

SNAIL  
K A M T U Z E  
ATTORNEYS AT LAW

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## **THE SNAIL ATTORNEYS @ LAW ACCESS TO INFORMATION MANUAL AND PRIVACY POLICY**

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This document is consistent of a manual and policy prepared in accordance with the provisions of the Promotion of Access to Information Act 2 of 2000 ('PAIA') and the Protection of Personal Information Act 4 of 2013 (POPIA). The Manual / Policy therefore applies to:

Snail Attorneys @ Law Inc  
Registration Number: 2013/066584/21  
("the firm")

Office Address:  
Suite 3B, Hatfield Office Park, 213 Richard & Stanza Bopape Streets, Hatfield, Pretoria, 0002

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# 1 INTRODUCTION

## 1.1 Nature of business and practice areas

Snail Attorneys @ Law Inc is a firm specializing in Internet law/CyberLaw / ICT Information technology law. The focus areas of service cover client's needs in e-commerce – e-signatures, cybercrime, data protection, e-consumer law, IT contracts, e-Gambling Law and E-Electronic Contracts. The firm also offers legal opinions to assist clients with expertise on domain name disputes, virtual currencies and blockchain concerns.

The firm, through its involvement with the academic community and its Lex-Informatica subsidiary takes on presenting lectures, workshops and seminars on Cyberlaw in South Africa, West, Southern and East Africa and beyond. The aim therein entails providing expertise to African government functionaries as well as private bodies on how to be poised to effectively engage with concerns, issues and challenges in cybersecurity and intellectual property. The firm also provides answers to questions on subsets of cybersecurity such as the use of social media and its consequences, surveillance, privacy and data interception and monitoring. The firm offers civil litigation services to private individuals, companies/corporations and the state in varying types of cases including restraints of trade, commercial law, administrative law, contract law, cyber/ICT law, copyright, patent and trademark law as well as in other aspects of intellectual property law and constitutional law.

The firm offers legal assistance in various *fora*: CCMA, Bargaining Counsels, Pension Funds Adjudicator, Arbitrations, DomainDisputes.co.za, WASPA, District and Regional Magistrates' Court, Divorce Court, Labour Court, Labour Appeal Court, Land Claims Court, the Supreme Court of Appeal, the Constitutional Court and other specialized courts/tribunals. Examples of some current and past Civil Litigation matters include, *inter alia*, disputes in banking and finance litigation, property disputes, delictual claims, landlord and tenant disputes, contracts disputes, copyright infringement, corporate debt collection and dispute resolution and as well as family law matters including divorce and maintenance disputes. For complex matters which are heard in Court or which require expertise in legal drafting and/or opinion the firm employs, where necessary, Counsel depending on the complexity of the dispute and affordability to clients.

## 1.2 Contact Details

<b>Name of firm:</b>	Snail Attorneys @ Law Inc
<b>Firm Director:</b>	Mr Sizwe Snail ka Mtuze
<b>Information Officer:</b>	Ms Nomsa Mokwena
<b>Physical Address:</b>	Suite 3B
	Hatfield Bridge Office Park
	213 Richard & Stanza Bopape Streets
	Hatfield, Pretoria
	0002
<b>Postal Address:</b>	Same as physical address
<b>Telephone Number:</b>	(+27) 012 757 8761
<b>Facsimile Number:</b>	(+27) 086 617 5717/21
<b>Email Address:</b>	<a href="mailto:info@snailattorneys.com">info@snailattorneys.com</a>
<b>Website Address:</b>	<a href="http://www.snailattorneys.com">www.snailattorneys.com</a>

## 2 HUMAN RIGHTS COMMISSION & INFORMATION REGULATOR GUIDE

In accordance with Section 10 of the PAIA, The South African Human Rights Commission (SAHRC) is required to put together a guide and made available to the public in all the official languages of the Republic of South Africa. It is important to note that the mandate of the SAHRC in relation to the PAIA changes due to the passing of the POPIA into law. The POPIA establishes the Information Regulator as the custodian of both the PAIA and the POPIA, its tenets and application. This should not be construed as a taking away of the SAHRC's Constitutional obligation to protect, promote and monitor the Constitutional right of access to information. The aforementioned guide is available at <https://www.sahrc.org.za/home/21/files/Section%2010%20guide%202014.pdf>. Further queries may be directed to the SAHRC and the Information Regulator, whose details are respectively set out below:

