**PRIVACY POLICY**

**BY ACCESSING AND USING THIS WEBSITE, SCANNING ANY QR CODE OR ENTERING AND USSD OR OTHER NUMBER, AND/OR OUR SERVICES, THE USER IS PROVIDING THEIR EXPRESS AND VOLUNTARY CONSENT TO THE PROCESSING OF THEIR PERSONAL INFORMATION BY HELEN MELON PROPERTIES (PTY) LTD ("COMPANY") ON THE BASIS SET OUT IN THIS PRIVACY NOTICE. IF THE USER DOES NOT CONSENT, THE USER MUST IMMEDIATELY STOP ACCESSING AND/OR USING THIS WEBSITE AND OUR SERVICES.**

# 1.Introduction

2. COMPANY collects, uses and, in some circumstances, shares the personal information of Users in and through this website and during the provision of services to you.

3. COMPANY respects the rights of Users whose personal information is collected and used by it, including their right to protection against the unlawful collection, retention, sharing and use of such personal information.

4. The purpose of this Privacy Policy is to provide Users with information about the information processing activities of COMPANY and the way their rights are protected.

5. This Privacy Policy shall serve as a blanket notification to Users about COMPANY's processing activities which will remain valid for as long as one has an active account with or is using the services of COMPANY, including the browsing of this website. Users will not be notified separately on each occasion that COMPANY processes the same personal information in the same way over the period.

6. COMPANY may amend the provisions of this Privacy Policy to comply with any changes in the law, and/or pursuant to any changes to its information processing activities or privacy practices. Such amendments will be published on the website and will become operable from the date of such publication.

7. This privacy policy, and the interpretation and enforcement thereof, will be governed by the laws of the Republic of South Africa.

8. The provisions of this Privacy Policy is, as far as possible, be incorporated into any agreement between COMPANY and Users.

# 9.Definitions and interpretation

10.In this Privacy Policy, the following words bear the following meanings:

    1. ''consent'' means any voluntary, specific and informed expression of will in terms of which permission is given by or on behalf of a User for the processing of their personal information;

    2. ''direct marketing'' means to approach a data subject, either in person or by mail or electronic communication, for the direct or indirect purpose of promoting or

offering to supply any goods or services to the data subject;

3. ‘’information officer’’ means Helen Ward, the director of COMPANY, who can be contacted at info@helenmelonproperties.co.za or on 044 533 1589.

4. ‘’operator’’ means an outside third party who processes personal information for or on behalf of COMPANY in terms of a contract or mandate;

5. ‘’personal information’’ means any information linked to a User or information that can identify a User, including but not limited to:

    1. information relating to a User’s gender, nationality, ethnic or social origin age, language;

    2. a User’s e-mail address, physical address, telephone number, location information or online identifier;

    3. a User’s financial information including banking details and invoice information;

    4. a User’s personal opinions, views or preferences;

    5. correspondence sent by a User which is of a private or confidential nature;

    6. the User’s special personal information, only where authorised by POPIA and necessary for a stated estate agency, legal compliance, or other lawful purpose; and

    7. the User’s name if it appears with other personal information relating to that User, or if the disclosure of their name on its own would reveal further personal information about that User;

6. ‘’POPIA’’ means the Protection of Personal Information Act of 2013, including any regulations or codes of conduct promulgated under it;

7. ‘’PAIA’’ means the Promotion of Access to Information Act 2 of 2000;

8. ‘’process or processing’’ means, in relation to personal information, any operation or activity or any set of operations, whether or not by automatic means, including:

    1. the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use of that information;

    2. dissemination by means of transmission, distribution or making available in any other form; or

    3. merging, linking, as well as restriction, degradation, erasure or destruction of that information;

9. “special personal information” means the religious or philosophical beliefs, race or

ethnic origin, trade union membership, political persuasion, health, sex life or any biometric information of a User; and may include criminal behaviour of a User to the extent such data relates to the alleged commission of the User of an offence or any proceedings in respect of any offence allegedly committed by a User or the disposal of such proceedings

10. “services” means the services provided to any User by COMPANY;

11. ‘’User’’ means a visitor or user of this website, or any of the content or services associated with this website; and

12. ‘’the website’’ means the website or any part thereof which is accessible from www.helenmelonproperties.co.za.

