

**WINGATE PARK RESIDENTS ASSOCIATION
WINGATE PARK INWONERSVERENGING
("WIPRA NPC")
REGISTRATION NUMBER: 2000/018276/08**

PROTECTION OF PERSONAL INFORMATION POLICY

1. PURPOSE

- 1.1. WIPRA NPC ("the RESIDENTS ASSOCIATION / NPC") is committed to complying with the Protection of Personal Information Act, No. 4 of 2013 in relation to the processing of personal information of members of the RESIDENTS ASSOCIATION / NPC.
- 1.2. The purpose of this policy is to describe how and why the RESIDENTS ASSOCIATION / NPC collects, stores, uses, shares or otherwise processes your personal information. It also explains your rights in relation to your personal information and how to contact the RESIDENTS ASSOCIATION / NPC if you have a question or complaint.
- 1.3. Please note that the RESIDENTS ASSOCIATION / NPC may update this policy from time to time. The latest version of this policy is available on request.

2. DEFINITIONS

Some of the key terms that the RESIDENTS ASSOCIATION / NPC uses in this policy are defined below:

- 2.1. **"RESIDENTS ASSOCIATION / NPC"** means the RESIDENTS ASSOCIATION / NPC mentioned above, comprising the individual properties within the suburb of Wingate Park, Pretoria. A residents association of this nature may either be a non-profit company or a common-law association.

The Companies Act 71 of 2008 regulates aspects of non-profit companies. There is no specific legislation for common-law RESIDENTS ASSOCIATIONS / NPCs;

- 2.2. **“managing agent”** means a qualified managing agent with the required skill and experience, who is appointed to carry out all the functions and powers of the directors of a RESIDENTS ASSOCIATION / NPC;
- 2.3. **“service provider”** means any natural or juristic person who provides goods and/or services to or on behalf of the RESIDENTS ASSOCIATION / NPC and includes, *inter alia*, managing agents, contractors, subcontractors, consultants, attorneys, auditors, accountants, maintenance providers, security companies and any other third party who may process or have access to personal information in the course of rendering such goods and/or services;
- 2.4. **“personal information”** means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to:
 - 2.4.1. information relating to the gender, 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 the person;
 - 2.4.2. information relating to the education or the medical, financial, criminal or employment history of the person;
 - 2.4.3. any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier, or other particular assignment to the person;
 - 2.4.4. the biometric information of the person;

- 2.4.5. the personal opinions, views, or preferences of the person;
 - 2.4.6. correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
 - 2.4.7. the views or opinions of another individual about the person; and
 - 2.4.8. the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.
- 2.5. **“POPIA”** means the Protection of Personal Information Act, No. 4 of 2013, as amended from time to time;
- 2.6. **“processing”** means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including:
- 2.6.1. the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation, or use;
 - 2.6.2. dissemination by means of transmission, distribution or making available in any other form; or
 - 2.6.3. merging, linking, as well as restriction, degradation, erasure, or destruction of information.
- 2.7. **“data subject”** means any owner or occupant of a property, visitor or employee of an owner or occupant of a property;
- 2.8. **“member”** means any owner or resident of a property within the RESIDENTS ASSOCIATION / NPC;

- 2.9. **“Information Regulator”** means the Information Regulator established in terms of Section 39 of the POPIA;
- 2.10. **“Information Officer”** means the designated Information Officer appointed by the RESIDENTS ASSOCIATION / NPC to ensure compliance with the POPIA, from time to time;
- 2.11. **“Deputy Information Officer”** means the Deputy Information Officer appointed by the RESIDENTS ASSOCIATION / NPC to address compliance with the POPIA, from time to time;
- 2.12. **“this Policy”** means this Protection of Personal Information (“**POPI**”) policy and any addendum thereto as may be amended by the RESIDENTS ASSOCIATION / NPC, from time to time.
- 2.13. **“responsible party”** means a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means for processing personal information.
- 2.14. **“the Companies Act”** means the Companies Act, No. 71 of 2008.

