

## GRYPHON'S PRIVACY ADMINISTRATION NOTICE

This Privacy Administration Notice describes how the Gryphon Group collects, uses, discloses, retains and protects your personal information, in accordance with the Protection of Personal Information Act (POPIA) and other relevant laws.

The Privacy Administration Notice applies to any website, application, form, document, product or service which references this Privacy Administration Notice.

POPIA defines personal information as “information which relates to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person”. This includes, but is not limited to, your name, sex, gender, address, contact details, income tax and identity number information.

### 1. WHO WE ARE

In this Privacy Notice, any reference to “Gryphon” or “we” refers to one or more of the entities or subsidiaries of Gryphon Financial Services (Pty) Ltd operating in South Africa.

### 2. HOW WE COLLECT INFORMATION

We collect personal information about you and any other person whose details you provide to us in accordance with the relevant laws, either:

- Directly from you when you complete a product or service application form, electronically, telephonically or by way of a hard copy;
- Indirectly from you when you interact with us electronically by way of our website, apps, or social media channels, which may include the collection of metadata (data about data);
- Where relevant, from third-party sources, such as other entities within the Gryphon Group, public databases, other financial institutions, and fraud prevention agencies.

We may also collect your information where you have only partially completed and/or abandoned any information which you began to apply to our website and/or other online forms. Given that we already consider you a customer at that stage, we may use this information to contact you in order to remind you to complete outstanding information.

Where we require personal information in order to provide you with our products and services, your failure to provide us with the necessary information, will result in the Gryphon Group being unable to provide you with our products and services. You are responsible for informing the Gryphon Group if your information changes.

### 3. COLLECTION OF INFORMATION BY THIRD PARTIES

Gryphon does not control the collection or use of personal information by third parties (such as your broker or any other intermediary) and this privacy statement does not apply to third parties. Gryphon cannot and therefore does not accept any responsibility or liability for third-party policies or your use of a third-party app, platform or service.

Gryphon uses certain social networking services such as *Facebook, WhatsApp, Instagram and Twitter* to communicate with the public and Gryphon clients. When you communicate with Gryphon through these services, that social networking service may collect your personal information for its own purposes. These

services may track your use of our digital channels on those pages where the links are displayed. If you are logged into those services (including any Google service) while using our digital channels, their tracking will be associated with your profile with those service providers. These services have their own privacy policies which are independent of Gryphon's privacy policies and practices. It is your responsibility to fully acquaint yourself with the terms of any such third-party privacy policies and practices.

*Gryphon will only provide data to third-party information exchange services, for example, the Financial Services Exchange (Pty) Ltd, trading as Astute, with your consent.*

#### 4. WHAT INFORMATION WE COLLECT

Your relationship with Gryphon determines the exact nature of the personal information Gryphon processes, and the purpose for which such personal information is collected and used. However, in many cases, if we are handling your personal information as part of our role as an investment manager, the personal information we may process includes the following:

- Information about you – for example, your name, identity number, age, gender, date of birth, nationality, occupation and wealth.
- Contact information – in some cases, for example, we may receive your email, address, phone number and postal address.
- Online information – for example, cookies and IP address (your computer's internet address), if you use our websites, apps and/or social media channels.
- Financial information – we may process information related to payments you make or receive in the context of an investment made.
- Contractual information – for example, details about the investments you hold and with whom you hold them.

You may refuse to provide us with your personal information in which case we may not be able to provide you with the relevant service or would have to terminate our business relationship. The supply of certain items of personal information, especially those collected to comply with regulation, is legally mandatory.

#### 5. HOW WE USE YOUR INFORMATION

We have regulatory obligations, including compliance with anti-money laundering legislation, to process your personal information. This includes verifying your identity or the identity of your beneficial owner and/or controlling persons. We are also required by various laws to maintain a record of our dealings with clients.

In order for us to provide clients with the financial products and services they have requested and to notify them of important changes to such products and services, we need to collect, use and disclose the personal information of clients, their representatives, controlling persons of entities, business contacts, staff of clients and service providers.