2. Any reference in this Privacy Policy to:

    1. the singular includes the plural and *vice versa*;

    2. any one gender includes the other genders, as the case may be;

    3. an act, regulation or other law is to the version of that law in force at the effective date of this Policy and includes any amendment or re-enactment made to that law after the effective date of this Policy.

3. When calculating any number 1of days for the purposes of this Policy, the first day must be excluded and the last day of the relevant interval included, unless the last day is not a business day, then the last day will be the next succeeding business day.

4. The word "include" means "include without limitation". Use of the word ‘’include’’ or ‘’in particular’’ is for illustration or emphasis only and where followed by specific examples must not be interpreted as limiting the meaning of the general wording preceding it.

5. A requirement that any Policy, request, demand or other communication made in terms of this Privacy Policy must be in writing will be met if it is in the form of a data message as defined in the Electronic Communications and Transactions Act, No. 25 of 2002, and is accessible in a manner usable for subsequent reference, provided that this policy may not be amended as such.

# 6.responsible party

1. COMPANY will be the party who will be collecting and processing a User’s personal information and as such is designated as the ‘’responsible party’’ for the purposes of this Policy.

2. COMPANY‘s contact details are as follows:

1. Email address: info@helenmelonproperties.co.za
2. Website address: www.helenmelonproperties.co.za
3. Telephone number: 044 533 1589
4. Physical address: 5 Formosa Place, Main Street, Plettenberg Bay, 6600
5. Information Officer: Helen Ward (info@helenmelonproperties.co.za)

3. COMPANY may instruct third party operators from time to time to undertake certain processing activities relating to the User's personal information.

# 4.WHAT PERSONAL INFORMATION IS COLLECTED

1. COMPANY may collect the following personal information from the User:

1. Initials, first name, surname;
2. Date of birth;
3. Email address;
4. Age and language preference;
5. Gender;
6. Cell phone number;
7. Physical address;
8. Bank details;
9. Residential address;
10. Marital status;
11. Geo-location data;
12. Employment details; and
13. Identity or passport number.

2. The supply of personal information by the User to COMPANY is voluntary and not mandatory, except where required for COMPANY to perform customer due diligence, identity verification, screening, recordkeeping or other legal compliance obligations. However, if the User refuses to supply any personal information, certain consequences may naturally flow from such a refusal, such as preventing COMPANY from concluding or performing any contract with the User, or preventing COMPANY from complying with

one or more of its obligations in law.

3. There are applicable laws which directly requires or authorises COMPANY to collect, verify and obtain from appropriate third-party sources a User's personal information and supporting records; including without limitation FICA.

4. In addition, depending on the service that a User asks COMPANY for, COMPANY may collect: copies of identity and proof of address documents; income details and supporting documents such as bank statements; source of funds and payment method; employment type, industry and employer details; details of previous addresses and landlords or rental agents; information about other occupants (including the names and ages of children) and pets; references; whether the User is a politically exposed person; property details and photographs; and the User's enquiries and messages, including emails and WhatsApp messages.

# 5. purpose/s for collection and processing of personal information

1. COMPANY shall only collect and process a User's personal information for a specific, explicitly defined and lawful purpose relating to a function or activity of COMPANY's business and where a lawful basis under POPIA applies.

