act, 2001 (FICA), the Property Practitioners Act, 2019, or any other applicable legislation;
- processing is necessary to protect your legitimate interests or those of another natural person;
- processing is necessary for the proper performance of a public law duty by a public body; or
- processing is necessary for pursuing the legitimate interests of Halo Properties or a third party, provided that such interests are not overridden by your rights and freedoms.

Where we rely on your consent to process your personal information, you may withdraw your consent at any time. Withdrawal of consent will not affect the lawfulness of any processing carried out before the consent was withdrawn. Please note that withdrawing consent may affect our ability to provide certain products or services where the processing is dependent on your consent.

What is special personal information?

Special personal information is personal information about the following:

Biometric information	Philosophical beliefs	Sex life
Criminal behaviour	Political persuasion	Trade union membership
Ethnic origin	Race	
Health	Religious beliefs	

When will we process your special personal information?

We may process your special personal information in the following circumstances:

- if you have consented to the processing.
- if the information is being used for any Human resource or payroll requirement.
- if the processing is needed to create, use, or protect a right or obligation in law.
- if the processing is for statistical or research purposes and all legal conditions are met.
- if the special personal information was made public by you.
- if the processing is required by law.
- if racial information is processed, and the processing is required to identify you; and / or if health information is processed, and the processing is to determine your insurance risk, or to comply with an insurance policy or to enforce an insurance right or obligation.

When and from where we obtain personal information about you?

We may collect personal information about you from a variety of sources, depending on the nature of your relationship with Halo Properties and the services we provide.

Information We Collect Directly from You:

We may collect personal information directly from you when you:

- enquire about our services;
- register on our website or complete online forms;
- buy, sell, lease or rent a property through us;
- apply to lease a property or submit a rental application;
- engage us to manage a property;
- communicate with us by email, telephone, messaging applications, social media or in person;
- subscribe to newsletters or marketing communications; or
- otherwise provide information to us in the course of our business relationship.

Information We Collect from Other Sources:

Where permitted by law, we may also collect personal information from:

- publicly available records, including the Companies and Intellectual Property Commission (CIPC), the Deeds Office and other public registers;
- information that you have deliberately made publicly available, including on professional or social networking platforms;
- your use of our website, online platforms and other digital services, including through cookies and similar technologies;
- estate agents, property practitioners, developers, landlords, tenants, purchasers, sellers or other parties involved in a property transaction;
- credit bureaux, credit providers and identity verification service providers, where permitted by law and where relevant to a property transaction or rental application;
- banks, payment service providers and financial institutions involved in processing payments or property transactions;
- attorneys, conveyancers, bond originators, mortgage lenders, valuers, home inspectors and other professional advisers involved in a property transaction;
- regulatory authorities, government departments and law enforcement agencies where required or authorised by law;
- our service providers, contractors and business partners who assist us in delivering our services, including IT service providers, cloud hosting providers, communication providers and document management services; and
- any other third party where you have authorised the disclosure or where we are legally entitled or required to obtain your personal information.

Where required by POPIA or any other applicable law, we will obtain your consent before collecting your personal information from a third party, unless another lawful basis for processing applies.

Reasons we need to process your personal information.

Halo Properties processes your personal information only for legitimate business purposes and in accordance with applicable South African legislation.

We may process your personal information for the following purposes:

- to respond to your enquiries and provide information about our services;
- to facilitate the buying, selling, leasing, renting and management of properties;
- to market and advertise properties on behalf of sellers, landlords and developers;
- to arrange and manage property viewings, inspections and appointments;
- to verify your identity and conduct customer due diligence in compliance with applicable legislation, including the Financial Intelligence Centre Act (FICA);

- to assess rental applications and conduct affordability, credit, reference and background checks where permitted by law;
- to prepare, conclude, administer and enforce agreements relating to property transactions or property management services;
- to communicate with you regarding your enquiries, transactions, appointments and contractual obligations;
- to process payments, commissions, deposits, refunds and other financial transactions;
- to maintain accurate business records and administer our business operations;
- to comply with legal, regulatory, tax, accounting and reporting obligations;
- to detect, prevent and investigate fraud, unlawful activities, security incidents or other risks affecting our business or clients;
- to improve our website, products, services and customer experience through analysis, research and service evaluation;
- to maintain the security of our offices, systems, website and digital platforms;
- to resolve disputes, enforce our legal rights and protect the rights, property and safety of Halo Properties, our clients and third parties; and
- for any other purpose that is compatible with the original purpose for which your personal information was collected or as otherwise permitted or required by law.