### **South African Human Rights Commission:**

Physical Address: Braampark Forum 3  
33 Hoofd Street  
Braamfontein

Telephone Number: 011 877 3600 (Switchboard)

Email Address: [paia@sahrc.org.za](mailto:paia@sahrc.org.za)

Website Address: [www.sahrc.org.za](http://www.sahrc.org.za)

### **South African Information Regulator:**

Physical Address: 33 Hoofd Street  
Forum III, 3rd Floor Braampark  
P.O Box 31533  
Braamfontein, Johannesburg, 2017

Chief Executive Officer: Mr Marks Thibela

Telephone Number: (+27) 010 023 5207

Email Address: [infoereg@justice.gov.za](mailto:infoereg@justice.gov.za)

Website Address: [www.justice.gov.za](http://www.justice.gov.za)

### 3 Categories of information held by the firm

In terms of Section 14 and Section 51(1) (d) of the PAIA, the records as set out below relating to the firm's affairs, those of its subsidiary (Lex-Informatica) and divisions. The records relating to staff / personnel as set out below bears reference to persons employed, who work for or provide services to or on behalf of the firm and receive or are entitled to receive any remuneration for such service. The records also entail other person(s) who assist in carrying out instructions or conducting the business or practice of the firm. This non-exhaustive list therefore includes, without limitation, directors, executive directors, nonexecutive directors, partners, permanent, temporary / employees employed on a part-time basis and contract employees.

<b>CATEGORIES OF RECORDS</b>	<b>STORAGE FORMAT</b>	<b>AVAILABILITY</b>
<b>3.1 FIRM SECRETARIAL RECORDS</b>		
Company Incorporation	Electronic and physical	Not automatically available
Names of Directors	Electronic and physical	Automatically available
Salaries of Directors	Electronic and physical	Not automatically available
<b>3.2 FINANCIAL RECORDS</b>		
Financial statements	Electronic and physical	Not automatically available
Documents relating to taxation	Electronic and physical	Not automatically available
Financial Agreements	Physical	Not automatically available
Banking Details	Electronic and physical	Not automatically available
<b>3.3 INSURANCE RECORDS</b>		
Insurance Policies	Physical	Not automatically available
Register of all immovable property	Physical	Not automatically available
<b>3.4 EMPLOYEE RECORDS</b>		
Employee database	Electronic and physical	Not automatically available
Personal information of employees	Electronic and physical	Not automatically available



Employment contracts	Physical	Not automatically available
Employee salaries	Electronic and physical	Not automatically available
Leave records	Physical	Not automatically available
<b>3.5 POLICIES AND DIRECTIVES</b>		
Internal policies (employees)	Electronic and physical	Not automatically available
External policies (clients and other)	Electronic and physical	Not automatically available
<b>3.6 CONTRACTUAL AGREEMENTS</b>		
Standard employment agreements	Physical	Not automatically available
Client contracts and mandate forms	Physical	Not automatically available
Third party contracts	Physical	Not automatically available
<b>3.7 REGULATORY RECORDS</b>		
Licenses & Certificates	Electronic and Physical	Not automatically available
<b>3.8 CLIENT INFORMATION</b>		
Clients' personal information	Physical	Not automatically available
Clients' chosen agents	Electronic and physical	Not automatically available
Client correspondence	Electronic and physical	Not automatically available
<b>3.9 PUBLISHED INFORMATION</b>		
External updates and Directives	Electronic and physical	Not automatically available
<b>3.10 IT SYSTEMS AND SOLUTIONS</b>		
Internal IP and ICT solutions	Electronic	Unavailable
<b>3.11 REFERENCE MATERIALS</b>		
Newsletters and journal articles	Electronic and physical	Automatically available
Magazines	Electronic and physical	Not automatically available

Newspaper articles	Electronic and physical	Automatically available
Books	Electronic and Physical	Automatically available

### 3.12 List of applicable legislation

The records of the firm, its subsidiaries and partners are kept in compliance with the requirements or provisions of various pieces of legislation, as such legislation may apply to the firm and affiliates from time to time. Such legislation includes the following:

