



**4Mortgages (Pty)Ltd**

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# Our Data Sharing Agreement

## Definitions

We, us and our	refer to <b>4MORTGAGES</b> (Proprietary) Limited, a private company with limited liability registered under the company laws of the Republic of South Africa, registration number 2021/980732/07, and where applicable its subsidiaries (collectively, the " <b>4MORTGAGES</b> "). The principal place of business of the <b>4MORTGAGES</b> is 54 Boeschoten Road, Gleemoor 7764
Business Partner	refers to any real estate agency or other business partner that shares a 3 <sup>rd</sup> Party's personal information in any form with <b>4MORTGAGES</b>
3 <sup>rd</sup> Party	refers to any customer of a Business Partner or other data subject whose personal information is shared by the Business Partner with any member of <b>4MORTGAGES</b> .
3 <sup>rd</sup> Party's personal information	refers to personal information about the 3 <sup>rd</sup> Party or any of his or her, or their spouse or dependants (as relevant). It includes information about financial status, gender, age, contact numbers and addresses.
Processing of information	means the automated or manual activity of collecting, recording, organising, storing, updating, sharing, distributing and removing or deleting personal information.

## Purpose of this Data Sharing Agreement

The purpose of this Data Sharing Agreement, as read with our Privacy Statement, is to set out how the **4MORTGAGES** Group collects, uses, shares and otherwise processes all 3<sup>rd</sup> Party personal information, in line with the Protection of Personal Information Act ("**POPIA**"). This Data Sharing Agreement will be effective from 1 July 2021.

After contacting any 3<sup>rd</sup> Party, **4MORTGAGES** will only further process personal information of the 3<sup>rd</sup> Party in terms of a specific mandate with the 3<sup>rd</sup> Party, should the 3<sup>rd</sup> Party enter into such a mandate with **4MORTGAGES**. Any such mandate will be subject to **4MORTGAGES** Privacy Statement. Should the 3<sup>rd</sup> Party not conclude a mandate with **4MORTGAGES**, then **4MORTGAGES** will not retain any personal information of the 3<sup>rd</sup> Party unless required by law.

*Let's Bond!*

## **4MORTGAGES** commitment to privacy and POPIA compliance

**4MORTGAGES** is committed to protecting all data subjects right to privacy.

As our valued Business Partner, we want you to have the assurance that when you engage with **4MORTGAGES**, you can trust that any 3<sup>rd</sup> Party's personal information shared with us will be treated subject to the **4MORTGAGES** Privacy Policy (a copy of which can be found on [www.4mortgages.co.za](http://www.4mortgages.co.za)), as well as the requirements of POPIA.

You should only share 3<sup>rd</sup> Party personal information with us if you have the 3<sup>rd</sup> Party's consent or are otherwise entitled to share such information, by reason of a processing justification under POPIA or any other reason. You should only share such information as is necessary and you should inform the 3<sup>rd</sup> Party that you have shared the information with us. Should the 3<sup>rd</sup> Party withdraw their consent given to you, you should notify us thereof as soon as possible.

In your privacy notices with your customers (whose information you might share with **4MORTGAGES**), you should inform them that any such sharing of personal information with **4MORTGAGES** will be subject to this Data Sharing Agreement and **4MORTGAGES** Privacy Policy and specifically that:

- The 3<sup>rd</sup> Party may withdraw his or her consent at any time;
- Should the 3<sup>rd</sup> Party withdraw such consent or not grant **4MORTGAGES** a specific mandate, then **4MORTGAGES** will not retain any personal information of the 3<sup>rd</sup> Party.

We will take all reasonable steps to keep all 3<sup>rd</sup> Party personal information safe and confidential, and will comply with any undertakings given by you to the 3<sup>rd</sup> Party in regard to their personal information, alternatively, we will delete their personal information from our recorded keeping systems.

Should you receive any complaints from a 3<sup>rd</sup> Party in regard to any personal information shared with us, you will notify us as soon as reasonably possible so that we can address the complaint. You can do so by emailing **4MORTGAGES** or by otherwise making contact with us.