How We Use Your Personal Information for Marketing:

We may use your personal information to inform you about:

- properties that may be of interest to you;
- our real estate services;
- property market updates and insights;
- newsletters;
- invitations to property viewings, launches or events; and
- other products or services offered by Halo Properties that we believe may be relevant to you.

Marketing communications may be sent by email, telephone, SMS, WhatsApp, post or other electronic communication channels, where permitted by law.

Where required by POPIA or any other applicable legislation, we will only send you direct electronic marketing communications with your prior consent.

You may opt out of receiving marketing communications at any time by using the unsubscribe facility included in our electronic communications, contacting us directly, or updating your communication preferences. Your decision to opt out of marketing communications will not affect our ability to communicate with you regarding existing enquiries, transactions or contractual obligations.

When how and with whom we share your personal information?

Halo Properties treats your personal information as confidential and will only disclose it where there is a lawful basis to do so.

We may share your personal information where:

- you have given your consent;

- it is necessary to conclude or perform a contract with you or to provide our services;
- we are required or permitted to do so by law;
- it is necessary to protect your legitimate interests or those of another person;
- it is necessary for the pursuit of the legitimate interests of Halo Properties or a third party, provided that your rights are not unfairly prejudiced; or
- the disclosure is otherwise authorised under applicable legislation.

Depending on the services we provide, we may share your personal information with:

- sellers, purchasers, landlords, tenants and other parties involved in a property transaction;
- estate agents and property practitioners acting on behalf of clients;
- attorneys, conveyancers, bond originators, mortgage lenders, banks and financial institutions;
- credit bureaux, identity verification providers and fraud prevention agencies, where permitted by law;
- property valuers, inspectors, contractors and other professional advisers involved in a property transaction;
- payment service providers and financial institutions for processing payments;
- our IT service providers, cloud hosting providers, communication providers and other service providers who support our business operations;
- regulatory authorities, government departments, law enforcement agencies, courts and tribunals where disclosure is required by law; and
- any other person or organisation where you have authorised us to disclose your personal information or where disclosure is permitted or required by law.

We require our service providers and business partners to maintain appropriate security measures and to process your personal information only for authorised purposes.

Cross-Border Transfers of Personal Information

In certain circumstances, your personal information may be transferred to, stored in, or accessed from countries outside South Africa. This may occur where we use cloud-based technology providers, international service providers, or where a property transaction requires communication with parties located outside South Africa.

Where personal information is transferred outside South Africa, Halo Properties will ensure that such transfer takes place only where:

- the recipient is subject to laws, binding corporate rules or contractual obligations that provide an adequate level of protection for your personal information;
- the transfer is necessary for the performance of a contract with you or for the implementation of pre-contractual measures taken at your request;
- the transfer is necessary for the conclusion or performance of a contract concluded in your interest;
- you have consented to the transfer; or
- the transfer is otherwise permitted under POPIA.

We will implement appropriate safeguards to ensure that your personal information continues to receive a level of protection that is substantially similar to that required under South African law.

How We Secure Your Personal Information

Halo Properties implements appropriate, reasonable technical and organisational measures to protect your personal information against loss, misuse, unauthorised access, disclosure, alteration and destruction.

These measures include, where appropriate:

- restricting access to personal information to authorised personnel only;
- maintaining secure physical and electronic records;
- protecting our systems through appropriate cybersecurity measures;
- monitoring access to systems and information;
- using reputable service providers who are contractually required to protect personal information;
- securely disposing of or permanently deleting personal information when it is no longer required; and
- regularly reviewing and improving our information security practices.