3. PERSONAL INFORMATION WHICH WIPRA NPC MAY COLLECT

- 3.1. The RESIDENTS ASSOCIATION / NPC may collect and process the following personal information from its members:
- 3.1.1 Name and contact information, including email address, telephone number, physical address, postal address and other location information, erf number;
- 3.1.2 Identity number, or in the case of non-South African citizens, their passport numbers;
- 3.1.3 Details of their tenants, including name, e-mail address, telephone number, postal address and identity number, or in the

case of non-South African citizens, their passport numbers;

3.1.4 Banking details;

3.1.5 Biometric information, including but not limited to, if applicable, that information obtained from fingerprints, hands, facial recognition and / or retinal scanning;

3.1.6 Such other personal information as is disclosed to the RESIDENTS ASSOCIATION / NPC and/or reasonably required.

3.1.7 Vehicle registration numbers, licence-disc information and other information relating to vehicles associated with owners, residents, visitors or other persons.

3.2 The processing of information of a member will only be limited to the management of the RESIDENTS ASSOCIATION / NPC such as collection of contributions, compliance with the RESIDENTS ASSOCIATION / NPC's Rules, maintenance and security of the RESIDENTS ASSOCIATION / NPC.¹

3.3 Personal information can only be processed where one or more of the conditions for lawful processing set out in POPIA are met, including where consent has been obtained from the data subject, unless otherwise permitted or required by law.²

3.4 Reasons for which the personal information is collected:

3.4.1 First and foremost, the information is collected and used to verify identity for the purposes of enabling entrance to and exit from the RESIDENTS ASSOCIATION / NPC, to send

¹ Paragraph 4.5 of the Community Schemes Ombud Service Consolidated Practice Directive 1 of 2025.

² Paragraph 4.18 of the Community Schemes Ombud Service Consolidated Practice Directive 1 of 2025.

correspondence of a financial or legal nature, to provide relevant updates and implementation and to have information for contribution collection purposes and for all matters at the heart of the daily operation and management of the RESIDENTS ASSOCIATION / NPC.

- 3.4.2 Where applicable, vehicle registration numbers, licence-disc information and other vehicle-related information may be collected and processed for security, access-control and related purposes.

4. MANNER IN WHICH PERSONAL INFORMATION IS COLLECTED

- 4.1 The RESIDENTS ASSOCIATION / NPC may collect or obtain personal information from members, tenants or third party/ies:

- 4.1.1 directly;
- 4.1.2 during the course of the RESIDENTS ASSOCIATION / NPC's interactions;
- 4.1.3 from publicly available sources; and
- 4.1.4 from a third party who is authorised to share that information;
- 4.1.5 In respect of gated RESIDENTS ASSOCIATION / NPC's where guards at the entrance are collecting the personal information of members and visitors, the following points from the draft Code of Conduct for Residential Communities from the Information Regulator are instructive:
 - 4.1.5.1 Visitor's information should not be kept for longer than 30 days;

4.1.5.2 The information collected must not be excessive and must be proportionate; and

4.1.5.3 The collection of photographs, and the use of facial recognition, fingerprints and biometric systems must be strictly monitored and controlled.

5. MANNER IN WHICH AND THE REASON THE RESIDENTS ASSOCIATION / NPC PROCESSES PERSONAL INFORMATION

5.1. Section 9 of the POPIA states that personal information must be processed lawfully without violating the privacy of the data subject. The data subject in this instance is a member, tenant or third party whose information may be held by the RESIDENTS ASSOCIATION / NPC.³

5.2. Section 11 of the POPIA sets out the requirements for lawful processing of personal information and states that a RESIDENTS ASSOCIATION / NPC is entitled to process personal information of its members insofar as it is about the governance of the RESIDENTS ASSOCIATION / NPC.⁴

5.3. Further, the POPIA provides that personal information may only be processed if:

5.3.1. the data subject or a competent person acting on behalf of a mentally incapacitated data subject or a data subject who is a child, consents to the processing;

5.3.2. processing is necessary to carry out actions for the conclusion or performance of a contract to which the data subject is party;

5.3.3. processing complies with an obligation imposed by law on the

³ Paragraph 4.2 of the Community Schemes Ombud Service Consolidated Practice Directive 1 of 2025.