2. Such purposes may include the following:

3. to comply with estate agency regulatory obligations;

4. to market properties;

5. to communicate with clients and administer commission;

6. to receive, communicate and administer offers, and to administer property sales and leases;

7. to respond to buyer and tenant enquiries and arrange and conduct property viewings;

8. to obtain and administer property mandates;

9. to enter into a contract with a User, where processing is necessary for that purpose;

10. to perform any obligations under a contract with a User, where processing is necessary for that purpose;

11. to comply with a legal obligation, where processing is necessary for that purpose;

12. to protect a legitimate interest of a User, where processing is necessary for that purpose (unless the User has specifically objected in writing to all or some of the processing activities on reasonable grounds);

13. to pursue its own legitimate interests or the legitimate interests of a third party who it is sharing the information with, where processing is necessary for that purpose (unless the User has specifically objected in writing to all or some of the processing activities on reasonable grounds);

14. to process personal information for direct marketing purposes, where the User has

consented to receiving any direct marketing material;

15. to customise and display content to the User in a way that COMPANY feels may interest the User or be most beneficial to them, where processing is necessary for COMPANY's legitimate interests or the legitimate interests of a third party;

16. to send content including, but not limited to products, articles, listings and advertisement content to the User via email or other electronic media, where the User has consented to be contacted by COMPANY with such content;

17. to enable the User to voluntarily participate in interactive features, where processing is necessary for that purpose;

18. to notify the User about changes to the website or services, where processing is necessary for that purpose.

19. If COMPANY intends to process a User's personal information for any other purpose not listed in clause 5.2, it shall ensure that a lawful basis under POPIA applies and, where consent is the appropriate lawful basis, obtain the User's consent to do so.

20. COMPANY will not sell a User's personal information to any third party without the prior written consent of the User.

# 21.collection directly from user

1. COMPANY shall, as far as possible, always collect personal information about a User directly from the User, except where COMPANY collects, verifies or obtains from appropriate third-party sources personal information and supporting records necessary to perform FICA customer due diligence, identity verification, screening, recordkeeping or related legal compliance obligations, or in the following circumstances:

    1. Where personal information is collected from a public record, or from another source if the information has already been made public by the User;

    2. where the User has given their written consent to COMPANY to collect their information from another source;

    3. where the collection of a User's personal information from another source will not prejudice any of the User's legitimate interests;

    4. where the collection of personal information from another source is necessary to maintain COMPANY's legitimate interests or those of any third party it intends sharing the information with;

    5. where the collection of personal information directly from the User would prejudice the purpose for the collection;

    6. where the collection of personal information directly from the User is not reasonably practicable in the circumstances.

2. If COMPANY collects personal information from a source other than the User, it shall record in writing the details of that source, including the full names and contact details of that source where applicable.

3. Personal information may be collected from or supplied by the User in any of the

following ways:

1. during the process of scanning a QR Code or sending a SMS, USSD number or WhatsApp message;

2. when requesting further services or information from COMPANY;

3. when contacting COMPANY to report a problem with the website or the services or for any other reason;

4. when completing any forms on the website.

4. The User may visit the website without providing any personal information. However, the website's servers may still collect technical information regarding the use of the website, which is aggregated for analytical purposes, technical maintenance and for improving the content offered on the website. Such information may include details of the User's visit, information about the User's computer, including IP (Internet Protocol) address, operating system and browser type, the User's location, and usage information. An individual User will not be identified from or by this information and COMPANY is entitled to copy, distribute or otherwise use such information without limitation.

# 5.Cookies

1. "Cookies" are small text files transferred by a webserver to a User's hard drive and thereafter stored on their computer. The types of information a Cookie collects includes a User's username, the date and time of their visits to the website, their browsing history and preferences.

2. COMPANY may use Cookies on this website to:

    1. distinguish one User from another on the website;

    2. remember the User's last session when they return to the website;

    3. estimate the website's audience size and usage patterns;

    4. store information about the User's preferences, which allows COMPANY to customize the website and content according to the Users individual preferences; and

5. speed up searches on the website.

3. The provisions of this clause are only applicable to Cookies used by COMPANY. In some instances, third-party service providers may use Cookies on the website. COMPANY cannot and does not control or access Cookies used by third party service providers and takes no responsibility therefor.

