

## **MEUMANN WHITE POPI POLICY**

### **1. INTRODUCTION**

- 1.1. Meumann White Attorneys (“MW”) is a law firm with offices situated in Berea, Amanzimtoti; Umhlanga; Hillcrest and Bluff providing the various legal services as indicated, inter alia, on their website.
- 1.2. MW is obliged to comply with The Protection of Personal Information Act (‘POPI’).
- 1.3. POPI requires MW to inform their clients as to how their Personal Information is used, disclosed and destroyed.
- 1.4. MW is committed to protecting its client’s privacy and ensuring that their Personal Information is used appropriately, transparently, securely and in accordance with all applicable laws.
- 1.5. This Policy sets out how MW deals with client’s Personal Information and, in addition, the purposes for which such information is used.
- 1.6. Section 9 of POPI states that “Personal Information may only be processed if, given the purpose for which it is processed, it is adequate, relevant and not excessive.”

### **2. THE PERSONAL INFORMATION COLLECTED**

- 2.1. MW collects and processes client’s Personal Information relative to the provision of the legal services it provides to its clients. The type of information will depend on the need for which it is collected and will be processed for that purpose only. Whenever possible, we will inform client’s what information they are obliged to provide us with and what information is optional. Examples of the Personal Information we collect includes but is not limited to names, surnames, identity numbers, residential and business/work

addresses, postal codes, telephone and mobile numbers, fax numbers, email addresses, marital statuses, income tax reference numbers and bankers.

- 2.2. For purposes of this Policy, clients include potential, past and existing clients whether individuals, close corporations, companies, bodies corporate, trusts and any person in a representative capacity such as members, shareholders, directors, trustees and beneficiaries.

### 3. **HOW PERSONAL INFORMATION IS USED**

- 3.1. Client's Personal Information will only be used for the purpose for which it was collected and intended. This would include providing legal services to our client's until the mandate given has been reasonably discharged.
- 3.2. According to Section 10 of POPI, Personal Information may only be processed if certain conditions are met for MW processing the Personal Information. These are as follows:
  - 3.2.1. Clients consent to the processing – consent is obtained from clients during the client take-on procedure and such consent may be verbal, written, tacit or implied;
  - 3.2.2. Processing is necessary – the Personal Information that is required will be reasonably necessary to facilitate the provision of legal services to clients and to market MW's legal services to them via emails and brochures;
  - 3.2.3. Processing complies with an obligation imposed by law on MW or to discharge its mandate to its clients;
  - 3.2.4. Processing protects a legitimate interest of the client – it is in clients' best interests to have access to full and appropriate legal services;
  - 3.2.5. Processing is necessary for the purposes of providing quality and appropriate legal services to clients of MW – in order to provide our clients with quality and appropriate legal services, we need certain Personal Information from them.

#### **4. DISCLOSURE OF PERSONAL INFORMATION**

- 4.1. MW may share clients' Personal Information with, and obtain information about clients from third parties for the reasons mentioned in 3.1 and 3.2 above.
- 4.2. MW may also disclose clients' information where it has a duty or a right to disclose in terms of applicable legislation, the law or where it may be necessary to protect its rights and carry out its obligations and where it is reasonably necessary to enable it to discharge its mandate to its clients.

#### **5. SAFEGUARDING CLIENTS' INFORMATION**

- 5.1. It is a requirement of POPI to adequately protect the Personal Information that MW holds and to avoid unauthorized access and use of your Personal Information. MW continuously reviews its security controls and processes to ensure that your Personal Information is secure.
- 5.2. The following procedures are in place in order to protect your Personal Information:
  - 5.2.1. A third party service provider is mandated to protect the clients' electronic Personal Information;
  - 5.2.2. Cognizance is taken of the recommendations made by the third party service provider.
  - 5.2.3. The MW Information Officer is Ms. M Davey, whose details are available below and who is responsible for the encouragement of compliance with the conditions of the lawful processing of Personal Information and other provisions of POPI;
  - 5.2.4. This policy is in place throughout MW and training on this policy and the POPI Act has taken place and been overseen by the Information Officer;

- 5.2.5. Employees are required to sign Confidentiality Agreements which are part of their Employment Contracts;
- 5.2.6. Archived client information is stored at third party providers who are also governed by POPI and with whom MW has Service Level Agreements;
- 5.2.7. Hard copy files are stored at secure premises and are destroyed after 5 years;
- 5.2.8. MW's internal server hard drives are protected by firewalls;
- 5.2.9. A Security Incident Management Register will be kept to log any security incidents and to report on and manage said incidents. This register will be maintained by the Information Officer.
- 5.2.10. All employees are instructed to follow MW's POPI procedures for client information to be processed accurately and securely;
- 5.2.11. Consent to process client information is obtained from clients (or a person who is authorised by the client to provide the client's Personal Information) at any time where required.

## **6. ACCESS AND CORRECTION OF PERSONAL INFORMATION**

- 6.1. Clients have the right to request access to the Personal Information we hold about them.
- 6.2. Clients also have the right to ask us to update, correct or delete their Personal Information on reasonable grounds.
- 6.3. Once a client objects to the processing of their Personal Information MW shall no longer process same save and except where MW is obliged by law or common practice to do so.
- 6.4. The details of MW's Information Officer are as follows:

#### 6.4.1. Information Officer Details

6.4.1.1 Name: Maria Davey

6.4.1.2 Telephone Number: 087 350 7800

6.4.1.3 Fax Number: 086 685 1760

6.4.1.4 Postal Address: P O Box 50171, Musgrave, 4062

6.4.1.5 Physical Address: 2<sup>nd</sup> Floor Wakefields House; 150 Stephen Dlamini Road, Berea,  
Durban, 4001

6.4.1.6 E-Mail Address: [mdavey@meumannwhite.co.za](mailto:mdavey@meumannwhite.co.za)

6.4.1.7 Web site: [www.meumannwhite.co.za](http://www.meumannwhite.co.za)

### 7. **AMENDMENTS TO THIS POLICY**

7.1. Amendments to this Policy will take place on an *ad hoc* basis as and when required.

7.2. Clients are advised to check MW's website periodically to make themselves familiar with any changes or they may direct their enquiries to the Information Officer.