



## PRIVACY & PROTECTION OF INFORMATION POLICY

## Definitions

**“Data Subject”** means any person whether natural or juristic who has provided us with information or from whom we have collected information.

**“Fibonacci Asset Management”** or **“we”** refers to Fibonacci Asset Management Asset Management (Pty) Ltd, with domicilium citandi et executandi at 1<sup>st</sup> floor, Block C, Blueberry office Park, Apple Road, Randpark Ridge, 2194.

**“Personal Information”** means facts of a distinctive and confidential nature provided by or collected from an identifiable, living, natural person, and/or an identifiable, existing juristic person for purposes of assisting Fibonacci Asset Management in rendering a service to the client. Personal information may refer to records owned, held or otherwise under control of Fibonacci Asset Management.

**“Processing”** means any operation or activity, whether or not by automatic means, including but not limited to collection, receipt, storage, update, modify, retrieval, use, merge, link, restrict, degrade, erase, transmit or distribute.

**“IO”** or **“Information Officer”** means the person designated to handle complaints and requests in terms of this policy or any of the information that Fibonacci Asset Management processes, so mandated in terms of Paragraph 11 of this policy.

## Introduction

Fibonacci Asset Management Asset Management is a boutique financial services company who pride themselves on providing a holistic solution for each client. The Protection of Personal Information Act 4 of 2013 requires that we keep you informed on how we use your information, for what purpose we collect and use your information, and how long we intend to keep it. We are committed to protecting our clients' privacy and will collect and use your information minimally, transparently, and for the purpose for which it was collected.

Fibonacci Asset Management is committed to keeping your information safe and secure, to provide you with reasonable access to your information, and to give effect to your rights in terms of POPI and the ECTA. To this extent, we emphasise that your information is collected only by necessity, used accordingly, and that it is necessary to protect your legitimate financial interests.

## Legal Basis

Any information that we collect from you will be done with your consent. Consent will be obtained from our clients during negotiations, introductory meetings, initial briefs or a preliminary stage of analysis. If we are mandated by law to collect your information, we will notify you of the authorising law.

Where you provide us with information, you do so willingly and voluntarily with the understanding that we require the information to pursue both our clients' legitimate interests as well as our own.

To carry on business and to protect your interests, we require your information and will treat it with the utmost confidence- but should you at any time during the processing of your information object to the same, you may withdraw your consent by giving us reasonable notice.

## Purpose of Collection

Fibonacci Asset Management requires certain categories of information (more info in paragraph 4 below) to ensure that you receive the quality service you have come to expect, and that your needs are met. Information may be collected for explicitly defined purposes or incidental to the function, activity or service of Fibonacci Asset Management or a responsible third party.

The purpose of collecting your information includes, but is not limited to:

- 1.1. Providing financial advice and intermediary services
- 1.2. Providing any value added products or service to enable your financial wellbeing

Fibonacci Asset Management warrants that your information will never be used for a reason not in line with what it was collected for. Should the purpose we collect your

information not be specified in this paragraph, the purpose will be communicated to you in writing and agreed to.

## Information we collect

Fibonacci Asset Management collects different categories of information from our clients depending on their financial needs. We do not collect information that is excessive or irrelevant to the purpose specified, striving to collect only the information that is necessary for us to deliver our service and to comply with financial services law.

To the extent we require information from you, you can expect to provide us with information including but not limited to:

- 4.1 full names and surnames;
- 4.2 postal and/or physical addresses;
- 4.3 identity number of the client;
- 4.4 contact details:
  - 4.4.1 email Addresses;
  - 4.4.2 telephone Numbers;
  - 4.4.3 mobile Phone Numbers; and/or
  - 4.4.4 fax Numbers
- 4.5 Financial Needs
- 4.6 Assets
- 4.7 Liabilities
- 4.8 Estate information
- 4.9 Property information
- 4.10 Health information
- 4.11 and any other information that may be necessary to enable us to provide you with our service.

Please bear in mind that this is not an exhaustive list and we may at times require information that is not contained herein. We will inform our clients as to the information we collect from them whenever practicable, whether such information is voluntary or mandatory, and what the consequences are if information is not provided (both in cases of mandatory and voluntary collection).

## How we share your information

Fibonacci Asset Management staff are regularly reminded that they have a confidentiality obligation towards our clients who hold a Right to Privacy under the Constitution, and neither Fibonacci Asset Management nor its staff will disclose your information to a third party unless:

- 1.3. we are required to do so by law; or
- 1.4. the disclosure is necessary to enable us to perform our functions as per our clients' mandates; or
- 1.5. it is vital to protecting the rights of Fibonacci Asset Management.

In the event that your information is to be disclosed to a third party, Fibonacci Asset Management will ensure that the third party receiving your information is as committed to protecting your privacy and information as we are.

## Access to and Integrity of Information

Fibonacci Asset Management is committed to maintaining the integrity and accuracy of your information. To this extent, clients are reminded that they may request access to their own information at any time and to request that we update or correct any information that may be outdated or incorrect.

