

### Introduction

Roxburgh Trust (Pty) Ltd and Roxburgh Asset Management (Pty) Ltd (collectively referred to as "Roxburgh") are sensitive to the personal nature of the information you provide to us.

Roxburgh Trust (Pty) Ltd is a Category I FSP that provides financial advisory and intermediary services.

Roxburgh Asset Management (Pty) Ltd is a Category II FSP that provides discretionary investment management services.

This document sets out the Privacy Policy (the "Privacy Policy") for our website, [www.roxburgh.co.za](http://www.roxburgh.co.za) (the "Site") as well as for any other engagements you may have with us. If you have objections to the Privacy Policy, you should not access or use this Site. This Privacy Policy does not govern privacy practices associated with any other websites. We utilise the web for both marketing and service delivery. Roxburgh supports ethical use of personal information and subscribes to this Privacy Policy.

### Changes in Privacy Policy

We regularly review and, if appropriate, update this Privacy Policy where necessary. If we wish to make use of your personal information in a way that we have not previously identified, we will contact you to provide information about this and, if required, to ask for your consent.

### Your choices with respect to Personal Information

Roxburgh recognises and appreciates the importance of responsible use of personal information collected on this Site and through any other activity. Except in the particular circumstances described in this Privacy Policy and in the ordinary course of providing financial services to you, Roxburgh will not provide your name to other companies or organizations without your consent.

### Collection of Personal Information

As a visitor to this Site, you can engage in many activities without providing any personal information. In connection with other activities, Roxburgh may ask you to provide certain personal information about yourself by completing and submitting an online form. Depending on the activity, some of the information that we ask you to provide is identified as mandatory and some as voluntary. If you do not provide the mandatory data with respect to a particular activity, you will not be able to engage in that activity. It is completely optional for you to engage in these activities. If you elect to engage in these activities, Roxburgh may ask that you provide the following personal information:

- personal details: first name, last name, photograph, qualifications, past employment, residency status,
- demographic information: gender, date of birth / age, nationality, title and language preferences;
- identifier information: passport or identity number, bank account details;
- contact details: a home, postal or other physical address, including postal code, telephone number, facsimile number, email address; other contact information
- employer details: name; address, job title, occupation and department,
- instruction details: details of individuals instructing us; personal information included in correspondence, documents, evidence or other materials that we process in the course of providing financial services;
- investments details, including assets and income
- attendance records: details of meetings and other events organised by or on behalf of Roxburgh that you attend;
- consent records: records of any consents you may have given, together with the date and time, means of consent and any related information;
- payment details: billing address; payment method; bank account number or credit card number; invoice records; payment records; SWIFT details; IBAN details; payment amount; payment date;
- data relating to your visits to our website: your device type; operating system; browser type; browser settings; IP address; language settings; dates and times of connecting to a website; and other technical communications information;
- content and advertising data: records of your interactions with our online advertising and content, records of advertising and content displayed on pages displayed to you, and any interaction you may have had with such content or advertising (including, but not limited to, mouse hover, mouse clicks and any forms you complete).

### Source of collection of your Personal Information

Roxburgh may collect or obtain personal information on data subjects as follows:

- directly from you;
- from your appointed financial intermediary or agent;
- in the course of our relationship with you;

- in the course of providing financial services to you where we have been appointed as the financial advisor or intermediary (discretionary and non-discretionary);
- in the course of providing financial services and consulting services to you or your entity;
- in the course of engaging with prospective client who enquire about our services;
- when you make your Personal Information public;
- when you visit and/or interact with our website or other media platforms;
- when you register to use any of our related services including but not limited to newsletters, workshops, meetings and updates;
- when you interact with any third party content or advertising on our website; or
- when you visit our offices.

We may also receive personal information about you from third parties such as law enforcement authorities and from cookies on our website.

In addition to the above, we may collect personal information about you such as records of your communications and interactions with us, including, but not limited to, your attendance at events or at interviews in the course of applying for a job with us, subscription to our newsletters and other mailings and interactions with you during the course of our digital marketing campaigns. This Personal information may be collected directly or indirectly from you through the completion of a mandate, application form or a contract, which may be completed either electronically or in hard copy.

