



Colourfield Liability Solutions (Pty) Limited (Registration Number: 2006/011272/07)

Privacy Notice

Colourfield Liability Solutions (Pty) Ltd
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Colourfield Liability Solutions (Pty) Ltd is an Authorised Financial Services Provider, FSP 35113. Registration Number 2006/011272/07. VAT Number 4160242188
Directors: B Matyolo, C Economou, S Levitan and N Sennett

WHAT IS THIS NOTICE FOR?

We know that you care about your personal information and how it is used, and we want you to trust that we use your personal information carefully. This Privacy Notice will help you understand what personal information we collect, why we collect it and what we do with it.

“We”, “our” or “us” refers to Colourfield Liability Solutions (Pty) Limited.

IF YOU HAVE QUESTIONS

If you have any questions about how your personal information is treated, please send these to our Information Officer whose details are below.

DETAILS OF OUR INFORMATION OFFICER

The company’s Information Officer is: Shaun Levitan

Telephone number: +2786 100 7656

E-mail address: Shaun@colourfield.co.za

Postal Address: Unit 16b, 3 Melrose Boulevard, Melrose Arch, Johannesburg, 2076

Street Address: Unit 16b, 3 Melrose Boulevard, Melrose Arch, Johannesburg, 2076

MEANING OF WORDS

We have tried to keep this Privacy Notice straight-forward, but if you are not familiar with terms, such as personal information, processing or special personal information, then you can read about these terms first in Annexure A.

WHY DO WE USE YOUR PERSONAL INFORMATION?

We may use your personal information for one or more of the following purposes:

1. To run our business in an efficient and lawful way. This includes testing our systems, managing our financial position, business capability, planning, communications, corporate governance, and audit.
2. To allow Clients and prospective Clients to use our products and services.
3. To carry out our responsibilities resulting from any agreements clients have entered into with the company, including for:
 - Discretionary asset management services – including, but limited to, Liability Driven Investment (LDI) solutions for mainly institutional clients of the following types:
 - a. Defined benefit, post-retirement medical aid, beneficiary funds, and insurance solutions
 - b. Defined contribution – goals-based investment solutions for retirement funds
 - Equity “Smart Beta” investment fund
4. To assess client and prospective client applications and agreements for our products and services.
5. Set-up/ on-boarding of clients, including fraud, credit and anti-money laundering and sanctions checks (if applicable).
6. To draft and conclude Investment Management Agreements with clients.
7. General client care, including communicating with clients and reporting to clients. To provide newsletters to interested persons. Inform clients about changes to our services and products.
8. Marketing of the company’s products and services.
9. To understand complaints, requests and feedback on, as well as provide information about, our products and services.

10. To comply, assess compliance and report on compliance with our legal, regulatory and policy obligations, including disclosure and reporting requirements.
11. To monitor, administer and maintain IT systems (including back-up, storage, website, applications and file server) in order to ensure they operate efficiently, uphold standards of service and internal requirements and to protect against cyber threats or malicious activity including abuse and misuse.
12. To insure the company and manage company insurance claims.
13. To appoint, manage and pay our internally focused service and product providers.
14. To manage employee membership of a medical scheme (or other applicable employee benefits), including communication and taking advice from and liaison with brokers, insurers and medical schemes.
15. Ongoing management of payroll, employee benefits and human resources records of employees, learners, directors and shareholders.
16. To obtain and store FICA, fit and proper or KYC records.
17. To comply with transformation requirements, including information collection, monitoring, rating and reporting.
18. Recruitment: managing applications (including, in some cases, verifying qualifications, fit and proper checks and references with third parties) and contracting as well as to maintain consistent practices and procedures with respect to the recruitment process.
19. Reporting to management and the board.
20. To carry out market research and statistical analysis to help us to improve our processes, products and services. To define our pricing strategies.
21. Defending or prosecuting legal claims or obtaining advice.
22. General risk modelling in order to evaluate risks and provide advice.
23. To keep our records up to date.
24. To protect our premises from unauthorised access or use, or any unlawful activity.
25. To protect against and maintain reports about Covid 19 or other illnesses.

WHAT SORT OF PERSONAL INFORMATION DO WE COLLECT?