- Administration of Estates Act 66 of 1965
- Alienation of Land Act 68 of 1961
- Arbitration Act 42 of 1965
- Attorneys Act 53 of 1979
- Basic Conditions of Employment Act 57 of 1997
- Broad-based Black Economic Empowerment Act 53 of 2003
- Collective Investment Schemes Control Act 45 of 2002
- Companies Act 71 of 2008
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Copyright Act 98 of 1978
- Currencies and Exchanges Act 9 of 1993
- Electronic Communications and Transactions Act 25 of 2002
- Employment Equity Act 55 of 1998
- Income Tax Act 58 of 1962
- Inspection of Financial Institutions Act 80 of 1998
- Labour Relations Act 66 of 1995
- Legal Practice Act 28 of 2014
- Occupational Health and Safety Act 85 of 1993
- Regulation of Interception of Communications and Provision of Communication-Related Information Act 70 of 2002
- Promotion of Access to Information Act 2 of 2000
- Protected Disclosures Act 26 of 2000
- Protection of Personal Information Act 4 of 2013
- Protection of Constitutional Democracy against Terrorist and Related Activities Act 33 of 2004
- Skills Development Act 97 of 1998
- Skills Development Levy Act 9 of 1999
- Securities Transfer Tax Act 25 of 2007

- Securities Transfer Tax Administration Act 26 of 2007
- Trade Marks Act 194 of 1993
- Trust Property Control Act 57 of 1988
- Unemployment Insurance Act 30 of 1966
- Unemployment Insurance Contributions Act 4 of 2002

## **4 ACCESS TO RECORDS HELD BY THE FIRM**

In the event that a request for any of the records listed in 3 above is approved, the firm will provide access thereto in a format deemed by the firm to be reasonable and in accordance with the provisions of the PAIA, taking into account the provision of the POPIA as it relates to data protection. In the event that access to said records is sought by the requester in a particular format, such format must be specified by the requester.

### **4.1 Request Procedure**

It is important for requestors to note that access to the records of the firm may be granted once the requirements for access have been met. In general, a request is any person making a request for access to a record or records of the firm. The PAIA, however, makes a distinction between two types of requesters, namely, a personal requester and other requester.

A personal requester is defined as one who seeks access to a record containing personal information about the requester him/herself. Subject to the provisions of the Act and applicable law, the firm will provide the requested information, alternatively grant access to any record with regard to the requester's personal information. The prescribed fee for reproduction of the information requested will be charged by the firm.

An 'other' requester on the other hand is defined as a requester who is entitled to request access to information pertaining to third parties. In this case, however, the firm is not under strict or any obligation to grant access prior to the requester having complied with the requirements as set out in the PAIA. The prescribed fee for reproduction of the information requested will be also be charged by the firm.

### **Request Procedure**

A requester must comply with all the procedural requirements contained in the Act relating to a request for access to a record. A requester must complete the prescribed form attached hereto as Annexure A and submit same, together with payment of a request fee and a deposit, if applicable to the information officer at the postal or physical address, fax number or electronic mail address stated herein. The minimum information required to be reflected on the requester's form entails the following:

- The record or records requested;
- The identity of the requester;
- What form of access is required; and
- The postal or electronic mail address or fax number of the requester.

It is required that a requester clearly indicate that he/she/it requires the information in order to exercise or protect a particular right, and clearly set out the nature of the right to be so exercised or protected. The requester is also required to provide an unequivocal explanation as to why the requested record is necessary for the exercise or protection of the said right. Upon compliance with the aforesaid, the firm will process a request within 30 (thirty) days, unless the requester has highlighted extraordinary circumstances or special reasons to satisfy the information officer that an exclusion to the specified period must apply.

The requester will subsequently be informed in writing whether access has been granted or denied. As previously stated, in the event that the requester requires the outcome of his/her/its request in a particular format he/she/it must specify such format. If a request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request to the satisfaction of the information officer. In the event that a requester is unable to complete the prescribed form due to illiteracy or disability, such requester may make the request orally to the information officer or in another format agreed upon, and within the ambit of the PAIA.

#### 4.2 Outcome of Request

The firm will, within 30 days of receipt of a request, make a decision whether to grant or decline a request and give notice with reasons (if required) to that effect. The 30 day period within which the Company has to decide whether to grant or refuse a request, may be extended for a further period of no more than 30 days if the request is for a large quantity of information, or the request requires a search for information held at another place other than the principal office address stated above and the information cannot reasonably be obtained within the original 30 day period. The information officer will notify the requester in writing in the event that such extension becomes necessary.

