



Azriel Aviation Africa Underwriting Agency (Pty) Ltd.

Protection of Personal Information Act, 2013 (POPIA) Privacy Policy

Introduction

Azriel Aviation Africa Underwriting Agency (Pty) Ltd. acts as an underwriting manager, holding a binder agreement with and acting on behalf of Constantia Insurance Company Ltd.

Our licence as an authorised financial services provider extends to:

- Short-term Insurance: Commercial Lines - Aviation

Azriel Aviation Africa Underwriting Agency (Pty) Ltd. gathers and uses certain information about individuals.

These individuals can include Brokers, Clients, Suppliers, Third Parties, Business Contacts, Employees, and other people the organisation has a relationship with or may need to contact.

This policy describes how this Personal Data must be collected, handled, and stored to meet the Company's Data Protection standards, and compliance with the law.

Why this policy exists:

This Policy ensures Azriel Aviation Africa Underwriting Agency (Pty) Ltd. :

- Complies with Data Protection law and follows good practice;
- Protects the rights of Staff, Brokers, Clients and Partners;
- Is open about how it stores and processes individuals' data; and
- Protects itself from the risks of a data breach.

The *Protection of Personal Information Act, 2013 (POPIA)* describes how organisations must collect, handle, and store personal information. This Privacy Policy is based on the principles and rules set out in the Act.

These rules apply regardless of whether data is stored electronically, on paper or on other materials.

To comply with the law, personal information must be collected and used fairly, stored safely and not disclosed unlawfully.

Azriel Aviation Africa Underwriting Agency (Pty) Ltd. have made a commitment to respect the privacy rights of individuals by ensuring that their personal information is collected, used, and disclosed in such a manner that a reasonable person would consider appropriate in the circumstances.

Definitions

“Broker” means the Client’s agent / intermediary.

“Client” means an individual who engages with a Broker. This can be a natural person or a juristic person.

“Conditions” means the Conditions of Lawful Processing stipulated in Chapter 3 of the Act, unless the context indicates a contrary meaning: -

- Accountability
- Processing limitation
- Purpose specification
- Further processing limitation
- Information quality
- Openness
- Security safeguards
- Data subject participation.

“data subject” means the person to whom personal information relates;

“Operator” means a person who processes personal information for a responsible party in terms of a contract or mandate, without coming under the direct authority of that party;

“person” means a natural person or a juristic person;

“Personal Information” means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to: -

(a) information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;

(b) information relating to the education or the medical, financial, criminal or employment history of the person;

(c) any identifying number, symbol, e-mail address, physical address, telephone number or other particular assignment to the person;

(d) the blood type or any other biometric information of the person;

(e) the personal opinions, views or preferences of the person;

(f) correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;

(g) the views or opinions of another individual about the person; and

(h) the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person;

“Privacy Officer / Information Officer” means the individual appointed from time to time to be accountable for the compliance with the policies and procedures contained in this policy document.

“process” means any operational activity concerning personal information including the collection, organisation, storage, modification, communication and destruction of information. (The definition in POPIA is wide and is intended to cover all manner of processing.)

“processing” means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including—

- (a) the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
- (b) dissemination by means of transmission, distribution or making available in any other form; or
- (c) merging, linking, as well as restriction, degradation, erasure or destruction of information;

“public record” means a record that is accessible in the public domain and which is in the possession of or under the control of a public body, whether or not it was created by that public body;

“record” means any recorded information—

(a) regardless of form or medium, including any of the following:

- (i) Writing on any material;
 - (ii) information produced, recorded or stored by means of any tape-recorder, computer equipment, whether hardware or software or both, or other device, and any material subsequently derived from information so produced, recorded or stored;
 - (iii) label, marking or other writing that identifies or describes anything of which it forms part, or to which it is attached by any means;
 - (iv) book, map, plan, graph or drawing;
 - (v) photograph, film, negative, tape or other device in which one or more visual images are embodied so as to be capable, with or without the aid of some other equipment, of being reproduced;
- (b) in the possession or under the control of a responsible party;
- (c) whether or not it was created by a responsible party; and
- (d) regardless of when it came into existence;

“Regulator” means the Information Regulator established in terms of the Act;

“Responsible Party” means a person who determines the purpose of and means of processing personal information (typically, but not always, the collector of information).