⁴ Paragraph 4.2 of the Community Schemes Ombud Service Consolidated Practice Directive 1 of 2025.

responsible party;

- 5.3.4. processing protects a legitimate interest of the data subject;
- 5.3.5. processing is necessary for the proper performance of a public law duty by a public body; or
- 5.3.6. processing is necessary for pursuing the legitimate interests of the responsible party or of a third party to whom the information is supplied.⁵

- 5.4. The RESIDENTS ASSOCIATION / NPC may collect other personal information from time to time, as necessary for our operational requirements, or in order to comply with applicable laws.

6. DISCLOSURE OF PERSONAL INFORMATION

- 6.1. By virtue of ownership or occupation of a unit or property within the RESIDENTS ASSOCIATION / NPC, the owner(s) or occupant(s) is deemed to have consented to his or her personal information being stored and / or shared with the relevant parties by the Board of Directors or any governance structure of the RESIDENTS ASSOCIATION / NPC for the purposes of managing the affairs of the RESIDENTS ASSOCIATION / NPC.⁶
- 6.2. Depending on the circumstances, the RESIDENTS ASSOCIATION / NPC may disclose personal information to the following categories of persons:
 - 6.2.1. Auditors, legal and other professional advisers, and consultants

⁵ Paragraph 4.3 of the Community Schemes Ombud Service Consolidated Practice Directive 1 of 2025.

⁶ Paragraph 4.4 of the Community Schemes Ombud Service Consolidated Practice Directive 1 of 2025.

of the RESIDENTS ASSOCIATION / NPC or other third parties who help deliver RESIDENTS ASSOCIATION / NPC services, including the RESIDENTS ASSOCIATION / NPC's managing agent;

6.2.2. Information Technology service providers who help run the RESIDENTS ASSOCIATION / NPC or otherwise manage or store the personal information;

6.2.3. Government and law enforcement authorities;

6.2.4. Other third parties where disclosure is required by law or otherwise required for the RESIDENTS ASSOCIATION / NPC to perform its obligations and provide its services; and

6.2.5. Any other person with consent to the disclosure.

6.3. The RESIDENTS ASSOCIATION / NPC may disclose personal information in the following circumstances:

6.3.1. Where the RESIDENTS ASSOCIATION / NPC has a duty or a right to do so in terms of the law;

6.3.2. Where it is necessary to protect the rights, dignity and reputation of the RESIDENTS ASSOCIATION / NPC and / or its members;

6.3.3. The RESIDENTS ASSOCIATION / NPC may disclose limited personal information, such as a member's name and property number within the RESIDENTS ASSOCIATION / NPC, where such disclosure is reasonably required for the effective management and administration of the RESIDENTS ASSOCIATION / NPC.

- 6.4. The sharing of personal information with members of the RESIDENTS ASSOCIATION / NPC or debt collectors relating to members who are in default with contribution payments, or who have failed to comply with the RESIDENTS ASSOCIATION / NPC's Rules, will not require a member's consent.⁷
- 6.5. Third parties who acquire personal information will treat personal information which comes to their knowledge as confidential and may not disclose the personal information unless required by law or in the course of the proper performance of their duties. A third party will notify the RESIDENTS ASSOCIATION / NPC immediately where there are reasonable grounds to believe that a compromise or suspected compromise has occurred.
- 6.6. A member shall not be entitled to access members' personal information without such member's consent, other than information readily available in terms of the governance or management of the affairs of the RESIDENTS ASSOCIATION / NPC.⁸
- 6.7. Parties involved in dispute resolution proceedings are entitled to access documents and / or information in so far as it relates to the dispute. Such parties are not mandated to follow the POPIA or PAIA process for access to information.⁹
- 6.8. The RESIDENTS ASSOCIATION / NPC will take reasonable steps to protect the confidentiality and security of personal information when it is disclosed to a third party, and seeks to ensure that a third party deals with your information in accordance with the RESIDENTS ASSOCIATION / NPC's instructions, applicable privacy laws, and only for the purpose for which it is disclosed.

⁷ Paragraph 4.7 of the Community Schemes Ombud Service Consolidated Practice Directive 1 of 2025.

⁸ Paragraph 4.8 of the Community Schemes Ombud Service Consolidated Practice Directive 1 of 2025.

