

## THE PROTECTION OF PERSONAL INFORMATION ACT

### CLIENT PRIVACY POLICY DOCUMENT

This notice explains how we obtain, use and disclose your personal information, in accordance with the requirements of the Protection of Personal Information Act ("POPIA").

At KH Financial Services we are committed to protecting your privacy and to ensure that your personal information is collected and processed properly, lawfully and transparently.

#### About us and how to contact us

Responsible party: KH Financial Services  
Physical Address: 11 Holden Avenue  
Windermere  
Durban  
Contact details (Tel): (031) 324 1900

#### The information we collect

Due to the nature of the profession that we operate in, including other various professional services that we supply to our clients, we will only collect and process your personal information based on the services that our clients have requested. We have a processing limitation which provides a strict and unique stipulation: Personal information may only be collected directly from you the authorised party that uses the information, except for in specific conditions. We may also collect and process your information if it is public record **or** if it is deliberately made public **or** if we have authorised consent to do so **or** if doing so does not violate your legitimate interest. The information, among other information we process, may include:

- Personal contact information, such as contact details, email addresses, residential and postal addresses
- Identity and passport numbers
- Gender
- Membership details to professional and other non-professional bodies
- Information available on the public domain
- Personal tax information, including transactions required by law to be supplied to authorised third-parties such as the South African Revenue Services ("SARS"), Companies and Intellectual Property Commission ("CIPC"), the Department of Labour ("DoL"), the Department of Social Development ("DSD"), among other government and authorised private institutions
- Company Tax and Company information
- Accounting and Financial information



- Educational details such as qualifications received by primary-, secondary- and tertiary institutions
- Video and voice recordings
- Banking information and banking log-in information should such service be requested to perform
- Various personal transactions and information required to process on the client's behalf to submit to and report on to the relevant authorised third-party
- Other sensitive and non-sensitive information required by law to be disclosed to the relevant authorised third-parties and authorities
- Intermediary services relating to personal and company transactions requested by the authorised third-parties to process and report on

### **How we use your information**

We will use your personal information only for the purposes for which it was collected and agreed with you. In addition, where necessary, your information may be retained for legal or research purposes.

For Example:

- To gather contact information
- To confirm and verify your identity and/or to verify that you are an authorised user of the information for security purposes
- For the processing and gathering of information required to audit, compile and report on, to the authorised end-user of the information
- To make payments and other financial transactions on your behalf should you require us to do so
- For the submission of gathered and processed information to the relevant authorised third-parties as requested by you. This information may include information such as personal contact information, financial and transactional information and information required by law to be disclosed to the authorised third-parties and authorities
- To conduct analytical processes and implement policies, procedures and systems in-house to improve performance and to increase customer satisfaction based on these processes set in place to process such information.
- In connection with legal proceedings.

### **Consequences of your refusal to provide personal information**

In the event in which you refuse to provide or allow us to collect your personal information, where our purpose for such collection is based on a contractual requirement, legal obligation and/or our legitimate interest, it could hinder our ability to perform our duties and responsibilities in both your and our best interest, which could be to your detriment.



### **Persons who will have access to your information**

All employees that work at KH Financial Services will have access to your personal information. Your personal information will further be shared with authorised third-parties as per our agreement with you.

### **Receipt of your information from third-parties**

We may, in some instances, receive your personal information from third-parties and we will notify you when we have received such information as soon as reasonably practicable.

### **Laws authorising or requiring the collection of personal information**

Under certain circumstances we are authorised and required by law to collect your personal information. These laws include, but are not limited to the below and includes their applicable regulations and directives etc.:

- Auditing Professions Act, 26 of 2005
- Income Tax Act, 58 of 1962
- Basic Conditions of Employment Act, 75 of 1997
- Occupational Health and Safety Act, 85 of 1993
- Chartered Accountant Designation (Private) Act, 67 of 1993
- Companies Act, 71 of 2008
- Non-Profit Organisation Act, 71 of 1997
- Compensation of Occupational Injuries and Diseases Act, 130 of 1993
- Skills Development Act, 97 of 1998
- Disaster Management Act, 57 of 2002
- Tax Administration Act, 28 of 2011
- Employment Equity Act, 55 of 1999
- Value Added Tax Act, 89 of 1991

### **Disclosure of information**

We may disclose your information to the relevant authorised third-parties who are involved in the delivery of the services we provide to you. We have agreements and strict privacy requirements in place to ensure that they comply with the requirements as required by the POPIA

We may also disclose your information:

- Where we have a duty and right to disclose in terms of law or industry codes
- Where we believe that it is necessary to protect our rights



### **Information security**

We are legally obligated to provide adequate protection of the personal information that we gather and process, and to stop unauthorised access and use of personal information. We continue to, on an on-going basis, review our security controls and related processes to ensure that your personal information remains secure.

Our security policies and procedures cover:

- Physical security
- Computer and network security
- Internet security
- Retention and disposal of information
- Acceptable usage of personal information
- Monitoring access and usage of private information
- Investigating and reacting to security incidents
- Two-factor authentication level on as many equipped platforms with this type of security enabled.

When we contract with third-parties, we impose strict and appropriate security, privacy and confidentiality obligations on them to ensure that the authorised information that we remain responsible for, is kept secure.

We always ensure that anyone to whom we pass your information, agrees to treat your information with the same level of security and protection as we are obligated to.

### **Your rights:**

#### **- Access to information:**

You have the right to request a copy of all the information that belongs to you. To do this, simply contact us on the number we provided or visit our office. Simply specify what information you require.

Before we hand over the information, we are obligated to confirm your identity. To do this, you will need to have a copy of your ID document present so that we can confirm that you are the authorised party to access the information.

Please note that any such access may be subject to a payment of a legally allowable fee.





KH Financial Services  
11 Holden Avenue, Windermere  
Access from Montpelier Road  
P.O. Box 5107, Durban, 4000  
Tel | (031) 324 1900  
Website | [www.khfs.co.za](http://www.khfs.co.za)

- **Correction of your information:**

You have the right to ask us to update, correct or delete your personal information. Please note that retention of some outdated and/or incorrect information may be required by law or the authorised third-party for record purposes.

Should you have any queries about this notice, have any queries about our privacy practices, wish to withdraw consent of access to your information, exercise preferences or access or correct your personal information, please contact us on the number provided or visit us at our offices.

