

# GENERAL DATA PROTECTION REGULATIONS (GDPR) POLICY

At Vocall Networkx (Pty) Ltd (“Vocall”) we take the protection of your data and your privacy seriously. Vocall adheres to high data protection standards as well as transparency of Personal Data collection and processing for our clients. This notice contains general information on what Personal Data Vocall entities referred to below collect, what we do with that information, and what rights you have under the General Data Protection Regulations (GDPR), Act 4 of 2013 (POPI) and any other relevant data protection legislation that may be applicable (collectively, ‘Data Protection Legislation’). If you have any questions or comments, please contact us.

## Physical address:

6 Ludwig Muhl Street, Somerset West, 7130

## Contact details:

+27 72 561 3645

michele@vocallnet.co.za

## 1. What is Personal Data?

‘Personal Data’ relates to any information about a natural person that makes you identifiable, which may include but not limited to: -

- names and contact information i.e. email and telephone numbers;
- individual identification numbers, business registration numbers;
- address details;
- residency and tax status.

## 2. What is a Data Controller?

For general data protection regulation purposes, the ‘Data Controller’ means the person or organisation who decides how and for which purposes any Personal Data is processed. Vocall is a Data Controller.

## 3. What is a Data Processor?

A ‘Data Processor’ is a person or organisation that processes Personal Data for the Data Controller.

## 4. What is Data Processing?

‘Data processing’ is any operation or set of operations performed on Personal Data or sets of Personal Data, be it by automated systems or not. Examples of data processing explicitly listed are: collection, recording, organising, structuring, storing, adapting, altering, retrieving, consulting, using, disclosing by transmission, disseminating or making available, aligning or combining, restricting, and erasure or destruction.

## 5. What types of Personal Data do we collect?

Vocall will collect and process Personal Data about you, including: -

- personal details such as your name, identification number, date, Know Your Client documents (including a copy of your national identity card or passport where necessary), phone numbers, and physical and electronic addresses;
- financial information, including payment and transaction records and information relating to your bank details;
- tax domicile and other tax-related documents and information;
- details of our interactions with you and the products and services you use;

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- any records of phone calls and emails between you and Vocall;
- where applicable and depending on the type of Vocall service, records of your communications between you and your customers;
- identifiers we assign to you, such as your client or account number.

In some cases, we collect this information from public registers (which, depending on the product or service you receive, may include beneficial ownership and other registers), public administration or other third-party sources, such as credit reference agencies, fraud prevention agencies and other Vocall companies.

In some instances, the Personal Data we collect from you is needed to meet our legal or regulatory obligations or enter into an agreement with you. If we cannot collect this Personal Data, we may be unable to on-board you as a client or provide products or services to you (in which case we will inform you accordingly).

When you access our website, data transmitted by your browser is automatically recorded by our server. This includes the date and time of the access, names of accessed files, transmitted data volumes, the performance of the access, your web browser, your browser language and requesting domain, and your IP address. When you visit a Vocall website, it will contain additional information about how we use your data while you are visiting that website. It is important that you familiarise yourself with **Vocall Privacy Policy** available on our website.

## 6. Purposes of processing and legal basis for processing

The Personal Data collected from you or provided by you or on your behalf in connection with your business relationship with Vocall, may be processed by the Manager or the Administrator (or any of their affiliates, agents, employees, delegates or sub-contractors) for the following purposes: -

### *Performance of the contract*

- (a) to facilitate onboarding, you as a client with Vocall and the ongoing management and administration of our services to you, as is necessary for the performance of your contract with Vocall;
- (b) to update and maintain records and fee calculations;
- (c) circulating periodic reports relating to Vocall.

### *Compliance with a legal obligation*

- (a) to carry out ongoing anti-money laundering checks and related actions that Vocall considers appropriate to meet legal obligations imposed on Vocall to prevent fraud, money laundering, terrorist financing, bribery, corruption and tax evasion as well as the provision of financial and other services to persons who may be subject to economic or trade sanctions.

### *Pursuing the legitimate interests of Vocall*

- (a) to carry out statistical analysis and market research;
- (b) recording, maintaining, storing and using transactional records for: -
  - (i) processing and billing purposes;
  - (c) to monitor and record transactions for quality, business analysis and related purposes to improve service delivery;
  - (d) to disclose information to other third parties such as service providers of the Vocall, auditors, regulatory authorities and technology providers.

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Please note that where Personal Data is processed for purposes of legitimate interests, you have a right to object to this. In such cases, Vocall will not process your Personal Data unless it can demonstrate compelling legitimate grounds that override your interests, rights and freedoms or must establish, exercise or defend legal claims.

## *Consent*

Your consent is not required to process your Personal Data for the purposes referenced above. However, to process your Personal Data for the purposes of direct marketing, Vocall will seek your consent. Please see the section below that deals exclusively with consent for this purpose.

## **7. Who has access to Personal Data and with whom are they shared?**

### *Vocall*

Vocall usually share Personal Data with other Vocall companies to ensure a consistently high service standard and to provide services and products to you.

### *Third Parties*

When providing products and services to you, Vocall will share Personal Data with persons acting on our behalf or who are otherwise involved in the product and services, depending on the type of product or service offered.

### *Service Providers*

In some instances, we also share Personal Data with our suppliers, including Vocall companies and other business partners who provide services to Vocall. These may include the Administrator, IT and hosting providers, marketing providers, communication services and printing providers, tracing and fraud prevention agencies and others. Vocall take steps to ensure they meet our data security standards, so that your Personal Data remains secure.

### *Public or Regulatory Authorities*

We disclose Personal Data to public authorities, regulators or governmental bodies when they require us to do so or when required by law or regulation.