This privacy policy describes how we handle Personal Information that we collect from your application and claim forms, telephone calls, e-mails, and other communications with us, as well as from claim investigators, medical professionals, our website, witnesses or other third parties involved in our business dealings with you.



Policy Scope

This policy applies to:

- The office of Azriel Aviation Africa Underwriting Agency (Pty) Ltd.
- All permanent and part-time staff and volunteers of Azriel Aviation Africa Underwriting Agency (Pty) Ltd.
- All contractors, suppliers and other people working on behalf of Azriel Aviation Africa Underwriting Agency (Pty) Ltd.

It applies to all data that the Company holds relating to identifiable individuals and juristic persons.

Personal Information that we collect

Depending on the relationship (i.e. Client; Claimant; Witness; Broker; appointed Representative; or other person relating to our business), Personal Information collected may include:

- **General identification and contact information:**
Name; address; e-mail and telephone details; gender; marital status; family status; date of birth; passwords; educational background; physical attributes; activity records, such as driving records; photos; employment history, skills and experience; professional licenses and affiliations; relationship to the policyholder, insured or claimant; and date and cause of death, injury or disability.
- **Identification numbers issued by Government bodies or Agencies:**
Identification Book; National Identity Card; Passport Number; Tax Identification Number; Military Identification Number; Drivers Licence or other number.
- **Financial information and account details:**
Payment card number; bank account number and account details; credit history and credit score; assets; income; and other financial information.
- **Other sensitive information**
In certain cases, we may receive sensitive information about Trade Union memberships, religious beliefs or political opinions. In addition, information about criminal records or civil litigation history in the process of preventing, detecting and investigating fraud. Azriel Aviation Africa Underwriting Agency (Pty) Ltd. may also obtain sensitive information if voluntarily disclosed.
- **Telephone recordings**
Recordings of telephone calls to Clients, Third Parties, Suppliers, Brokers etc. if provided to us.
- **Information to investigate crime, including fraud and money laundering**
Insurers and similar entities (i.e. Third Parties, Brokers) commonly share information about their previous dealings with policyholders and claimants for this purpose

Information enabling Azriel Aviation Africa Underwriting Agency (Pty) Ltd. to provide products and services:

Location and identification of property insured (for example, property description and storage address, identification number); age categories of individuals; policy and claim numbers; coverage/peril details; cause of loss; prior accident or loss history; director or partner status, or other ownership or management interest in an organization; and other insurances held.

From whom do we collect the Personal Information?

Personal information will in most instances be collected directly from the data subject, by the appointed intermediary, except if:

- (a) the information is contained in a public record or has deliberately been made public by the data subject;



- (b) the data subject has consented to the collection of the information from another source;
- (c) collection of the information from another source would not prejudice a legitimate interest of the data subject;
- (d) collection of the information from another source is necessary—
 - (i) to avoid prejudice to the maintenance of the law by any public body, including the prevention, detection, investigation, prosecution and punishment of offences;
 - (ii) to enforce a law imposing a pecuniary penalty;
 - (iii) to enforce legislation concerning the collection of revenue as defined in local tax legislation;
 - (iv) for the conduct of proceedings in any court or tribunal that have commenced or are reasonably contemplated;
 - (v) in the legitimate interests of national security; or
 - (vi) to maintain the legitimate interests of the responsible party or of a third party to whom the information is supplied;
- (e) compliance would prejudice a lawful purpose of the collection; or
- (f) compliance is not reasonably practicable in the circumstances of the particular case.

How we use Personal Information

We may use this Personal Information to:

- Communicate with our Brokers/ Clients/ Insurers and others as part of the business.
- Send our Brokers/ Clients important information regarding changes to our policies, other terms and conditions and other administrative information.
- Make decisions about whether to provide insurance; provide insurance and assistance services, including claim assessment, processing and settlement; and, where applicable, manage claim disputes.
- Process premiums and other payments.
- Provide improved quality, training and security.
- Prevent, detect and investigate crime, including fraud and money laundering, and analyse and manage other commercial risks.
- Management of infrastructure and business operations, and comply with internal policies and procedures, including those relating to auditing; finance and accounting; billing and collections; IT systems; data and website hosting; business continuity; and records, document and print management.
- Resolve complaints, and handle requests for data access or correction.
- Comply with applicable laws and regulatory obligations, such as those relating to anti-money laundering and anti-terrorism; comply with legal process; and respond to requests from public and governmental authorities.
- Establish and defend legal rights; protect Azriel Aviation Africa Underwriting Agency (Pty) Ltd. operations or insurance business partners, our rights, privacy, safety or property, and/or others; and pursue available remedies or limit our damages.