4. The User has the right and ability to either accept or decline the use of Cookies on their computer's web browser, whether they are logged in as a member, or simply casually visiting the website. However, declining the use of Cookies may limit a User's access to certain features on the website.

5. Website functionality. This website may use browser storage that is necessary for it to work, for example to remember a User's settings. COMPANY does not use this storage for advertising.

6. Analytics and advertising technologies. COMPANY may use, or may in future use, analytics and advertising tools on this website, including Google Analytics and Google advertising tags, and the Meta (Facebook) Pixel and related Meta tools. These tools place Cookies or similar technologies on the User's device, or read information from it, to collect information such as the pages visited, the device and browser used, approximate location and how the User interacts with the website. Advertising tools are also used to measure the results of COMPANY's advertising and to show advertisements to Users on Google, Facebook, Instagram and other platforms.

7. Cookie consent. Cookies and similar technologies that are not strictly necessary for the website to work, including analytics and advertising technologies, will only be activated once the User has accepted them through the cookie settings on the website. The User may change or withdraw that choice at any time through the cookie settings or the User's browser settings. Google and Meta collect information through their own Cookies and may use it for their own purposes in terms of their own privacy policies (policies.google.com/privacy and facebook.com/privacy/policy). COMPANY does not control that use.

# 8. GENERAL CONDITIONS FOR PROCESSING PERSONAL INFORMATION

1. COMPANY shall comply with all laws, contracts or regulations when it processes a User's personal information.

2. COMPANY shall not act unreasonably when processing a User's personal information. This means that it will collect and process a User's personal information in a way that the User can reasonably expect and in a way that is fair.

3. COMPANY shall respect the User's right to privacy at all times. If there is another way in which it can achieve the same goal without posing any risk of harm to the privacy rights of the User, then it will choose that option.

4. Similarly, if COMPANY needs to process personal information but there are less privacy-invasive methods of collecting, using and sharing that information, then it will use those methods.

5. COMPANY shall ensure that the personal information that is collected and processed is and remains relevant to the identified purpose/s for such processing, and that such information is and remains adequate, but not excessive, for achieving the identified purpose/s.

6. If there are any alternative ways to achieve the identified purpose/s without processing personal information, COMPANY shall not process that personal information.

7. COMPANY shall ensure that the processing activities it chooses to apply are proportionate to achieving the identified purpose/s and that no less privacy invasive measures are available to achieve the same purpose/s.

8. COMPANY shall ensure that, regardless of the stated purpose/s for processing personal information, the rights and interests of Users will not be unnecessarily prejudiced or infringed, unless it cannot be avoided, and then in such cases, it shall ensure that its own rights and/or interests justify such prejudice or infringement taking place.

9. COMPANY shall retain the personal information of Users only for as long as necessary to achieve the purpose for which the User's personal information was collected, unless the User has directed otherwise in writing, COMPANY is required by law to retain the information for a longer period of time, or retention is necessary for contractual administration or the establishment, exercise or defence of legal claims.

10. If COMPANY no longer needs to process personal information to achieve the purpose originally specified, it will stop using that information.

# 11.DISCLOSURE AND SHARING OF PERSONAL INFORMATION

1. COMPANY may, while providing any content or services on this website, or for the purposes of concluding or performing any other services or transaction with a User, share certain personal information with third party operators who perform certain processing activities on behalf of COMPANY.

2. The information shared and the categories of third party operators with whom it is shared will always be notified to you prior to being shared. Notwithstanding the aforegoing, you consent to us sharing your personal information with the following categories of recipients and operators:

    1. Property sellers, landlords, buyers and tenants; conveyancers; financial institutions; property-service providers; referral partners; our legal and professional advisers; regulatory bodies; and operators.

3. COMPANY may also share aggregated information about Users of this website and their usage patterns. COMPANY may also use such aggregated information to help advertisers target specific audiences. Such aggregated information will be de-identified and the User's personal information will not be disclosed.

4. Other than as stated in clause 9.1 and 9.3, COMPANY shall not share a User's personal information with any third parties unless it has the User's express consent to do so.