⁹ Paragraph 16.8 of the Community Schemes Ombud Service Consolidated Practice Directive 1 of 2025.

7. DATA SECURITY

- 7.1. Section 19 of the POPIA requires a responsible party to ensure that appropriate, reasonable, technical and organisational measures are put in place to safeguard personal information against loss, damage, or unlawful possession or access to this information.¹⁰
- 7.2. Members may be invited, from time to time, to confirm the accuracy of their personal information in order to ensure that personal information is accurate and not misleading.
- 7.3. The POPIA requires that personal information should be adequately protected to avoid unauthorised access. Therefore, the RESIDENTS ASSOCIATION / NPC will continuously review security controls and procedures to ensure that personal information is secured.
- 7.4. The RESIDENTS ASSOCIATION / NPC may hold personal information in electronic or in hard copy form, and may keep this information at its own premises, or at sites managed by its services providers.
- 7.5. The RESIDENTS ASSOCIATION / NPC undertakes to take reasonable steps to protect the confidentiality and security of personal information when it is disclosed to a third party and shall seek to ensure that the third party deals with the personal information in accordance with the POPIA and that it is used for the purposes for which it was disclosed.
- 7.6. The RESIDENTS ASSOCIATION / NPC is committed to keeping your personal information safe. Protecting your privacy is very important to the RESIDENTS ASSOCIATION / NPC.

¹⁰ Paragraph 4.9 of the Community Schemes Ombud Service Consolidated Practice Directive 1 of 2025.

- 7.7. Where there are reasonable grounds to believe that your personal information that is in the RESIDENTS ASSOCIATION / NPC's possession has been accessed or acquired by any unauthorised person, the RESIDENTS ASSOCIATION / NPC will notify the relevant regulator and the affected data subject, unless a public body responsible for detection, prevention or investigation of offences or the relevant regulator informs the RESIDENTS ASSOCIATION / NPC that notifying you will impede a criminal investigation.

8. HOW LONG PERSONAL INFORMATION WILL BE KEPT

- 8.1. The RESIDENTS ASSOCIATION / NPC will retain personal information for as long as it has an ongoing legitimate operational need to do so (for example, to provide you with a service) or to comply with applicable legal, tax or accounting requirements.
- 8.2. The RESIDENTS ASSOCIATION / NPC shall only retain and store your personal information for the period for which the information is required to serve the purpose for its collection, or a legitimate interest or the period required to comply with applicable legal requirements, whichever is longer.

9. CCTV SURVEILLANCE CAMERAS

- 9.1. If cameras have been installed at the RESIDENTS ASSOCIATION / NPC, the following will apply:
- 9.1.1. In storing the footage, appropriate measures will be taken to ensure that images cannot be corrupted or altered, are protected from unauthorised access, and are securely destroyed after a reasonable retention period in accordance with privacy and data protection requirements;

- 9.1.2. Video footage is stored securely and is automatically overwritten when the storage is full;
- 9.1.3. CCTV surveillance cameras are in place for security and rule enforcement purposes;
- 9.1.4. Camera footage is accessible by authorised persons only;
- 9.1.5. Requests for access to footage are to be made in writing to the Information Officer and / or the directors of the RESIDENTS ASSOCIATION / NPC; and
- 9.1.6. Cameras are visible and positioned to monitor the perimeter, entrances, exits and other areas relevant to the security of the RESIDENTS ASSOCIATION / NPC and are not intentionally directed at private areas of a property without the express permission of the relevant owner or resident..

10. YOUR RIGHTS IN RELATION TO PERSONAL INFORMATION

- 10.1. Members of the RESIDENTS ASSOCIATION / NPC have the right to:
 - 10.1.1. ask what personal information the RESIDENTS ASSOCIATION / NPC holds;
 - 10.1.2. request access to the personal information;
 - 10.1.3. ask the RESIDENTS ASSOCIATION / NPC to update, correct or delete any out-of-date or incorrect personal information; or
 - 10.1.4. object to the processing of personal information on reasonable grounds relating to their particular situation unless the processing is required by law.

