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EUROFIT KITCHENS AND CUPBOARDS

REGISTRATION NUMBER: 1999/016305/07

PROTECTION OF PERSONAL INFORMATION ACT (POPIA) AND PRIVACY POLICY

1 ABOUT EUROFIT KITCHENS & CUPBOARDS

- 1.1 Eurofit Kitchens & Cupboards (“Eurofit”) was registered in 1999 – with registration number 1999/016305/07

2 PURPOSE OF THIS POLICY

The Protection of Personal Information Act 4 of 2013 (“POPIA”) gives effect to the constitutional right to privacy, regulates the manner in which personal information may be processed and provides rights and remedies to protect personal information.

- 2.1 As an employer as well as service provider and advertiser, the collection and processing of personal information is directly aligned to the execution of Eurofit’s business purpose.
- 2.2 This Policy provides for what must and must not be done at Eurofit as regards personal information to which Eurofit becomes privy. The Policy in addition provides procedural guidelines, where appropriate, outlining how the Policy is to be implemented.
- 2.3 This POPIA Policy must be adhered to by all key individuals including directors’ employees and service providers.

3 PRINCIPLES

- 3.1 The primary purpose of the POPIA Act is to regulate the collection and processing of personal information in a manner that will safeguard such information against unauthorised access and usage.
- 3.2 The purpose of this POPIA Policy is to establish the requirements and conditions for the collection, distribution and retention of personal information, in line with the prescripts of the POPIA Act and the Promotion of Access to Information Act 2 of 2000 (“PAIA”).
- 3.3 This Policy articulates the parameters in the collection, processing, storage, distribution and destruction of personal information by Eurofit, as aligned to the POPIA Act. In addition, this Policy sets out how Eurofit deals with data subjects’ personal information as well as the purposes for which personal information will be used. This Policy is made available on Eurofit’s website <https://eurofit.co.za/cookie-policy> and by request from our Information Officer, whose details are provided below.

4 DEFINITIONS

- 4.1 “consent” – any voluntary, specific and informed expression of will in terms of which permission is given for the processing of personal information.
- 4.2 “data subject” – a person to whom the personal information relates. This will include directors, employees and clients as well as prospective clients of Eurofit, and persons and/or organisations who supply goods or services to Eurofit, as well as any persons or organisations which communicate and/or conclude any agreement and business with Eurofit.
- 4.3 “person” – a natural or juristic person.

- 4.4 “personal information” – any information in any form (including electronic and paper-based files) relating to an identifiable, living, natural person and, where applicable, an identifiable, existing juristic person. This can include, but is not limited to information relating to the race, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of a person. It also includes information relating to the education, medical, identifying and biometric information of an individual.
- 4.5 “processing” – any activity, automated or manual, concerning personal information. Such activity may include, but is not limited to, collection, receipt, recording, organisation, storage, collation, retrieval, alteration, updating, distribution, dissemination by means of transmission, erasure or destruction of personal information.
- 4.6 “special personal information” – this is very sensitive personal information that requires stringent protection. Special personal information includes, but is not limited to, religious beliefs, political affiliations, race and ethnic origin, health, sex life and biometric information.
- 4.7 “secondary personal information” – this is personal information relating to third parties provided to us by our client’s or prospective client’s for the purposes of the provision of advertising and marketing services, including but not limited to, competitions, direct marketing, newsletters, lead generation and digital marketing.

5 COLLECTION OF PERSONAL INFORMATION

- 5.1 Eurofit collects and receives personal information directly and indirectly from data subjects through various sources.
- 5.2 Information is collected by Eurofit as follows:
- 5.2.1 directly from the data subject;
 - 5.2.2 from clients or prospective clients’ who may seek Eurofit’s assistance and/or services;
 - 5.2.3 from Eurofit’s suppliers and service providers;
 - 5.2.4 from Eurofit’s own records relating to its previous provision of assistance or responses to the data subject’s request for services.
- 5.3 Eurofit will not collect personal information regarding a child except when the consent of the child’s parent or guardian is given.
- 5.4 Eurofit will not collect personal information regarding an individual's religious or philosophical beliefs, trade union membership, political opinions, health or sexual life unless permitted by law or with consent from the data subject.