## **5 REMEDIES IN THE EVENT OF REFUSAL OF ACCESS**

### **5.1 Internal Remedies**

Save for direct request(s) to the Director of the firm, the firm does not offer any further internal 'appeal' procedure. This entrenches the stance that the outcome provided by the information officer pertaining to a request is final, and requesters are at will to exercise external remedies at their disposal if a request is refused, and if the requester finds the reasons provided for the refusal of the request unsatisfactory.

### **5.2 External Remedies**

As mentioned above, a requester who is dissatisfied with the information officer's refusal to disclose the information sought may, within 30 days of notification of the decision, apply to a court of law for relief. Likewise, a third party who is dissatisfied with the information officer's decision to disclose the information may also, within 30 days of notification of the decision, apply to the relevant court or forum for relief. It is important to note that the High Courts have inherent jurisdiction over all matters.

## 6 FEES ASSOCIATED WITH REQUESTS

The PAIA makes provision for two types of fees that may be charged by the firm, namely a request fee, (which will be a standard fee) and an access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs where applicable. When a request is received by the information officer of the firm, the information officer will by written notice call upon the requester, other than a personal requester, to pay the prescribed request fee (if any), prior to the processing of the request. In the event that it becomes necessary to conduct a search for the record as well as preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the information officer will notify the requester to pay as a deposit, being the prescribed portion of the access fee which would be payable if the request is granted.

The information officer shall withhold a record until the requester has paid the fee or fees as indicated. A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form. If a deposit has been paid in respect of a request for access, which is refused, then the information officer shall repay the deposit to the requester.

Section 52(3) states that fees payable for access to records are to be prescribed. The prescribed fees are as set out in the Fee Schedule, which is available on the SAHRC website, [www.sahrc.org.za](http://www.sahrc.org.za). A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee of R50 (Fifty Rands). The requester may lodge an application to the court against the tender or payment of the request fee [s 54(3)(b)]. As mentioned above, if the request is granted then a further access fee must be paid for the search, reproduction, and preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure [s 54(6)].

## 7 PROCESSING OF PERSONAL INFORMATION

Personal Information under the care of the firm relates to the provision of legal services to its clients, and as such rendering services in accordance with the instructions provided to the firm by clients, the administration of the firm's employees, the maintenance of accounting records of the firm as well as funds held for clients in trust, compliance with tax and other laws and compliance with directives of professional bodies under which the firm is subordinated such as the Legal Practice Council, the Companies and Intellectual Property Commission, the Attorneys' Fidelity Fund and various other public bodies.

### 7.1 Conditions for lawful processing of personal information in terms of the POPIA

Taking cognizance of the passing of the POPIA into law as well as the establishment of the Information Regulator, it is acknowledged that at the time of preparing this manual, not all the provisions of the said Act are in effect, however, the firm deems it necessary to set out the conditions for lawful processing of personal information as a pointer for requesters to understand the data protection principles to be observed by the firm in its operations, and subsequently in considering requests for access to information which may be of a personal nature. The conditions are set out below:

- 7.1.1 "Accountability", as referred to in section 8 of the POPIA – refers to the lawful processing of personal information as per the conditions for lawful processing;
- 7.1.2 "Processing limitation", as referred to in sections 9 to 12 of the POPIA – the data subject chooses with whom they want to share their personal information – therefore voluntary, specific and informed consent is required from the data subject;
- 7.1.3 "Purpose specification", as referred to in sections 13 and 14 of the POPIA – personal information will be used for a specific purpose only;
- 7.1.4 "Further processing limitation", as referred to in section 15 of the POPIA – there is a prohibition on further processing of personal information other than the purpose it was collected for;
- 7.1.5 "Information quality", as referred to in section 16 of the POPIA – personal information must be kept accurately and with integrity;
- 7.1.6 "Openness", as referred to in sections 17 and 18 of the POPIA – the data subject must be aware of the collection of personal information and by whom it is being collected;



7.1.7 “Security safeguards”, as referred to in sections 19 to 22 of the POPIA – there must be adequate measures and controls in place to safeguard data subjects’ personal information and the data subject as well as the Information Regulator must be notified in the event of a breach; and

7.1.8 “Data subject participation”, as referred to in sections 23 to 25 of the POPIA – the data subject chooses the extent and type of information it wishes to share.