- 10.2. If a member wishes to exercise any of these rights or has any queries regarding the personal information held, the member can contact the Information Officer.
- 10.3. If a member wishes to request the correction or deletion of personal information, the member must complete Form 2 in terms of Section 24(1) of the POPIA and submit the completed Form to the Information Officer. A copy of Form 2 can be found at the end of this Policy.
- 10.4. To protect the integrity and security of the information the RESIDENTS ASSOCIATION / NPC holds, the RESIDENTS ASSOCIATION / NPC may ask that a member follows a defined access procedure, which may include steps to verify their identity.
- 10.5. If a member requests the RESIDENTS ASSOCIATION / NPC to delete all personal information, the RESIDENTS ASSOCIATION / NPC may refuse to delete a member's information if the RESIDENTS ASSOCIATION / NPC is required by law to retain it or if the RESIDENTS ASSOCIATION / NPC needs it to protect its rights.

11. INFORMATION OFFICER

- 11.1. Section 56 of the POPIA requires each public and private body to appoint an Information Officer, and where necessary a Deputy Information Officer, to give effect to the requirements as set out in the POPIA. The Information Officer must ensure that the personal information of members and third parties is processed safely and securely.¹¹
- 11.2. The Information Officer may either be a member of the RESIDENTS ASSOCIATION / NPC or another suitably qualified person, including the portfolio manager or a representative of the managing agent of the RESIDENTS ASSOCIATION / NPC, subject to a resolution passed by

¹¹ Paragraph 4.10 and 4.11 of the Community Schemes Ombud Service Consolidated Practice Directive 1 of 2025.

the RESIDENTS ASSOCIATION / NPC. The Information Officer's details will be announced from time-to-time and will be registered with the Information Regulator.¹²

- 11.3. Section 55 of the POPIA prescribes certain duties that an Information Officer is required to comply which include, *inter alia*, promoting and ensuring that the responsible party complies with the provisions of the POPIA, dealing with requests made under the POPIA, and assisting the Information Regulator with any investigations conducted in respect of the organisation.¹³
- 11.4. Regulation 4 of the POPIA includes additional duties to be performed by the Information Officer, which include ensuring that:
 - 11.4.1. A compliance framework is developed, implemented, monitored, and maintained;
 - 11.4.2. A personal information impact assessment is done to ensure that adequate measures and standards exist in order to comply with the conditions for the lawful processing of personal information;
 - 11.4.3. A manual is developed together with adequate systems to process requests for information; and
 - 11.4.4. Internal awareness sessions are concluded regarding the provisions of the POPIA, the Regulations, codes of conduct, or any other information obtained from the Information Regulator.
- 11.5. The Information Officer will ensure that all personal information processed is secured and kept confidential at all times, save as where

¹² Paragraph 4.11 and 5.1 of the Community Schemes Ombud Service Consolidated Practice Directive 1 of 2025.

¹³ Paragraph 5.2 of the Community Schemes Ombud Service Consolidated Practice Directive 1 of 2025.

disclosure is required in terms of the law. The Information Officer will also ensure that personal information is kept safely and securely.

- 11.6. Members must advise the Information Officer if any of their personal information must be updated, amended or deleted.¹⁴

12. LINES OF COMMUNICATION

- 12.1. If a member has a question, concern, or complaint regarding the way in which the RESIDENTS ASSOCIATION / NPC handles personal information, or if a member believes that the RESIDENTS ASSOCIATION / NPC has failed to comply with this policy or breached any applicable laws in relation to the management of that information, a complaint may be lodged with the Information Officer.
- 12.2. Any question, concern or complaint must be submitted in writing to the Information Officer.
- 12.3. If a member wishes to make a request to access their personal information in terms of section 23 of the POPIA, such request must be directed to the Information Officer.

13. CHANGES TO THIS POLICY

- 13.1. This Policy was published in August 2026.
- 13.2. The RESIDENTS ASSOCIATION / NPC may change this policy from time to time.

¹⁴ Paragraph 4.10 and 4.11 of the Community Schemes Ombud Service Consolidated Practice Directive 1 of 2025.

14. IMPLEMENTATION

- 14.1. The Information Officer together with the directors of the RESIDENTS ASSOCIATION / NPC confirm the contents hereof.


Information Officer

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