6 PURPOSE SPECIFICATION

- 6.1 POPIA requires that the data subject be informed of the purpose or reason for the collection of their data so that they may either give consent or refuse it. The purpose for which personal information is collected should be specified at the time the information is being collected. In addition, any further use of the collected personal information should be compatible with the initial purpose of collection.

- 6.2 Eurofit needs to collect personal information for the following purposes:
- 6.2.1 assessing, processing and entering into employee agreements. The terms of our employment contracts, employment policies, job adverts and applications will contain further detail;
 - 6.2.2 training and assessment purposes;
 - 6.2.3 confirming and verifying a prospective clients' credit worthiness, suitability as a client and identity. The terms of our credit application will contain further detail;
 - 6.2.4 assessing, entering into agreements with and payment of suppliers and service providers. The terms of our supply agreements will contain further detail;
 - 6.2.5 confirming and verifying a person's identity;
 - 6.2.6 providing personalised communication;
 - 6.2.7 providing advertising, marketing and media services to clients including customer relationship management, content creation, web development, production services, animation, competitions, direct marketing, lead generation, digital media, analytics, strategy and such other services as Eurofit may offer from time to time. The terms of our standard Terms and Conditions, Service Level Agreements and Invoices will contain further detail;
 - 6.2.8 audit and record-keeping purposes;
 - 6.2.9 in connection with legal proceedings including debt collection;
 - 6.2.10 in connection with and to comply with legal and regulatory requirements or when it is otherwise allowed by law; and/or
 - 6.2.11 for a purpose that is ancillary to the above and for any other purpose for which consent is provided by the data subject.
- 6.3 This purpose will be explained to the data subject when the information is collected and they may then decide whether to grant Eurofit consent to collect and process personal information or not.
- 6.4 In the event that Eurofit seeks to use the information for another purpose which is different to the purpose for which the information was collected initially, then Eurofit will contact the data subject to obtain their consent for further processing.

7 PROCESSING LIMITATION AND SHARING OF PERSONAL DATA

- 7.1 Eurofit will ensure that the personal information collected from data subjects will be processed if, given the purpose for which it is processed, it is adequate, relevant and not excessive.
- 7.2 Furthermore, information will be collected directly from the data subject by Eurofit or third parties authorised by Eurofit only after consent from the data subject concerned.
- 7.3 Eurofit will not process a data subject's personal information without consent unless:

- 7.3.1 it is necessary to carry out actions for the conclusion or performance of a contract to which the data subject is party;
- 7.3.2 the processing complies with an obligation imposed on Eurofit by law;
- 7.3.3 the processing protects a legitimate interest of the data subject;
- 7.3.4 the processing is in the public interest;
- 7.3.5 the processing is necessary for pursuing Eurofit's legitimate interests or the legitimate interests of a third party to whom the information is supplied.

8 CONSENT

- 8.1 Unless one of the additional conditions listed in paragraph 7.3 above applies, Eurofit will not collect or process personal information without the consent of the data subject. Consent is normally sought explicitly by Eurofit, however, there are also some actions and behaviour that may amount to consent. This includes signing an agreement or application or ticking a tick box on a form whether physical or online.
- 8.2 No person is compelled to consent to Eurofit's collection or processing of their personal information, however a refusal to consent may result in a restriction of that person's participation in activities and opportunities coordinated by Eurofit. Data subjects will be advised of the consequences of not giving consent to Eurofit for the collection and processing of their personal information as required by law. Data subjects will be made aware that failure to give written consent will result in the data subject's record being invalid and not subject to any performance on the part of Eurofit.
- 8.3 The procedure undertaken is that data subjects will be informed of the purpose for which information is being collected and thereafter prompted to give consent to having the information collected and processed. Once consent has been granted to Eurofit the information will be collected and may only be used for the purpose for which the consent was obtained and purpose which are compatible with that initial purpose.
- 8.4 In the event that Eurofit seeks to process a data subject's information for a different purpose to that which consent has been granted, additional consent will be sought for the further processing.
- 8.5 The data subject may withdraw or revoke his/her consent at any time. This withdrawal of consent must be communicated to the Information Officer in writing with reasonable notice. The withdrawal of consent is subject to the terms and conditions of any contract that is in place. Should the withdrawal of consent result in the interference of legal obligations, then the withdrawal will only be effective if Eurofit agrees to the same in writing. Eurofit will inform the data subject of the consequences of the withdrawal where it will result in Eurofit being unable to provide the requested information and/or services and/or financial or other benefits. The revocation of consent is not retroactive and will not affect disclosures of personal information that have already been made.