## 7.2 Categories of Data Subjects and their Personal Information

The firm may, at any given point in time possess records relating to its clients, partners, suppliers, shareholders, contractors service providers and employees:

<b>Entity</b>	<b>Type Personal Information Processed</b>
Clients:	Natural Persons Names; contact details; physical and postal addresses; date of birth; ID number; Tax related information; nationality; gender; confidential correspondence
Clients: Juristic Persons	Names of contact persons; Name of Legal Entity; Physical and Postal address and contact details; Financial information; Registration Number; Founding documents; Tax related information; authorised signatories, beneficiaries, ultimate beneficial owners
Foreign Clients/Entities	Names; contact details; physical and postal addresses; date of birth; Passport number, Tax related information; nationality; gender; confidential correspondence
Intermediary / Advisor	Names of contact persons; Name of Legal Entity; Physical and Postal address and contact details; Financial information; Registration Number; Founding documents; Tax related information; signatories, beneficiaries, ultimate beneficial owners
Service Providers	Names of contact persons; Name of Legal Entity; Physical and Postal address and contact details; Financial information; Registration Number; Founding documents; Tax related information; 7behavior7d signatories, beneficiaries, ultimate beneficial owners
Employees / Directors	Natural Persons Names; Gender, Pregnancy; Marital Status; Colour, Age, Language, Education information; Financial Information; Employment History; ID number; Physical and Postal address; Contact details; Opinions, Criminal behavior; Well-being

### 7.3 Security Safeguards

The firm not only has its premises in a secured and monitored office park, but it also employs up to date technology measures to ensure the confidentiality, integrity and availability of the personal information under its care. Such measures, with the assistance of third party provided technology solutions, include the following:

- Firewalls
- Virus protection software and update protocols
- Logical and physical access control;
- Secure setup of hardware and software making up the IT infrastructure;
- Outsourced Service Providers who process Personal Information on behalf of the Company are contracted to implement security controls.

**FORM C: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY**

In terms of Section 53 (1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) [Regulation 10]

**A. Particulars of private body**

The Head (name of body):

**B. Particulars of person requesting access to the record**

- |     |   |
|-----|---|
| (a) | The particulars of the person who requests access to the record must be given below.                |
| (b) | The address and/or fax number in the Republic to which the information is to be sent must be given. |
| (c) | Proof of the capacity in which the request is made, if applicable, must be attached.                |

Full names and surname: \_\_\_\_\_

Identity number: \_\_\_\_\_

Postal address: \_\_\_\_\_

Fax number: \_\_\_\_\_

Telephone number: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Capacity in which request is made, when made on behalf of another person:

**C. Particulars of person on whose behalf request is made**

This section must be completed ONLY if a request for information is made on behalf of another person.

Full names and surname: \_\_\_\_\_

Identity number: \_\_\_\_\_

**D. Particulars of record**

- (a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.
- (b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Description of record or relevant part of the record: \_\_\_\_\_

2. Reference number, if available: \_\_\_\_\_

3. Any further particulars of record: \_\_\_\_\_

**E. Fees**

- (a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.
- (b) You will be notified of the amount required to be paid as the request fee.
- (c) The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.
- (d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

**F. Form of access to record**

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability:

Form in which record is required:

Mark the appropriate box with an X.

NOTES:

- (a) Compliance with your request in the specified form may depend on the form in which the record is available.
- (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
- (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

<b>1. If the record is in written or printed form:</b>			
	copy of record*		inspection of record
<b>2. If record consists of visual images</b>			
this includes photographs, slides, video recordings, computer-generated images, sketches, etc)			
	view the images		transcription of the images*
		copy of the images"	
<b>3. If record consists of recorded words or information which can be reproduced in sound:</b>			
	listen to the soundtrack		transcription of soundtrack*
	audio cassette		written or printed document
<b>4. If record is held on computer or in an electronic or machine-readable form:</b>			
	printed copy of record*		copy in computer readable form* (stiffy or compact disc)
		printed copy of information derived from the record"	

'If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?  Postage is payable.	YES	NO
--	-----	----

**G. Particulars of right to be exercised or protected**

If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Indicate which right is to be exercised or protected;
2. Explain why the record requested is required for the exercise or protection of the aforementioned right.

