



**ATLANTIC BEACH**  
ESTATE

**ATLANTIC BEACH HOME OWNERS' ASSOCIATION**  
**DATA PROTECTION AND PRIVACY POLICY**

**RESPONSIBLE PARTY:**

Atlantic Beach Home Owners' Association

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## **1 POLICY STATEMENT**

In terms of the Protection of Personal Information Act 4 of 2013 (POPIA), the Promotion of Access to Information Act 2 of 2000 (PAIA) and the Constitution of the Republic of South Africa, Atlantic Beach Home Owners' Association undertakes to protect the right to privacy and to process personal information in line with all applicable data protection legislation.

Atlantic Beach Home Owners' Association acknowledges the rights of data subjects and the 8 conditions for the lawful processing of personal information, as set out in section 5 and 4 of POPIA respectively, and commits to take all reasonable steps to uphold these rights and implement procedures to ensure that information is processed lawfully at all times.

## **2 DEFINITIONS**

- Association – means the Atlantic Beach Home Owners' Association.
- Data subject – person to whom the personal information relates: the unit owner, tenant, trustee, employee or visitor.
- Information officer – the party responsible for ensuring that the Home Owners' Association complies with the conditions of POPIA.
- Personal information – information relating to a person including, but not limited to, an ID number, email address, physical address, telephone number, bank details and private correspondence sent by that person.
- Processing – activities concerning personal information which include, but are not limited to, the collection, collation, retrieval, erasure, destruction and dissemination of personal information.
- Responsible party – a party who processes personal information: the Home Owners' Association.
- Record – recorded information regardless of form or medium, in the possession of a responsible party.
- Special personal information – information concerning religious/philosophical beliefs, race, ethnicity, trade union membership, political persuasion, health, sex life, biometric information, criminal behaviour of a data subject.

### **3 PERSONAL INFORMATION**

#### **3 1 How is personal information collected by the Association?**

Atlantic Beach collects personal information via owner, member and employee submissions, from public records and from the third-party security service provider who collects visitor's information at the entrance to the estate.

#### **3 2 What information is collected by the Association?**

Atlantic Beach collects information relating to owners and tenants, including their names, email addresses, contact numbers, identity information and banking information.

Special personal information such as biometric information is also collected with the consent of the data subject. Children's biometric information is collected with the consent of a competent person.

Visitor and contractors' personal data such as identity information, car registration information and contact details are collected upon entrance to the estate.

The Golf Club collects the names, addresses, contact numbers, identity information and banking information of club members.

#### **3 3 Why is personal information processed by the Association?**

Personal information is processed, as obligated by the Companies Act 71 of 2008 and the Association's Constitution, for the proper functioning and governance of the estate. The personal information collected is used to, *inter alia*, communicate with members, enforce security standards on the estate and effect the carrying out of third-party service providers' contracts.

Personal information held by the Association is used solely for the purpose for which it was originally collected and any further processing is done only if compatible with this original purpose.

#### **3 4 Does the Association share personal information with third-parties?**

Information will only be shared with third-parties to achieve the original purpose for which it was collected, and all contracts entered into with service providers will contain an agreement in terms of which the service provider undertakes to comply with POPIA and uphold all privacy procedures implemented by Atlantic Beach.

The Association undertakes to maintain a record of all personal information that has been shared to third parties, and will provide a description of the information shared and the identity of the third-party to whom it was shared at the request of a data subject.

### **3 5 How is personal information stored by the Association?**

Hard copy files containing personal information are stored in a locked office to which only authorised employees have access to. Electronic copies of personal information are stored on a password protected server only accessible by a few pre-authorised persons. Biometric information is captured on the Saflec database, accessible only by the Estate Manager, the IT technician and one authorised employee. Golf Club member information is stored electronically on the club management system, accessible only by employees with the required log-in details. Any hard copy membership forms are stored in a locked office and only accessible by the Membership Secretary. All personal information stored on the electronic mail or electronic devices of the estate's employees is password protected. Passwords are regularly changed and are not shared with anyone.

Personal information concerning owners and tenants is retained for a period of 5 (five) years from the date that the data subject ceases to be an owner or tenant.

Personal information collected from employees and third-party service providers is retained for a period of 3 (three) year from the date of contract termination.

Biometric information is retained as long as relevant, and is removed immediately from the database as soon as: an owner has sold their property, a tenant's lease has ended, an employee's contract is terminated.

Golf Club member information is kept until the termination of the membership.

Personal information collected from visitors is retained for a period of 1 (one) year.

Personal information of trustees is retained indefinitely.

### **3 6 How is personal information destroyed by the Association?**

Upon the expiry of the retention period, hard copies of personal information held by Atlantic Beach are shredded and disposed of, and electronic copies are removed from the servers and deleted from all electronic devices.

Any other records of personal information are shredded and disposed of as soon as reasonably practicable after Atlantic Beach is no longer authorised to retain them.

### **3 7 How is personal information maintained by the Association?**

Atlantic Beach implements and maintains reasonable and commercially acceptable security procedures and practices to prevent the unauthorised access, destruction, use, modification or disclosure of the personal information held.

Atlantic Beach takes all reasonably practicable steps to ensure that the personal information held is complete, accurate, not misleading and up to date.

All changes made to personal information must be requested by the data subject through use of the required form and are reviewed by the Information Officer.

## **4 CHANGES TO THIS PRIVACY POLICY**

Amendments to this data protection and privacy policy may be necessary from time to time subsequent to a change in data protection legislation or a change in our operations. All changes will be made available at our registered office and on our website.

Should you have any concerns regarding our data policy and the processing of your personal information, please submit an email to [info@atlanticbeachestate.co.za](mailto:info@atlanticbeachestate.co.za) and we will try to resolve any complaint in accordance with applicable law.