9 DISCLOSURE AND/OR DISTRIBUTION OF PERSONAL INFORMATION

- 9.1 Eurofit will only use a data subject's personal information for business purposes and in a manner which is consistent with the purpose for which consent has been given.

- 9.2 In the case of personal information being collected indirectly or distributed to third parties, it will be used in line with the purpose for which the information was collected. No personal information will be disclosed or distributed to third parties unless the disclosure or distribution satisfies any of the conditions listed in paragraph 7.3 above, or prior consent or approval has been given by the data subject.
- 9.3 Eurofit may also identify personal information and use it for research, surveys and communication in order to improve Eurofit's offering. This will work solely to improve Eurofit's operations and broader reach and is not information which can be directly attributed to one person in particular.
- 9.4 Eurofit may nevertheless disclose data subjects' personal information where it is required to do so in terms of applicable legislation, or where it may be necessary in order to protect Eurofit's rights.
- 9.5 In the event that Eurofit does share personal information with a third party, it shall take all reasonable steps to ensure that the third party treats the information in a manner which is consistent with this Policy.

10 RETENTION OF PERSONAL INFORMATION

- 10.1 Where Eurofit collects personal information for a specific purpose, it will not keep it for longer than is necessary to fulfil that purpose, unless:
- 10.1.1 further retention is required by law;
 - 10.1.2 Eurofit reasonably requires it taking into account the nature of the information and the purpose consented to;
 - 10.1.3 retention is required by a contract between the parties; and/or
 - 10.1.4 the data subject consents to further retention.
- 10.2 Once the purposes for collection have been fulfilled, the personal information may be destroyed in accordance with POPIA.
- 10.3 In order to protect information from accidental or malicious destruction, when Eurofit deletes information from its servers it may not immediately delete residual copies from its servers or remove information from its backup systems. Copies of correspondence that may contain personal information is stored in archives for record-keeping and back-up purposes only.
- 10.4 Where the law requires Eurofit to keep personal information post its use for a specified period of time, all personal information will be kept securely for the duration specified by law.

11 SAFEGUARDS, SECURITY AND INCIDENT MANAGEMENT

- 11.1 Eurofit strives to ensure the security, integrity and privacy of personal information submitted.
- 11.2 While no data transmission over the Internet can be guaranteed to be totally secure, Eurofit will endeavour to take all reasonable steps to protect personal information submitted to it or via its online services.
- 11.3 The following methods of protection are in place to ensure that personal information disclosed to Eurofit is protected:

- 11.3.1 Eurofit's internal server hard drives are protected by firewalls;
- 11.3.2 Password protection is active on computers that may contain personal information thereby limiting access to authorised Eurofit personnel only;
- 11.3.3 Physical security measures are in place such as the limitation of access to the building. Only certain key employees are given access codes, and no-one is allowed to enter the premises without authorisation;
- 11.3.4 Each manager is responsible for ensuring that the employees under his or her authority take note of the policies on the implementation and maintenance of document management.