**H. Notice of decision regarding request for access**

You will be notified in writing whether your request has been approved/denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_

SIGNATURE OF REQUESTER / PERSON ON WHOSE

BEHALF REQUEST IS MADE

## SNAIL ATTORNEYS @ LAW PRIVACY POLICY

### INTRODUCTION

We wish to express our appreciation for you electing Snail Attorneys @ Law for your legal service needs. We remain mindful of the legal duties placed upon us, both as a responsible party in terms of the Protection of Personal Information Act 4 of 2013, and as an entity with its own personal information in terms thereof. For any queries regarding our policies and practices in relation to your personal information, please send same to our information officer at [info@snailattorneys.com](mailto:info@snailattorneys.com), alternatively our Director at [ssnail@snailattorneys.com](mailto:ssnail@snailattorneys.com).

We acknowledge that by visiting our website ([www.snailattorneys.com](http://www.snailattorneys.com)) and use our services, you have placed some level of trust upon us with your personal information. We take your privacy very seriously. In this privacy notice, we describe our privacy policy. We seek to explain to you in the clearest way possible what information we collect, how we use it and what rights you have in relation to it. We hope you take some time to read through it carefully, as it is important. If there are any terms in this privacy policy that you do not agree with, please discontinue use of our site and our services.

This privacy policy applies to all information collected through our website as aforementioned, our social media application any other related services, sales, marketing or events (we refer to them collectively in this privacy policy as the "Sites"). Please read this privacy policy carefully as it will help you make informed decisions about sharing your personal information with us.

## 1 Personal Information collected by Snail Attorneys @ Law

We collect personal information that you provide to us such as name, address and contact information, security data and payment information. We collect personal information that you voluntarily provide to us when you lodge a query on our website regarding our services whereby you express an interest in obtaining information about us or our products and services, when participating in activities on the Sites or otherwise contacting us.

The personal information that we collect depends on the context of your interactions with us and the Sites, the choices you make and the products and features you use. The personal information we collect can include the following:

**Name and Contact Data:** We collect your first and last name, email address, postal address, phone number, and other similar contact data.

**Credentials:** We collect passwords, password hints, and similar security information used for authentication and account access.

**Payment Data:** We collect data necessary to process your payment if you make payments for our services, such as your payment instrument number (such as a credit card number), and the security code associated with your payment instrument. All payment data is stored by our payment processor and you should review its privacy policies and contact the payment processor directly to respond to your questions.

**Social Media Login Data:** We provide you with the option to register using social media account details, like your Facebook, Twitter or other social media account. If you choose to register in this way, we will collect the Information described in the section called "Social Logins" on our website.

All personal information that you provide to us must be true, complete and accurate, and you must notify us of any changes to such personal information to enable us to remain compliant with the provisions of the POPIA and other data protection laws.



## 2 Personal Information that may be automatically collected

Some information – such as IP address and/or browser and device characteristics – is collected automatically when you visit our website or social media platforms to enable us to provide efficient responses to your queries.

We automatically collect certain information when you visit, use or navigate the Sites. This information does not reveal your specific identity (like your name or contact information) but may include device and usage information, such as your IP address, browser and device characteristics, operating system, language preferences, referring URLs, device name, country, location, information about how and when you use our Site and other technical information. This information is primarily needed to maintain the security and operation of our Sites, and for our internal analytics and reporting purposes. Like many businesses, we also collect information through cookies and similar technologies. [You can find out more about this in our Cookies Policy.

## 3 Information collected from third party sources

We may collect limited data from public databases, marketing partners, social media platforms, and other outside sources within the ambit of the POPIA. We may obtain information about you from other sources, such as public databases, joint marketing partners, social media platforms (such as Facebook), as well as from other third parties. Examples of the information we receive from other sources include: social media profile information (your name, gender, birthday, email, current city, state and country, user identification numbers for your contacts, profile picture URL and any other information that you choose to make public); marketing leads and search results and links, including paid listings (such as sponsored links).

#### 4 The use of your personal information

We process your information for purposes based on legitimate business interests, the fulfillment of our contract with you, compliance with our legal obligations, and/or your consent. We use personal information collected via our Sites for a variety of business purposes described below. We process your personal information for these purposes in reliance on our legitimate business interests (“Business Purposes”), in order to enter into or perform a contract with you (“Contractual”), with your consent (“Consent”), and/or for compliance with our legal obligations (“Legal Reasons”). We indicate the specific processing grounds we rely on next to each purpose listed below.