Category of data subject	Category or personal information we hold for them
Employees and prospective employees	Full names, identity numbers, bank account details, contact details (telephone, email, postal and home addresses), academic & experience information, details on race and disabilities (B-BBEE information), credit and criminal checks (new employees), signature, travel records. Leave, membership numbers (for professional bodies). Details on race and disabilities, contracting information, tax number, salary and bonus information, medical scheme number and type of plan, marital status. Criminal/objectionable behaviour information and information related to litigation. Photos and personal information in emails.
Shareholders	Names, contact details, shareholding details
Directors	Names, contact details, fit and proper information. Identity numbers, contact numbers, B-BBEE information, academic and experience information
Institutional clients	Names, termination reasons, investment strategy type, complaints or litigation (if any), fees, FICA information, registration number and service providers,
Board of institutional clients	Name, role, contact details, FICA information

Suppliers and service providers	Bank account details, employee contact names, contact details, contracting details, registration number, employee names
Learners	Learners: name, identity number, contact details, details on race and disabilities, contracting information and bank account details
Newsletter subscribers	Subscribers' names and contact details
Insurers	Bank account details, contact details
Members of institutional clients and their spouses/partners and children (Defined benefit, post-retirement medical aid, and insurance solutions)	Membership number of fund, date joined the fund, normal retirement age, date of birth, gender, pension actuarial reserve, spouse/partner date of birth, child date of birth
Members of institutional clients (Managed Defined Contribution activities)	Membership number, date joined the fund, normal retirement age, date of birth, gender, salary, fund balance, investment portfolios, default indicator, net contribution rate towards retirement savings, additional voluntary contributions, Rand contributions over the period, additions/withdrawals from fund balance over the period, date of exit for preserved members, disability category (sometimes)
Equity Smart Beta Fund investors	Names, contact details
Beneficiaries of beneficiary funds	date of birth, amount held in fund

WHO DO WE COLLECT YOUR PERSONAL INFORMATION FROM?

Sometimes we collect your personal information from you, but we do not always collect your personal information directly from you. For example, we collect personal information about members from institutional clients and their service providers.

We rely on the following justifications not to collect personal information directly from you:

- It is necessary to carry out actions for a contract with the data subject;
- It complies with an obligation imposed by law on us;
- It protects the legitimate interest of a data subject; or
- It is necessary to pursue our legitimate interests or a third party to whom the information is supplied.

For more information about the specific activities where we collect personal information from persons other than the persons themselves and the justifications we rely on to do so, please ask our Information Officer for our Data Protection Policy.

WHO DO WE GIVE YOUR PERSONAL INFORMATION TO?

We try to be very careful about who we give your personal information to. But in order to achieve our purposes we do sometimes provide your personal information to other persons. (Our purposes are set out above.) The Company may provide certain personal information to the following persons, amongst others:

- client fund and its auditors, consultants and actuaries;
- banks and brokers that we trade with on behalf of our clients;

- our auditors and B-BBEE rating agency;
- our insurers;
- our legal representatives and consultants;
- our employees, agents, service providers and directors;
- our shareholders;
- Ombud;
- the FSCA, the Information Regulator and other relevant authorities and regulators;
- the South African Revenue Services, the Financial Intelligence Centre and other government entities; and
- other persons lawfully entitled to receive your personal information.

WHAT DO WE RELY ON TO USE YOUR PERSONAL INFORMATION?

Many times, we rely on justifications, other than your consent, to use your personal information to do what we need to do. In some instances, we do rely on your consent, for example where we receive a form signed by you. But often we will rely on one of the following grounds to use your personal information:

- It is necessary to carry out actions for a contract with the data subject
- It complies with an obligation imposed by law on us,
- It protects the legitimate interest of the data subject; or
- It is necessary to pursue our legitimate interests or a third party to whom the information is supplied.

For more specific information about the grounds we rely on to use your personal information, please request our Data Protection Policy from our Information Officer.

SENSITIVE PERSONAL INFORMATION

We process special personal information and children's personal information as part of its normal activities.

Special personal information collected and used by us includes race, health or sex life and criminal or objectionable behaviour.

For more specific information about how we collect and use special personal information and children's personal information as well as the justifications we rely on to do so, please request the our Data Protection Policy from our Information Officer.

TRANSFERRING YOUR PERSONAL INFORMATION OUTSIDE SOUTH AFRICA

We may transfer your personal information outside of South Africa. However, we will always make sure that we protect your personal information as required by POPIA if your personal information leaves the country.

SECURITY MEASURES FOR YOUR PERSONAL INFORMATION

We employ appropriate and reasonable technical and organisational measures to prevent loss of, damage to or unauthorised destruction of your personal information and unlawful access to or processing of your personal information. We maintain security breach processes for in case there is a breach and notify to the Information Regulator as we are required to.