### Binding nature of this Data Sharing Agreement

Should you share a 3<sup>rd</sup> Party's personal information with any member of **4MORTGAGES**, then **4MORTGAGES** will comply with the terms of this Data Sharing Agreement and **4MORTGAGES** Privacy Policy. This undertaking is given in your favour and in favour of the 3<sup>rd</sup> Party. The 3<sup>rd</sup> Party may rely on the undertakings given by us in terms of **4MORTGAGES** Privacy Policy.

### Acceptance is voluntary

Any 3<sup>rd</sup> Party has the right to object to the processing of his or her personal information. It is voluntary for the 3<sup>rd</sup> Party to accept the terms and conditions of the **4MORTGAGES** Privacy Policy. A 3<sup>rd</sup> Party may withdraw their consent at any time.

## Purpose for processing a 3<sup>rd</sup> Party's personal information

We undertake in favour of our Business Partner (and the 3<sup>rd</sup> Parties) that we will only process the 3<sup>rd</sup> Party's personal information for the following purposes:

1. Applying for home loan finance on behalf of the 3<sup>rd</sup> Party and any home loan / home related and personal lines insurance products;
2. Applying for any other product or service specifically requested by the 3<sup>rd</sup> Party or by the Business Partner;
3. Advising the 3<sup>rd</sup> Party about related products and services that he or she may qualify for as offered by:
  - Any third-party provider that offers related products and services.

We will ensure that any such third-party provider has agreed to keep the information confidential and that same can only be used for a specific agreed purpose.

## Privacy Preferences

We will not use 3<sup>rd</sup> Party personal information for a different purpose than the one stated when you provided the data to us. A 3<sup>rd</sup> Party may opt out of communications about updated information, new services and marketing messages at any time.

## We keep personal information confidential

We will keep the 3<sup>rd</sup> Party personal information confidential, notwithstanding the source it is collected from, i.e. from our Business Partner, the 3<sup>rd</sup> Party or any other source.

## Sharing of personal information

If a third party asks us for any of 3<sup>rd</sup> Party personal information, we will share it with them only if:

1. The 3<sup>rd</sup> Party has given consent for the disclosure of this information to that third party for the provision of **4MORTGAGES**, for example financial institutions, lenders, insurance companies, deposit taking institutions and FICA verification agencies;
2. Any person or organisation that has a legal right to access the information, for example, regulators, and/or any party entitled to such information in terms of a contract with the 3<sup>rd</sup> Party.

## Sharing for research and improvement purposes

While **4MORTGAGES** may share and combine all 3<sup>rd</sup> Party personal information for market, statistical and academic research purposes, in such cases the personal information will be de-identified.

## Direct Electronic Marketing and opting out

**4MORTGAGES** will not use information provided by a Business Partner for Direct Electronic Marketing unless it has obtained the 3<sup>rd</sup> Party's consent to that. Additionally, **4MORTGAGES** will always permit a 3<sup>rd</sup> Party to opt out of any communications from **4MORTGAGES**.

## 3<sup>rd</sup> Parties have the right to know what personal information we have

All 3<sup>rd</sup> Parties have the right to know what personal information we hold about them and have the right to ask us to update, correct or delete their personal information. Where we cannot delete their personal information, we will take all steps to make it anonymous. Examples of where we may not be able to delete personal information include where the law requires us to keep it.

The following are examples of laws that require us to collect and keep personal information:

- The Electronic Communications and Transactions Act (ECT)
- The Financial Intelligence Centre Act (FICA)
- The Financial Advisory and Intermediary Services Act (FAIS)
- The National Credit Act (NCA)
- The Consumer Protection Act (CPA)
- Long-term Insurance Act (LTIA).
- Financial Sector Regulation Act (FSRA)

## Transferring personal information outside South Africa

We will take reasonable steps to ensure that any country, company or person that to which we pass personal information (for example, for the use of cloud services) agrees or is obliged by law in that jurisdiction to treat personal information with the same level of protection as required by the laws of South Africa.

## Changing this Data Sharing Agreement

We may change this Data Sharing Agreement at any time. The most updated version will always be available on **4MORTGAGES** and will be effective only from publication on our website.