Sharing of Personal Information

Azriel Aviation Africa Underwriting Agency (Pty) Ltd. may make Personal Information available to:

- **Other insurance and distribution parties**

In the course of providing insurance, and processing claims, Azriel Aviation Africa Underwriting Agency (Pty) Ltd. may make Personal Information available to Third Parties such as other insurers; reinsurers; insurance and reinsurance brokers and other intermediaries and agents; appointed representatives; distributors; financial institutions and other business partners.

- **Our service providers**

External third-party service providers, such as, actuaries, auditors, experts, lawyers and other outside professional advisors; IT systems, support and hosting service providers, marketing and market research and analysis service providers; financial institutions that service our accounts; document and records management providers; claim investigators and adjusters; engineers; examiners; translators; and similar third-party vendors and outsourced service providers that assist us in carrying out business activities.

- **Governmental authorities and third parties involved in court action**

Azriel Aviation Africa Underwriting Agency (Pty) Ltd. may also share Personal Information with governmental or other public authorities (including, but not limited to, workers' compensation boards, courts, law enforcement, tax authorities and criminal investigations agencies); and third-party civil legal process participants and their accountants, auditors, lawyers and other advisors and representatives as we believe to be necessary or appropriate: (a) to comply with applicable law, including laws outside country of residence; (b) to comply with legal process; (c) to respond to requests from public and government authorities; (d) to enforce our terms and conditions; (e) to protect our rights, privacy, safety or property; and (f) to allow us to pursue available remedies or limit our damages.

- **Other Third Parties**

We may share Personal Information with payees; emergency providers (fire, police and medical emergency services); organizations and providers; credit bureaus; credit reporting agencies; and other people involved in an incident that is the subject of a claim; as well as purchasers and prospective purchasers or other parties in any actual or proposed reorganization, merger, sale, joint venture, assignment, transfer or other transaction relating to all or any portion of our business, assets or stock. To check information provided, and to detect and prevent fraudulent claims, Personal Information (including details of injuries) may be put on registers of claims and shared with other insurers. We may search these registers when dealing with claims to detect, prevent and investigate fraud.

Security

Azriel Aviation Africa Underwriting Agency (Pty) Ltd. will take appropriate technical, physical, legal and organizational measures, which are consistent with applicable privacy and data security laws.

When Azriel Aviation Africa Underwriting Agency (Pty) Ltd. provides Personal Information to a service provider, the service provider will be selected carefully and required to use appropriate measures to protect the confidentiality and security of the Personal Information.



Retention of Personal Information

Azriel Aviation Africa Underwriting Agency (Pty) Ltd. takes reasonable steps to ensure that the Personal Information we process is reliable for its intended use, and as accurate and complete as is necessary to carry out the purposes described in this Privacy Policy. Azriel Aviation Africa Underwriting Agency (Pty) Ltd. will retain Personal Information for the period necessary to fulfill the purposes outlined in this Privacy Policy unless a longer retention period is required or permitted by law.

Access and Correction Requests, Questions and Concerns

In certain countries, an individual may have the right to access, correct, object to the use of, or request deletion or suppression of Personal Information on certain grounds. Please contact us as set out in the "*Who to Contact About Your Personal Information*" section below with any such requests or any questions or concerns about how we process Personal Information. Please note that some Personal Information may be exempt from access, correction, objection, deletion or suppression rights in accordance with local privacy and data protection laws.

Breach Management

FSP will advise clients if a breach of data had to occur by way of a formal letter that will be sent to all our brokers fully disclosing the breach, informing the brokers of what had occurred, and the measures that have been taken to rectify the situation. The Information officer will also inform the Regulator as soon as a breach occurs.

Who to contact about your Personal Information

If you have any questions about our use of your Personal Information you can e-mail Jan Coetzee:
jan@azrielaviation.co.za

Changes to this Privacy Policy

We review this Privacy Policy regularly and reserve the right to make changes at any time to take account of changes in our business and legal requirements.