HOW LONG WILL WE KEEP YOUR PERSONAL INFORMATION?

We will keep your personal information for as long as is necessary to achieve our purposes. After that, we will destroy it if we are no longer authorised or required to keep it in terms of law, agreements, consent or our Data Protection Policy.

Given the long-term view of our institutional clients, we often need to keep information for long periods.

Where we destroy or delete personal information about you, we will do so in a manner that ensures your personal information remains secure and that, subject to the retention requirements above, once we no longer need personal information for one of our purposes or in terms of a law, we will destroy or restrict it.

If we use personal information to make a decision about you, we will retain that personal information for a period that is reasonable in order to allow you to ask about the personal information.

The retention periods for certain types of records that contain personal information are set out in our Data Protection Policy. For more information about how long we keep your personal information for, please request our Data Protection Policy from our Information Officer.

IF YOU WANT TO COMPLAIN ABOUT HOW WE HAVE USED YOUR PERSONAL INFORMATION

Please contact our Information Officer on the details set out in a previous section.

You can also complain to the Information Regulator using the following details:

Physical address: JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001

Postal address: P.O. Box 31533, Braamfontein, Johannesburg, 2017

Complaints email: complaints.IR@justice.gov.za

General enquiries email: infoereg@justice.gov.za

YOU HAVE A RIGHT TO ASK US FOR INFORMATION OR ASK US TO DO OTHER THINGS

You have the following rights under POPIA:

To request confirmation of whether we hold personal information about you and a description or record of it

To request information about which third parties have access to your personal information

To request us to correct or delete your personal information if it is inaccurate, irrelevant, excessive, out-of-date, incomplete, misleading or unlawfully obtained (Form 2, Regulations to POPIA)

To request us to delete or destroy your information if we are no longer authorised to keep it

To object to us processing your personal information (Form 1, Regulations to POPIA)

Note: please use the prescribed forms for the requests noted above, which you can get from the Information Regulator's website: <https://justice.gov.za/infoereg/>. If you do not use the prescribed form or do not complete it properly, your request may be refused (if sufficient information is not provided or otherwise) or delayed.

Please see our Access to Information (and Data Subject Participation) Manual for more information about what information and requests you can make us and how to do it. You can ask our Information Officer for a copy of this Manual.

IF YOU NEED MORE INFORMATION ABOUT HOW WE USE YOUR PERSONAL INFORMATION

You can always ask our Information Officer for our Data Protection Policy or Promotion of Access to Information (and Data Subject Participation) Manual. This is usually provided by email.

Annexure A – Meaning of words

Biometric information means any information from any personal identification technique based on a person's physical, physiological, or behavioural characteristics, such as their fingerprint, retina, voice, blood type, or DNA.

Breach means an incident of failing to protect personal information where a person gets unauthorised access to it, for example through hacking, theft or a leak. This includes a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal information.

Children means a natural person younger than 18 who are legally incompetent to take legal action or make decisions about themselves without assistance from a competent person, such as their parent or guardian.

Consent means any voluntary, specific and informed expression of will in terms of which permission is given for the processing of personal information.

Data subject means the people or organisations that the personal information is about.

Direct marketing means to approach a data subject, either in person or by mail or electronic communication, for the direct or indirect purpose of:

- (a) promoting or offering to supply, in the ordinary course of business, any goods or services to the data subject; or
- (b) requesting the data subject to make a donation of any kind for any reason.

Information Regulator means the public body whose role it will be to enforce compliance with POPIA.

PAIA means the Promotion of Access to Information Act, 2 of 2000.

Personal information means any information about a living human being or an existing company, close corporation, or other juristic person, provided that the human being or juristic person is capable of being identified. It includes both public and private information. It includes special personal information. It excludes purely statistical information and de-identified information.

POPIA means the Protection of Personal Information Act 4 of 2013.

Processing means doing almost anything with personal information, including collecting it, disclosing it, or combining it with other information.

Record means any recorded information, no matter its form or medium (including written, electronic, labelled, illustrative, or visual records) that the responsible party possesses or controls, regardless of whether the responsible party created them or when they came into existence.

Special personal information means specific sensitive types of personal information which are set out in POPIA and that have general and special processing grounds. Special personal information includes religious or philosophical beliefs, race or ethnicity, trade union membership or political persuasion, health or sex life, biometric information and criminal or objectionable behaviour.