We use the information we collect or receive:

- To facilitate account creation and logon process [with your Consent]. If you choose to link your account with us to a third party account (such as your Google or Facebook account), we use the information you allowed us to collect from those third parties to facilitate account creation and logon process. See the section below headed “Social Logins” for further information.
- To send you marketing and promotional communications such as our Lex-Informatica events [for Business Purposes and/or with your Consent]. We and/or our third party marketing partners may use the personal information you send to us for our marketing purposes, if this is in accordance with your marketing preferences. You can opt-out of our marketing emails at any time (see the “Your Privacy Rights” below).
- To send administrative information to you [for Business Purposes, Legal Reasons and/or possibly Contractual]. We may use your personal information to send you product, service and new feature information and/or information about changes to our terms, conditions, and policies.
- To fulfill and manage your instructions [for Contractual reasons]. We may use your information to fulfill and manage your instructions, payments, returns, and exchanges made through the Sites.

- To post testimonials [with your Consent]. We post testimonials on our Sites that may contain personal information. Prior to posting a testimonial, we will obtain your consent to use your name and testimonial. If you wish to update, or delete your testimonial, please contact us at [info@snailattorneys.com](mailto:info@snailattorneys.com) and be sure to include your name, testimonial location, and contact information.
- Deliver targeted advertising to you [for our Business Purposes and/or with your Consent]. We may use your information to develop and display content and advertising (and work with third parties who do so) tailored to your interests and/or location and to measure its effectiveness. [For more information, see our Cookie Policy.
- Request Feedback [for our Business Purposes and/or with your Consent]. We may use your information to request feedback and to contact you about your use of our Sites.
- To protect our Sites [for Business Purposes and/or Legal Reasons]. We may use your information as part of our efforts to keep our Sites safe and secure (for example, to maintain cybersecurity, for fraud monitoring and prevention).
- To enable user-to-user communications [with your consent]. We may use your information in order to enable user-to-user communications with each user's consent.
- To enforce our terms, conditions and policies [for Business Purposes, Legal Reasons and/or possibly Contractual].
- To respond to legal requests and prevent harm [for Legal Reasons]. If we receive a subpoena or other legal request, we may need to inspect the data we hold to determine how to respond.
- For other Business Purposes. We may use your information for other Business Purposes, such as data analysis, identifying usage trends, determining the effectiveness of our promotional campaigns and to evaluate and improve our Sites, products, services, marketing and your experience.

## 5 Sharing of your personal information

We only share information with your consent, to comply with laws, to protect your rights, or to fulfill business obligations. We only share and disclose your information in the following situations:

**Compliance with Laws:** We may disclose your information where we are legally required to do so in order to comply with applicable law, governmental requests, a judicial proceeding, court order, or legal process, such as in response to a court order or a subpoena (including in response to public authorities to meet national security or law enforcement requirements).

**Vital Interests and Rights:** We may disclose your information where we believe it is necessary to investigate, prevent, or take action regarding potential violations of our policies, suspected fraud, situations involving potential threats to the safety of any person and illegal activities, or as evidence in litigation in which we are involved.

**External Service Providers:** We may share your data with third party vendors, service providers, contractors or agents who perform services for us or on our behalf and require access to such information to do that work. Examples include: payment processing, data analysis, email delivery, hosting services, customer service and marketing efforts. We may allow selected third parties to use tracking technology on the Sites, which will enable them to collect data about how you interact with the Sites over time. This information may be used to, among other things, analyze and track data, determine the popularity of certain content and better understand online activity. Unless described in this Policy, we do not share, sell, rent or trade any of your information with third parties for their promotional purposes.

**Business Transfers:** We may share or transfer your information in connection with, or during settlement negotiations of, any merger, sale of company assets, financing, or acquisition of all or a portion of our business to another company.

**Third-Party Advertisers:** We may use third-party advertising companies to serve ads when you visit the Sites. These companies may use information about your visits to our Website(s) and other websites that are contained in web cookies and other tracking technologies in order to provide advertisements about goods and services of interest to you.

**Affiliates:** We may share your information with our affiliates, in which case we will require those affiliates to honor this privacy policy. Affiliates include our parent company and any subsidiaries, joint venture partners or other companies that we control or that are under common control with us.

**Business Partners:** We may share your information with our business partners to offer you certain services or promotions. Please note that we may disclose your personal information for any other purpose with your consent.