5. Service providers. COMPANY uses service providers to process personal information on its behalf, including for cloud file storage, email, email marketing, customer relationship management (CRM) systems, tenant screening and rental payments and invoicing, messaging, website hosting and development, analytics, and IT support. These may include, for example, Dropbox, Microsoft (Outlook), Mailchimp, PayProp, PropControl, WhatsApp (Meta) and COMPANY's website and IT service providers. The disclosures described in clauses 9.5 to 9.8 are in addition to those in clauses 9.1 and 9.3 for the purposes of clause 9.4.

6. Property portals. Where a User enquires about a property through Property24, Private Property or another property portal, the portal may send the enquiry to COMPANY. COMPANY's use of that information is governed by this Privacy Policy. The portal's own use of the information is governed by the portal's privacy policy.

7. WhatsApp. If a User contacts COMPANY through WhatsApp, the conversation takes place on WhatsApp, a service of Meta, and is subject to WhatsApp's own terms and privacy policy. COMPANY may use a service provider to connect WhatsApp to COMPANY's own systems so that messages can be received, recorded and answered by COMPANY's staff.

8. AI assistant. This website offers an AI assistant ("Ask Helen"). The questions that a User enters are processed by an AI service provider, which may be located outside South Africa, in order to produce a response. Users should not enter sensitive personal information, such as identity numbers, bank details or health information, into the assistant.

# 9. USER'S RIGHTS IN RELATION TO THE PROCESSING OF THEIR PERSONAL INFORMATION

1. Users shall have the following rights in relation to the processing of their personal information:

    1. to access and correct any personal information held by COMPANY about them;

    2. to object to the processing of their information; and

    3. to lodge a complaint with the Information Regulator.

2. Users may make a request in terms of clause 10.1.1 by following the process for making such a request as set out in COMPANY's PAIA manual.

# 3.Further processing

1. COMPANY shall not process a User's personal information for any purpose not previously specified except in the following circumstances:

    1. where the User has consented to such further processing;

    2. where the further processing is necessary for the exercise of any contractual rights or the fulfillment of any obligations between COMPANY and the User;

    3. where the further processing activities are linked to or compatible with the original purpose;

    4. where the further processing is necessary for the prevention, detection, investigation, prosecution and punishment of an offence;

    5. where the further processing is necessary to enforce any law;

    6. where the further processing is necessary for the conduct of legal proceedings in any court or tribunal that have commenced or are reasonably contemplated;

    7. where the further processing is necessary to prevent or mitigate a serious and imminent threat to the life or health of the User or another individual;

    8. where the further processing is necessary for historical, statistical or research purposes.

2. COMPANY shall ensure that if it intends processing personal information for other purposes not previously specified, it shall notify the User of such further purposes and the possible consequences of the intended further processing for the User.

# 3.Accuracy, correctness and completeness of personal information

1. COMPANY shall take reasonably practicable steps to ensure that the personal information kept by it about Users is complete, accurate, not misleading and is updated when necessary.

2. However, if a User is aware of any personal information in COMPANY's custody that is incorrect, inaccurate or which needs to be updated, the User must make a written request to COMPANY's information officer at info@helenmelonproperties.co.za to update or correct the relevant information.

3. If a User has contested the accuracy of any personal information being used by COMPANY, it shall immediately stop using that information until its accuracy has been verified.

4. COMPANY reserves its right to only adhere to a request from a User in terms of clause 12.2 if the correction or updating of that information will result in the personal information being correct and accurate.

5. Where personal information that has been shared by COMPANY with a third party is subsequently updated or corrected, COMPANY shall ensure that all third parties, with whom that information was shared, receives the updated and/or corrected version of the information as soon as it has been updated and/or corrected.

# 6.SECURITY SAFEGUARDS

1. COMPANY is committed to protecting the personal information in its custody against any loss of, damage to or unauthorised destruction of that information, and to prevent any unauthorised parties from accessing that information.