### *International Transfers of Personal Data*

The recipients referred to above may be located outside of South Africa. Vocall requires such recipients to comply with appropriate measures designed to protect Personal Data, contained in a binding legal agreement.

## **8. Profiling and screening**

Vocall and its appointed Data Processors engage in politically exposed person screening to comply with anti-money laundering, counter terrorist financing legislation and UN, EU and other applicable sanctions regimes.

## **9. Disclosures to Data Processors and/or third parties**

Vocall may disclose your personal information as follows: -

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- (a) to its service providers and other third-party service providers engaged by Vocall to process data for the above-mentioned purposes (all Data Processors will handle your information in accordance with the GDPR and any other relevant Data Protection Legislation);
- (b) to competent authorities (including tax authorities), courts and bodies as requested or required by law, or to affiliates for internal investigations and reporting.

## 10. Transfers Abroad

The disclosure of Personal Information to the third parties set out above may involve the transfer of data to jurisdictions outside of South Africa in accordance with the requirements of Data Protection Legislation. Such countries may not have the same data protection laws as South Africa.

## 11. Retention Period

Vocall will retain your personal information: -

- for as long as it provides you with products and services;
- as long as required in terms of its legal or regulatory obligations.

## 12. Your Data Protection rights

You have the following rights under Data Protection Legislation in relation to your personal information. In each case, the exercise of these rights is subject to the provisions of the legislation: -

- (a) You have the right to access, amend and rectify your Personal Data;
- (b) You have the right to have any incomplete Personal Data completed;
- (c) You have a right to lodge a complaint with the relevant authority if you consider that the processing of your Personal Data carried out by Vocall infringes Data Protection Legislation;
- (d) You have a right to request that your Personal Information is erased (in certain specific circumstances);
- (e) You have a right to restrict processing (in certain specific circumstances);
- (f) You have a right to data portability (in certain specific circumstances);
- (g) You have the right to object to processing where Personal Data is being processed for marketing purposes or for Vocall's legitimate interests.

## 13. Security Note

Vocall have the appropriate technical and organisational measures to prevent unauthorised or unlawful access to your Personal Data.

## 14. Changes to Personal Data

Vocall is committed to keeping your Personal Data accurate and up to date. Therefore, if your Personal Data changes, please inform us of the change as soon as possible.

## 15. Status of this Privacy Notice

It is a notice explaining what Vocall does, rather than a document that binds Vocall or any other party contractually. Vocall reserves the right to amend it from time to time. If the notice has been updated, Vocall will take steps to inform you of the update by appropriate means, such as through your account statement, and depending on how we normally communicate with you.

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## 16. Failure to provide Personal Data

Vocall requires you to provide your Personal Data (as outlined in the section above titled 'Purposes of processing and legal basis for processing') before Vocall can activate our services to you for us to comply with legal, regulatory and tax requirements. If you fail to provide such Personal Data, Vocall will not be able to accept you as a client. If the required Personal Data is not provided within the specified timeframe, Vocall may be required to discontinue our business relationship with you.

## 17. Client Declaration

We acknowledge and agree that: -

- a. Information provided to Vocall by us will be stored on Vocall's or its service providers's computer systems and manually;
- b. For the purposes of the General Data Protection Regulation (the 'GDPR') and any other Data Protection Legislation, Vocall is required to specify the purposes for which it will hold Personal Data. Vocall will only use such information for the purposes set out below (collectively, the 'Purposes'), being to: -
  - i. process our Personal Data (including sensitive Personal Data) as required by or in connection with Vocall's products and services utilised by us, including processing Personal Data in connection with credit and money laundering checks;
  - ii. communicate with me/us as necessary;
  - iii. provide Personal Data to such third parties as Vocall may consider necessary or as Data Protection Legislation may require, including to third parties outside South Africa;
  - iv. process my/our Personal Data for Vocall's internal administration.

In providing Vocall, we hereby represent and warrant that I/we have obtained the consent of any data subjects other than myself/ourselves from Vocall, and using their Personal Data for the Purposes (including the explicit consent of the data subjects for the processing of any sensitive Personal Data for the purpose set out in paragraph (i) above).

For the purposes of your business relationship with Vocall, 'data subject', 'Personal Data' and 'sensitive Personal Data' will have the meanings attributed to them in Data Protection Legislation.

## 18. Data Protection Notice

In accordance with the GDPR and applicable Data Protection Legislation, Vocall, being the Data Controller, must provide you with information on how the Personal Data that you provide, will be processed.

Where your details are provided to Vocall as a consequence of your business relationship with Vocall, Vocall, acting as a Data Controller, may itself (or through a third party appointed by Vocall) process your Personal Information or that of your directors, officers, employees and/or beneficial owners.

## 19. Consent to Direct Marketing

From time to time, Vocall may send you information about other products and services that they offer, by letter, telephone, email or other reasonable means of communication. You have a right not to receive such information. You have a right to withdraw this consent at any time. However, your withdrawal of consent will not affect the lawfulness of processing based on consent before its withdrawal. You can withdraw your consent by contacting Vocall. You also have a right to object to the processing of your Personal Data for direct marketing purposes.

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## 20. Exercising your Rights and Complaints

If you are not satisfied with any aspect of the processing of your Personal Data by Vocall, please contact us to discuss.

If you are not satisfied with Vocall's response, you have the right to make a complaint to the Data Protection Authority in South Africa.

Signed at \_\_\_\_\_ on \_\_\_\_\_ 202\_\_

For Vocall Networx (Pty) Ltd

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature (who warrants that he/she is duly authorised hereto)

Signed at \_\_\_\_\_ on \_\_\_\_\_ 202\_\_

For the Client

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Company Registration

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Company Address

\_\_\_\_\_  
Signature (who warrants that he/she is duly authorised hereto)

\_\_\_\_\_  
Contact Number