While we take reasonable steps to safeguard your personal information, no method of electronic transmission or storage can be guaranteed to be completely secure.

How Long We Keep Your Personal Information

We retain personal information only for as long as is reasonably necessary to fulfil the purposes for which it was collected, including to provide our services, comply with legal and regulatory obligations, resolve disputes and enforce our agreements.

We may retain your personal information:

- for the period required by applicable legislation;
- for the duration of any contractual relationship with you and for any period thereafter required by law;
- where retention is necessary to establish, exercise or defend legal rights;
- where you have consented to a longer retention period;
- where required for legitimate business purposes, including record keeping, auditing and dispute resolution; or
- where retention is otherwise permitted or required by law.

Once your personal information is no longer required, we will securely destroy, anonymise or permanently delete it in accordance with our records retention policies and applicable legislation.

Certain records relating to property transactions may be retained for longer periods where required by legislation governing property practitioners, financial reporting, taxation or anti-money laundering obligations.

Our cookie policy

A cookie is a small piece of data sent from our websites or applications to your computer or device hard drive or Internet browser where it is saved. The cookie contains information to personalise your experience on our websites or applications and may improve your experience on the websites or applications. The cookie will also identify your device, like the computer or smart phone.

By using our websites or applications you agree that cookies may be forwarded from the relevant website or application to your computer or device. The cookie will enable us to know that you have visited the website or application before and will identify you. We may also use the cookie to prevent fraud and for analytics.

Your duties and rights about the personal information we have about you:

You must provide proof of identity when enforcing the rights below.

You must inform us when your personal information changes.

Please contact our Information Officer to give effect to any of the below rights.

You have the right to request access to the personal information we have about you by contacting us. This includes requesting:

- confirmation that we hold your personal information.
- a copy or description of the record containing your personal information; and
- the identity or categories of third parties who have had access to your personal information.

We will attend to requests for access to personal information within a reasonable time. You may be required to pay a reasonable fee to receive copies or descriptions of records, or information about third parties. We will inform you of the fee before attending to your request.

Please note that the law may limit your right to access information.

You have the right to request us to correct or delete the personal information we have about you if it is inaccurate, irrelevant, excessive, out of date, incomplete, misleading, obtained unlawfully or we are no longer authorised to keep it. You must inform us of your request in writing. It may take up to 15 business days for the change to reflect on our systems. We may request documents from you to verify the change in personal information.

A specific agreement that you have entered into with us may determine how you must change your personal information provided at the time when you entered into the specific agreement. Please adhere to these requirements. If the law requires us to keep the personal information, it will not be deleted upon your request. The deletion of certain personal information may lead to the termination of your business relationship with us.

You may object on reasonable grounds to the processing of your personal information.

We will not be able to give effect to your objection if the processing of your personal information was and is permitted by law; you have provided consent to the processing and our processing done according to your consent or the processing is necessary to conclude or perform under a contract with you.

Where you have provided your consent for the processing of your personal information, you may withdraw your consent. If you withdraw your consent, we will explain the consequences to you. We may proceed to process your personal information even if you have withdrawn your consent if the law permits or requires it. It may take up to 15 business days for the change to reflect on our systems, during this time we may still process your personal information. You must inform us of any objection in writing.

You have a right to file a complaint with us or any Regulator with jurisdiction about an alleged contravention of the protection of your personal information by us. We will address your complaint as far as possible.

The contact details for the Information Regulator is as follows:

Email:	POPIAcomplaints@inforegulator.org.za
Postal Address:	P.O. Box 31533, Braamfontein, Johannesburg, 2017
Physical Address:	JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001.

How can you get in touch with us?

For any queries in relation to this letter or our processing of your persona information in general, you can contact our Information Officer and/or Deputy Information Officer at the following details:

Name: Michael James Mcelhone
Contact Number: 064 756 4960
Email Address: michael@haloproperties.co.za
Physical Address: Shop G03, Riverlands, 51 Gogosoa Street, Observatory, 7925