**Other Users.:** When you share personal information (for example, by posting comments, contributions or other content to the Sites) or otherwise interact with public areas of the Site, such personal information may be viewed by all users and may be publicly distributed outside the Site [and our App] in perpetuity. [If you interact with other users of our Sites and register through a social network (such as Facebook), your contacts on the social network will see your name, profile photo, and descriptions of your activity.] Similarly, other users will be able to view descriptions of your activity, communicate with you within our Sites, and view your profile.

## 6 International flow of your personal information

Our servers are located in South Africa. If you are accessing our Sites from outside South Africa please be aware that your information may be transferred to, stored, and processed by us in our facilities and by those third parties with whom we may share your personal information (see “Disclosure of Your Information” above) in other countries .

If you are a resident within SADC, then these countries may not have data protection or other laws as comprehensive as those in your country. We will however take all necessary measures to protect your personal information in accordance with this privacy policy and applicable laws as highlighted in our PAIA Manual above.

Snail Attorneys @ Law Inc complies with the Constitutional right to privacy and data protections by adhering to the Protection of Personal Information Act 4 of 2013, the Promotion of Access to Information Act 2 of 2000, as well as data protection principles created by our courts through jurisprudence. Taking note of the similarity in the principles contained in the European General Data Protection Regulation principles, and POPIA’s conditions for the lawful processing of personal information, we wish to highlight that that we follow strict compliance with the law on data protection and privacy.

## 7 Unsolicited third party websites

We are not responsible for the safety of any information that you share with third-party providers who advertise, but are not affiliated with, our websites. The Sites may contain advertisements from third parties that are not affiliated with us and which may link to other websites, online services or mobile applications. We cannot guarantee the safety and privacy of data you provide to any third parties. Any data collected by third parties is not covered by this privacy policy. We are not responsible for the content or privacy and security practices and policies of any third parties, including other websites, services or applications that may be linked to or from the Sites. You should review the policies of such third parties and contact them directly to respond to your questions.

## 8 Retention of personal information

In accordance with the provisions of the POPIA and specifically the conditions for lawful processing as highlighted above, we keep your information for as long as necessary to fulfill the purposes outlined in this privacy policy unless otherwise required by law. We will only keep your personal information for as long as it is necessary for the purposes set out in this privacy policy, unless a longer retention period is required or permitted by law (such as tax, accounting or other legal requirements).

When we have no ongoing legitimate business need to process your personal information, we will either delete or anonymize it, or, if this is not possible (for example, because your personal information has been stored in backup archives), then we will securely store your personal information and isolate it from any further processing until deletion is possible.

## 9 Security safeguards

Please refer to paragraph 7 above as it demonstrates that we aim to protect your personal information through a system of organizational and technical security measures. We have implemented appropriate technical and organizational security measures designed to protect the security of any personal information we process. However, please also remember that we cannot guarantee that the internet itself is 100% secure. Although we will do our best to protect your personal information, transmission of personal information to and from our Sites is at your own risk. You should only access the services within a secure environment.

## 10 Updates on our policy

We will update this policy from time to time as necessary to stay compliant with relevant laws. We may update this privacy policy from time to time. The updated version will be indicated by an updated "Revised" date and the updated version will be effective as soon as it is accessible. If we make material changes to this privacy policy, we may notify you either by prominently posting a notice of such changes or by directly sending you a notification. We encourage you to review this privacy policy frequently to be informed of how we are protecting your information.

11 Contact us regarding this policy

If you have questions or comments about this policy, please contact using the details provided below:

<b>Name of firm:</b>	Snail Attorneys @ Law Inc
<b>Firm Director:</b>	Mr Sizwe Snail ka Mtuze
<b>Information Officer:</b>	Ms Nomsa Mokwena
<b>Physical Address:</b>	Suite 3B
	Hatfield Bridge Office Park
	213 Richard & Stanza Bopape Streets
	Hatfield, Pretoria
	0002
<b>Postal Address:</b>	Same as physical address
<b>Telephone Number:</b>	(+27) 012 757 8761
<b>Facsimile Number:</b>	(+27) 086 617 5717/21
<b>Email Address:</b>	<a href="mailto:info@snailattorneys.com">info@snailattorneys.com</a>
<b>Website Address:</b>	<a href="http://www.snailattorneys.com">www.snailattorneys.com</a>