12 THIRD PARTIES

- 12.1 Eurofit makes use of a third party service providers stated below:
 - 12.2.4 Eurofit makes use of QuickBooks, an accounting software service, developed and owned by Intuit Inc, 2632 Marine Way, MS2675, Mountain View, CA 94043;
 - 12.2.5 If you are a client, supplier or employee you hereby consent to the following information being used on QuickBooks for the purposes of payments, invoicing and billing: names, addresses, identification and registration numbers, tax numbers, banking details including account numbers. You specifically consent to Eurofit sharing your bank account details with QuickBooks for this purpose;
 - 12.2.6 QuickBooks is the data controller, however, Eurofit remains the responsible person in respect of your personal information used on their service. Their services are encrypted and in line with South African and international data laws. You can read their privacy policy here:

<https://quickbooks.intuit.com/za/privacy/>.
 - 12.2.7 Eurofit's employees are obliged to respect the confidentiality of any personal information held by Eurofit;
 - 12.2.8 Third parties who provide these services are obligated to respect the confidentiality of any personal information;
- 12.3 Eurofit's Administrator, whose contact details are provided below, is responsible for the encouragement of compliance with POPIA.
- 12.4 Eurofit will review and update its security measures in accordance with future legislation and technological advances.
- 12.6 Eurofit makes use of Pipedrive, a CRM software
- 12.7 Pipedrive is the data controller, however, Eurofit remains the responsible person in respect of your personal information used on their service. Their services are encrypted and in line with South African and international data laws. You can read their privacy policy here:

<https://www.pipedrive.com/en/privacy>

- 12.8 Eurofit makes use of Winner Flex, a kitchen design software
- 12.7 Winner Flex is the data controller, however, Eurofit remains the responsible person in respect of your personal information used on their service. Their services are encrypted and in line with South African and international data laws. You can read their privacy policy here:

<https://www.compusoftgroup.com/privacy-policy/>

13 ACCOUNTABILITY

- 13.1 The management and Information Officer of Eurofit are responsible for administering and overseeing the implementation of this Policy and any applicable supporting guidelines and procedures.
- 13.2 Eurofit remains responsible for all personal information collected and stored. This includes all and any information collected directly from a data subject and from any other source or authorised third parties.

14 DATA SUBJECT'S ACCESS TO AND CORRECTION OF PERSONAL INFORMATION

- 14.1 Data subjects have the right to be informed whether Eurofit holds their personal information and to view any such personal information Eurofit may hold. Furthermore, data subjects have the right to be informed as to how that information was collected and to whom their personal information has been disclosed.
- 14.2 Data subjects may at any time, request disclosed information by contacting Eurofit's Administrator.
- 14.3 Information requested will be provided to a data subject within a reasonable time.
- 14.4 Data subjects are entitled to, at any time, inform Eurofit of any changes to their personal information in the possession of Eurofit. Upon receipt of any changes to personal information, Eurofit will, within a reasonable period, update the personal information. Eurofit relies largely on data subjects to ensure that their personal information is correct.
- 14.5 Data subjects have the right to ask Eurofit to amend or delete their personal information on reasonable grounds.
- 14.6 Data subjects may be prompted periodically by a representative to update the personal information that Eurofit holds. Failure to reply to the prompts to update personal information will result in the assumption that all information that is on Eurofit's systems is accurate.

15 VIOLATIONS

Violations of this Policy and of POPIA will be dealt with by the Information Regulator. A data subject who has a complaint against Eurofit, either concerning its conduct or this Policy, may refer a complaint to the Information Regulator in terms of sections 63(3) and 74 of POPIA.

16 EFFECTIVE DATE

This Policy is effective as of 1 February 2019.

17 QUERIES AND OBJECTIONS:

The details of Eurofit's Administrator are as follows:

- Name: Ludi Szabo
- Telephone number: 011 022 8005
- Email Address : sales@eurofit.co.za
- Physical address and Postal address:
The Gantry, Cnr Witkoppen and The Straight Avenue,
West Wing, Eagle Creek Building,
Fourways
2191
- Website: <https://eurofit.co.za/>

All questions and queries relating to personal information must be directed the Information Officer using the contact information listed above. The Information Regulator has issued the following useful forms for applications for information and granting forms of consent which may be useful for you:

<http://www.justice.gov.za/inforeg/docs/InfoRegSA-RegulationsDraft-Aug2017.pdf>

18 AMMENDMENTS TO THE POLICY

- 18.1 Eurofit will amend this policy periodically.
- 18.2 Data subjects are advised to check Eurofit's website periodically to ascertain whether any changes have been made.