2. COMPANY takes steps to continually identify and document any risks to the personal information it has in its possession or under its control and that appropriate security safeguards are in place against those risks.

3. COMPANY shall ensure that in any contracts entered with third party operators who process personal information on COMPANY' behalf, include the following obligations:

    1. the operator shall not process any personal information without COMPANY's knowledge and authority;

    2. the operator shall treat all personal information given to it as confidential and shall not disclose it to any unauthorised third parties;

    3. the operator shall establish and maintain adequate security measures which are the same or offer similar protection over the personal information as that employed by COMPANY;

    4. the operator shall notify COMPANY immediately where there are reasonable grounds to believe that any personal information has been leaked to or accessed by any unauthorised person;

    5. if the operator is situated in another country, it must comply with the data protection laws in that country and be able to provide verification that it is so compliant;

    6. if an operator is legally obliged to disclose any personal information processed by them on COMPANY's behalf to other parties, it must notify COMPANY beforehand to enable COMPANY and/or individual Users to protect their rights if necessary.

4. COMPANY shall ensure that all personal information on its systems is properly backed-up and that back-up copies are stored separately from the live files.

# 5.NOTIFICATION OF BREACH OF SECURITY

1. If personal information about a User is inadvertently leaked or COMPANY's security has been unlawfully breached by any unauthorised party, COMPANY shall, as soon as reasonably possible after discovering the compromise, notify the Information Regulator where required by POPIA, identify the relevant Users who may be affected by the security breach, and notify them at their last known email address or contact details or by the quickest means possible.

2. COMPANY shall provide sufficient information to the User to allow him or her to take the necessary protective measures against the potential consequences of the compromise or shall advise Users of the steps to be taken by them and the possible consequences that may ensue from the breach for them.

# 3.Decisions based on personal information processed

1. If COMPANY is required to make a decision about a User using any personal information that has been obtained, it shall ensure that a record of such information and the decision made is kept for a reasonable period of time to give the User an opportunity to request access to that record.

2. COMPANY shall allow a User a reasonable opportunity to make representations before any decision is made solely based on the personal information processed, if that decision will affect the legal position of the User, or will otherwise adversely affect them in some manner or form.

3. COMPANY shall always ensure that the underlying logic behind any decision made pursuant to the automated processing of personal information is sound and that this underlying logic can be communicated to the User to enable them to make representations.

4. If COMPANY has made a decisions based on incorrect personal information, it shall immediately revisit that decision as soon as it receive Policy or becomes aware of the error or inaccuracy of that information.

# 5.Linked third party websites

1. This website may contain links or references to other websites, including those of advertisers ("**third party websites**") which are not under COMPANY's control.

2. The provisions of this Privacy Policy are not applicable to third party websites and COMPANY shall not responsible for the information processing practices and/or privacy policies of those third party websites, or the cookies that those websites may use.

# 3.DIRECT MARKETING

1. COMPANY may send electronic communications to the User for the purpose of marketing similar products or services offered by COMPANY, where permitted by POPIA and with the User's consent where required by POPIA.

2. The User may object, free of charge, and without unnecessary formality, to the use of their details either when the information was first collected from them or when each subsequent electronic communication is sent to them by COMPANY.

3. The User can opt out of receiving further marketing communications by unticking certain boxes on the forms used on the website to collect their personal information, or by contacting COMPANY at info@helenmelonproperties.co.za.

4. COMPANY sends property and property market news by email, using Mailchimp, to people who have enquired with COMPANY about properties and to property sellers and landlords. Every marketing email contains a link to unsubscribe, and a User may also opt out at any time by contacting COMPANY at info@helenmelonproperties.co.za. COMPANY only markets by WhatsApp, SMS or telephone call with the User's consent.

# 5.Children’s personal information

COMPANY shall not process any personal information relating to a person under the age of 18 years unless it has obtained consent from that person’s parent or legal guardian. If this website is being accessed by the parent or guardian of a child under the age of 18 years, and personal information pertaining to that child is being provided by the parent or guardian, then they hereby expressly consent to COMPANY processing such information according to the further provisions of this Privacy Policy.

