



## **INTRODUCTORY LETTER TO CLIENT RE: PERSONAL INFORMATION IN TERMS OF THE PROTECTION OF PERSONAL INFORMATION ACT (POPIA)**

Dear Client

The Protection of Personal Information Act (*POPIA*) is now in operation and we as an estate agency need to comply. The Protection of Personal Information Act (*POPIA*) is intended to balance the scale legally by protecting a person's constitutional rights to privacy (*which requires our personal information to be protected*); and the needs of business to have access to and to process (*work with*) a person's specific personal information to perform the task they are set out to do.

This letter is part of our agency's steps to enforce the POPI Act, by notifying you and giving you better insight into the way we implement POPIA. You can request a copy of our agency's internal POPIA compliance manual. All our staff are bound by confidentiality provisions in their letters of appointment, and we will only pass on your personal information to third parties who need it for the purposes of their work, related to what we do for you. (*Another estate agency to fulfil our mandate to you or attorney to register transaction, etc.*)

We undertake to protect your personal information in the prescribed manner, and will always ask your permission, before we obtain your personal information from you. We will also occasionally collect your personal information from 3<sup>rd</sup> parties with your consent, and from public records. This information is collected and stored for a specific purpose only to perform the task you have given us. (*This could be, for example, the sale or purchase of a property, or the rental or letting of a property or as a homeowner to trustees in a complex.*)

If you are required to share your personal information with an overseas recipient, you are entitled to ask us, about the steps we are taking to protect it, in the foreign country. We will only share your personal information as is needed and is required by the authorities, and we will only do so, if necessary, to complete tasks at your request.

You have the right to access your personal information and to correct any errors in it. You have the right to revoke permission to process your data at any time, but please note that if you exercise this right, it may result in us not being able to do our job properly. This could mean that you then commit a breach of contract if this is the reason why a mandate or contract cannot be executed.

You are still legally obliged to provide the information, that we need to comply with the Financial Intelligence Centre Act (*FICA*). Please note that we are still required by law to retain your FICA information for a period after we have completed our work. During this period, your personal information will be protected. After this period expires, your personal information will be destroyed, in a way that you de-identifies you.

To keep your data safe, we secure and control all our information against unauthorized access in the event of damage, loss or destruction (*Physical or electronic*). We do everything in our power to prevent personal information from falling into unauthorized hands. Our business premises where records are kept must be protected by access control, burglar bars and armed response – change according to your situation. All our laptops, telephones and computer network are protected by passwords that we change regularly.

Each employee uses his/her *own password to access the data*. Therefore, we can identify the source of a data breach and deal with and eliminate such violation. If there has been a data breach, we will determine the origin, correct it and prevent the recurrence of such data breach. You will be notified immediately by e-mail or in writing, if it is suspected that access to your personal information has been obtained by an unauthorized person. Sufficient information will be provided to enable you, to take measures, to protect yourselves from possible consequences of such data breach.

You have the right to lodge a complaint with the SA Information Regulator if you have complaints regarding the handling of your personal information by any business.

The Information Regulator (*South Africa*)  
PO Box 31533  
Braamfontein  
27 Stiemens Street  
Braamfontein  
2017

The Information Regulator (*South Africa*) e-mail: [complaints.IR@justice.gov.za](mailto:complaints.IR@justice.gov.za)

We trust that our processing of your personal information will be done in a manner that complies with all applicable laws and that your privacy rights will be protected as required by law.

Kind regards  
**LANDLORDS**

I/We the undersigned

\_\_\_\_\_ (Name) \_\_\_\_\_ (Name)

Hereby acknowledge receipt of Form 5, Introductory letter to client.  
(THE PROTECTION OF PERSONAL INFORMATION ACT)  
from **LANDLORDS**

SIGNED AT \_\_\_\_\_ (place) ON \_\_\_\_\_ (date)

\_\_\_\_\_ (Signature) \_\_\_\_\_ (Signature)