### **Special Personal Information**

Where we need to process your special personal information, we will do so in the ordinary course of our business, for a legitimate purpose, and in accordance with applicable law.

### **Law authorising or requiring collecting of the Personal Information:**

As an authorised financial services provider, we are obligated in terms of the following legislation to collect your personal information insofar as it relates to the rendering of the relevant financial services to you:

- Financial Advisory and Intermediaries Services Act, no 37 of 2002;
- Financial Intelligence Centre Act, no 38 of 2001 and other anti-money laundering and counter-terrorism regulations;
- Income Tax Act, no 58 of 1962
- Exchange Control Regulations

In addition to the above, the below legislation regulates how personal information may be collected, shared and accessed:

- Promotion of Access to Information Act, no 2 of 2000
- Protection of Personal Information Act, no 4 of 2013

### **Data accuracy**

The personal information provided to Roxburgh should be accurate, complete and up-to-date. Should personal information change, the onus is on the data subject or provider of such data to notify us of the change and provide us with the accurate data.

### **Data minimisation**

We will restrict processing of personal information to data which is sufficient for the fulfilment of the purpose and applicable legitimate purpose for which it was collected.

### **Purpose for Processing your Information:**

We will process collect, hold, use and disclose your personal information in the ordinary course of the business of providing you with financial services of a discretionary and/or non-discretionary nature, and related services. We will only process your information for a purpose you would reasonably expect. We will use your personal information for a secondary purpose only if such purpose constitutes a legitimate interest and is closely related to the original or primary purpose for which the personal information was collected. We may subject your personal information to processing during the course of various activities, including, without limitation, the following –

- operating our business; by performing the obligations contained in the contract concluded between you and the FSP;
- notifying you of new products or developments that may be of interest to you;
- providing you with advice, products and services that suit your needs as requested;
- compliance with applicable law and fraud prevention;
- verifying your identity and to conduct reference searches;
- confirming, verifying and updating your details;
- processing insurance claims and to take recovery action;

- transferring information to our Service Providers and other third parties;
- recruitment; or
- to register your subscription preferences.

We may process your personal information for relationship management and marketing purposes in relation to our services (including, but not limited to, processing that is necessary for the development and improvement of our services, for accounts management, and for marketing activities in order to establish, maintain and/or improve our relationship with you and with our service providers. We may also analyse your personal information for statistical purposes.

We may process your personal information for internal management and management reporting purposes, including but not limited to conducting internal audits, conducting internal investigations, implementing internal business controls, providing central processing facilities, for insurance purposes and for management reporting analysis.

We may process your personal information for safety and security purposes.

The use of the Site, such as the types of services used and how many users, we receive daily. This information is collected in aggregate form, without identifying any user individually

Failing to provide compulsory information may lead to Roxburgh being unable to carry out the functions necessary to perform as an authorised financial services provider.

### **Third parties and your personal information**

We may need to disclose or share your personal information to our associated companies, service providers and other third parties for legitimate business purposes, in accordance with applicable law and subject to applicable regulatory requirements regarding confidentiality. Where we share your information, we will take all precautions to ensure that the third party will treat your information with the same level of protection as required by us. We may disclose your personal information –

- if required by law;
- to regulatory or governmental authorities, upon request, or for the purposes of reporting any actual or suspected breach of applicable law or regulation;
- Information Technology specialists and third party Operators assisting us with data storage, security, processing, analytics, etc (including, but not limited to, data processors such as providers of data hosting services and document review technology and services), located anywhere in the world,
- where it is necessary for the purposes of, or in connection with, actual or threatened legal proceedings or establishment, exercise or defence of legal rights;
- to any relevant party for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including, but not limited to, safeguarding against, and the prevention of threats to, public security;
- to any relevant third party acquirer(s), in the event that we sell or transfer all or any portion of our business or assets (including, but not limited to, in the event of a reorganization, dissolution or liquidation); and
- to any relevant third party provider, analytics and search engine providers who assist us in the enhancement of our websites and content.
- to our auditors;
- to your employer (where applicable);
- to our compliance officer (where applicable);
- to other product suppliers and administrative platform providers, where required to fulfil the purpose;
- to your financial advisor or investment managers of product providers or discretionary financial service providers;
- If we engage a third party operator to process any of your personal information, we recognise that any operator who is in a foreign country must be subject to a law, binding corporate rules or binding agreements which provide an adequate level of protection similar to POPIA. We will review our relationships with operators we engage and, to the extent required by any applicable law in force, we will require such operators to be bound by contractual obligations to –
  - only process such personal information in accordance with our prior written instructions; and
  - use appropriate measures to protect the confidentiality and security of such personal information.