# 1.cross border Transfers of personal information

2. COMPANY may transfer personal information outside South Africa only where the transfer meets the requirements of POPIA, including where:

    1. the recipient is subject to a law, binding corporate rules or a binding agreement that provides an adequate level of protection for personal information; or

    2. the transfer is necessary for the conclusion or performance of a contract with a third party which is for the benefit of or in the interest of the User;

    3. the transfer is otherwise for the benefit of the User; or

    4. the User has consented to the transfer of their information.

3. COMPANY will ensure that any transfer of personal information from South Africa to a third party in a foreign country complies with POPIA.

4. COMPANY and its service providers may store or process personal information on servers outside South Africa, including through Dropbox, Microsoft, Mailchimp, Google, Meta (WhatsApp, Facebook and Instagram), Lovable (website hosting), and any AI service provider that COMPANY uses. COMPANY takes reasonable steps to ensure that those providers protect personal information as POPIA requires.

# 5.Retention of information

6. COMPANY will keep a record of any personal information collected for no longer than is necessary to achieve the specific purpose for which it collected such information in the first place unless:

    1. It is required by law to keep a record of such information for a longer period of time; or

    2. It needs to keep a record of such information for contractual administration or the establishment, exercise or defence of legal claims; or

    3. It has a contractual obligation to keep a record of such information; or

7. COMPANY may, if it has de-identified personal information, keep such information for historical, statistical or research purposes. COMPANY shall ensure that appropriate safeguards are in place to prevent those records from being used for any other purposes, or against the information being re-identified.

# 8.Returning, destroying or deleting personal information

9. Where COMPANY is no longer authorised to retain a record of any personal information,

and subject to applicable legal, regulatory, contractual, and legal-claim retention requirements, it shall, at the User's written request, either:

1. ensure that the information is permanently destroyed or deleted as soon as reasonably practicable; or

2. return the information to the User or transfer it to a third party, if requested by the User in writing to do so.

## 2.Consent

3. The User may consent to the processing of their information, including special personal only where authorised by POPIA and necessary for a stated estate agency, legal compliance, or other lawful purpose, information where consent is the appropriate lawful basis under POPIA and in terms of the provisions of this Privacy Policy.

4. Where the User gives consent, the User acknowledges and agrees that such consent has been given voluntarily after the User has read and understood the provisions of this Privacy Policy regarding the following:

    1. the types of personal information to be processed, including specifically special personal information;

    2. the specific processing activities to be undertaken;

    3. the specific purpose/s for such processing; and

    4. the possible consequences for the User that may arise from such processing.

2. Should a User wish to withdraw any consent previously given by the User, they must notify COMPANY’s information officer in writing.

## 3.LODGING AN OBJECTION

4. A User may, on reasonable grounds, object to the processing of their personal information at any time after that processing has started.

5. If a User wishes to object to the processing of their personal information, they must send written Policy of their objection to COMPANY’s information officer, together with their reasons for doing so.

## 6.Choice of Law

This Privacy Policy shall be governed and interpreted in accordance with the laws of the Republic of South Africa.

# 1.AMENDMENT OF THIS PRIVACY POLICY

2. COMPANY reserves the right to change, update, add, remove and/or amend any of the provisions of this Privacy Policy from time to time. Such changes, updates, additions, removals or amendments will become effective from the date of their publication on this website.

2. It is the User's obligation to periodically check the provisions of this Privacy Policy for any such changes, updates, additions, removals or amendments.

3. The User's continued use of this website following any changes, updates, additions, removals or amendments to this Privacy Policy will be considered Policy of the User's acceptance to abide by and be bound by this Privacy Policy, as amended.

# Contact

For more information on your rights to privacy over your information, or the information processing activities of COMPANY, please do not hesitate to contact us directly on info@helenmelonproperties.co.za.

**Date of last update: November 2026**