We take reasonable and routine steps to ensure that the information we collect is up to date and accurate. Where information does not need to be updated to fulfil the purpose for which it was collected, such information will not be updated without the client's express request.

Fibonacci Asset Management provides for four categories of requestors for access to information:

- 6.1 a person requesting his or her own information;
- 6.2 a person requesting information for and on behalf of another person;
- 6.3 a person requesting information about another person; or
- 6.4 a public body that requests information in the public interest

Requestors must provide proof of identity and a Power of Attorney where applicable. Fibonacci Asset Management may request any other information to verify the requestor's identity.

## Security of Information

The safety and confidentiality of your information is of paramount importance to Fibonacci Asset Management and its staff. To this extent, Fibonacci Asset Management is committed to preventing unauthorized access, damage, loss of, or destruction of your information by ensuring industry-appropriate and adequate security measures are implemented and persistently reviewed.

We do our best to identify risks both internal and external and to adapt accordingly we implement security systems with due regard to generally accepted information security practices.

Where there are reasonable grounds to suspect that the personal information of a data subject has been breached (accessed, acquired, deleted or damaged by an unauthorised third party), we will notify the data subject of such a breach as well as inform the information regulator as soon as reasonably possible after the breach is discovered.

## Duration of Information

Information we collect on data subjects will not be held for longer than necessary, or if the purpose for which said information was collected has ultimately been fulfilled, or if the collected information has become obsolete.

Where no agreements, other laws or terms in this policy apply, a record of personal information will be kept for one year after the information was used, including the specific purpose for which the information was collected.

In terms of the Financial Intelligence Centre Act, Fibonacci Asset Management is an accountable institution and we are therefore required to maintain a record of certain categories of information for at least five years from the date on which the transaction was concluded. In terms of S22, FICA requires the following information to be kept:

- 8.1 the identity of the client;
- 8.2 the identity and authority of a person acting on behalf of the client;
- 8.3 the identity of the person the client is acting on, as well as the client's authority to act on behalf of that person;
- 8.4 the manner in which the identity of the persons referred to above were established;
- 8.5 the nature of the business relationship or transaction;
- 8.6 the amounts and parties involved in a transaction;
- 8.7 all accounts involved in transactions concluded by Fibonacci Asset Management in the course of a business relationship or transaction;
- 8.8 the name of the person who obtained the information above on behalf of Fibonacci Asset Management; and
- 8.9 any document or copy of document obtained by Fibonacci Asset Management in order to verify the identity of the persons above.

We will destroy Records of Personal Information as soon as reasonably practicable, unless further retention is required by law or agreed to between the parties.

## Erasure of Information

Fibonacci Asset Management will endeavour that information be destroyed, where reasonable, after its retention period has lapsed in terms of paragraph 8.

If paragraph 8 does not apply, clients are reminded that they have the right to obtain the erasure of their personal data without an undue delay if:

- 9.1 the information is no longer necessary for the specified purpose it was collected for; or
- 9.2 where the data subject withdraws consent in terms of paragraph 2 of this policy; or
- 9.3 the collected personal information is inaccurate, irrelevant, excessive or incomplete.

If clients prefer for Fibonacci Asset Management to cease processing their information instead of deleting it, reasonable notice may be given to this effect following which we will immediately stop processing your information.

## Direct Marketing

We will never process your information for the purpose of direct marketing (or spam) unless:

- 10.1 you have consented to such processing; or
- 10.2 you had not previously refused consent; and if
- 10.3 your contact details were obtained in the context of providing you with our services; and if
- 10.4 you were given reasonable opportunity to object to the direct marketing; or
- 10.5 you are already a client.

## Information Officer

Fibonacci Asset Management's Information Officer is responsible for:

- 11.1 Ensuring information policies are reviewed, up to date and sufficient;
- 11.2 Handling complaints or requests made in terms of this policy;
- 11.3 Supporting this policy with relevant documentation;
- 11.4 Ensuring Information Security training is conducted;
- 11.5 Backing up data;
- 11.6 Reporting incidents and allocating security responsibilities; and
- 11.7 Any other relevant information-related duty or responsibility.

Fibonacci Asset Management's Information Officer is **Heidi Ludeke** with Contact Number: 0110686600, and

E-Mail Address: heidi@1618.co.za.

## Application of Policy

The obligations in this policy apply to Fibonacci Asset Management, its management, staff members, and representatives. Any external individuals who Fibonacci Asset Management entrusts personal information or the security thereof to are also bound by the terms in this policy.

## Signatures

As an authorised signatory of Fibonacci Asset Management I, Lloyd Priestman hereby confirm official adoption of this policy.

 10 February 2022

Signed & Dated – Director

**Lloyd Priestman**

Full name and surname – Director

 10 February 2022

Signed & Dated – Information Officer

**Heidi Ludeke**

Full name and surname – Information Officer