### **Retention**

We will only retain and store your personal information for as long as we need it, given the purpose for which it was collected, or a legitimate interest as required by law and any other statutory obligations, including anti-money laundering, counter-terrorism, tax legislation, whichever is longer. Your personal information may be retained for a maximum of 6 years from the end of our relationship; however, some of it will be retained for less than this. We will take all reasonable steps to destroy or erase the data from its systems when it is no longer required.

## **Transfer of your personal information outside of the Republic of South Africa**

We may transfer your personal information to recipients outside of the Republic of South Africa. Your information may be hosted on servers managed by a third-party service provider, which may be located outside of South Africa.

Personal information may be transferred outside of the Republic of South Africa provided that the country to which the data is transferred has adopted a law that provides for an adequate level of protection similar to POPIA, the operator/third party undertakes to protect the personal information in line with applicable data protection legislation and the transfer is necessary in order to provide the legal and other related services that are required by our clients.

### **Data security**

We implement appropriate technical and organisational security measures to protect your personal information that is in our possession against accidental or unlawful destruction, loss, alteration, unauthorised disclosure, unauthorised access, in accordance with applicable law.

Where there are reasonable grounds to believe that your personal information that is in our possession has been accessed or acquired by any unauthorised person, we will notify the relevant regulator and you, unless a public body responsible for detection, prevention or investigation of offences or the relevant regulator informs us that notifying you will impede a criminal investigation. Because the internet is an open system, the transmission of information via the internet is not completely secure. Although we will implement all reasonable measures to protect your personal information that is in our possession, we cannot guarantee the security of any information transmitted using the internet and we cannot be held liable for any loss of privacy occurring during the course of such transmission.

### **Direct marketing**

We may process your personal information for the purposes of providing you with information regarding services that may be of interest to you. You may unsubscribe at any time.

If you currently receive marketing information from us which you would prefer not to receive in the future, please email us at [reception@roxburgh.co.za](mailto:reception@roxburgh.co.za)

### **Your legal rights**

As a data subject, you may have the right under the South African laws to have access to your personal information and to ask us to -

- confirm whether or not we hold personal information about you;
- rectify, erase and restrict use of your personal information;
- provide you with a description of the personal information we hold about you, and to explain why and how it is being processed;
- ask for the transfer of personal information you have made available to us;
- consider your objection to the processing of your personal information;
- withdraw consent to the use of your personal information;
- Lodge a complaint with the Information Regulator.

### **Complaints and objections**

Roxburgh takes its users' and data subjects' privacy concerns seriously. If you believe that Roxburgh has not complied with this Privacy Policy with respect to your personal information or have other related inquiries or concerns, you may write to the **Information Officer** of Roxburgh at the following address: PO Box 47107, Parklands, 2121. In your letter, please describe in as much detail as possible the nature of your inquiry or the ways in which you believe that the Privacy Policy has not been complied with. We will investigate your inquiry or complaint promptly.

Please note that Roxburgh is not responsible for the content or privacy practices of non-Roxburgh websites to which this Site may link. You should review the privacy policy of such sites before using the sites.

### **The Information Regulator**

In the event that your personal information has not been processed in accordance with POPIA and the principles set out above, you have the right to lodge a complaint with the Information Regulator.

For further information regarding the complaints process, please visit the website of the Information Regulator, as indicated below. Alternatively, you may contact the Information Regulator for further assistance:

The Information Regulator: Adv Pansy Tlakula  
Physical Address: JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001  
Email: complaints: [complaints.IR@justice.gov.za](mailto:complaints.IR@justice.gov.za)  
Website: <https://www.justice.gov.za/inforeg/>