To the extent permissible under applicable laws, Gryphon may use your information:

- To provide you with our financial products and services, and maintain our relationship with you;
- To provide you with investment services;
- To conclude and administer your application;
- To execute a transaction in accordance with your request;
- To assess, check, and process investments;
- To meet our contractual obligations with you or take steps necessary for the conclusion of a contract with you;
- To comply with legislative and regulatory requirements, including codes of conduct and requirements of our regulators (including the Financial Sector Conduct Authority and Prudential Authority);
- For the detection and prevention of unlawful activity, fraud, money-laundering and loss, including as part of party due diligence required under applicable laws and in terms of Gryphon Group policies;
- For purposes of online login and authorisation;
- To execute the Gryphon Group's strategic initiatives;

- To record and/or monitor and have access to your telephone calls (i.e. voice recordings), correspondence and electronic communications to/with us (or any of our employees, agents or contractors) in order to accurately carry out your instructions and requests, to use as evidence and in the interests of crime prevention;
- To maintain the security of our digital channels and systems;
- For statistical analysis and research purposes;
- For audit and record-keeping purposes;
- For purposes of proof and legal proceedings;
- To enhance your experience when interacting with the Gryphon Group and to help us improve our offerings to you;
- To conduct market research and provide you with information about our products and services from time to time via email, telephone or other means (for example, invite you to events);
- To process your marketing preferences (where you have unsubscribed from certain direct marketing communications, keeping a record of your information and request to ensure that we do not send such direct marketing to you again);
- To prevent or control the spread of any disease; and
- For any purpose related to and compatible with the above.

## 6. SHARING YOUR INFORMATION

Entities within the Gryphon Group will only share your personal information with third parties if there is a legitimate reason to do so. We may disclose the personal information you provide to us to the following entities:

- Our third-party service providers and other Gryphon Group entities who are or may be involved in the delivery and/or administration of financial products and services;
- Other third parties in relation to the purposes set out under the previous section (How we use your information);
- Other public bodies and law enforcement (either directly or through shared databases) for fraud detection and prevention.

Gryphon will not sell, rent, or trade your personal information to any third party. Gryphon may share information about you with financial advisers that are authorised by you to gather such information. Gryphon may also share information within the Gryphon Group where it is in Gryphon's legitimate interest to do so.

Gryphon has to disclose information when lawfully required to do so:

- To comply with any relevant legislation;
- To comply with any legal process; and
- By any regulatory authority (for example, the Financial Sector Conduct Authority or Prudential Authority).

## 7. TRANSFER ACROSS BORDERS

Some of the persons to whom we disclose your personal information may be situated outside of the Republic of South Africa (RSA) in jurisdictions that may not have similar data protection laws to the RSA. In this regard, we may send your personal information to service providers outside of the RSA for storage or processing on Gryphon's behalf. However, we will not send your information to a country that does not have information protection legislation similar to that of the RSA, unless we have ensured that the recipient agrees to effectively adhere to the principles for processing of information in accordance with POPIA.

## 8. SECURITY AND STORAGE OF INFORMATION

Gryphon intends to protect the integrity and confidentiality of your personal information. Gryphon has implemented appropriate technical and organisational information security measures (including, but not limited to, using password protection on your information when sent electronically) to keep your information secure,

accurate, current, and complete. However, we cannot guarantee the security of any information you transmit to us online and you do so at your own risk.

Where third parties are required to process your personal information in relation to the purposes set out in this notice and for other lawful requirements, we ensure that they are contractually bound to apply the appropriate security practices.

Your personal information will be held and used for as long as permitted for legal, regulatory, fraud prevention and legitimate business purposes.

#### 9. RIGHT OF ACCESS TO INFORMATION

The Promotion of Access to Information Act (PAIA) coupled with POPIA offer an individual the right to access information held by a public or private body in certain instances.

#### 10. Correction of your information

In accordance with POPIA, you have a right to correct any of your personal information held by Gryphon. This right should be exercised in accordance with the procedure outlined from time to time.

#### 11. Objection to processing of your information

In accordance with POPIA, you may object to our processing of your personal information on reasonable grounds relating to your particular situation, unless legislation provides for such processing.

#### 12. MARKETING

Where you provide your personal information to a Gryphon Group entity in the context of a sale of one of our products or services, you agree to such Gryphon Group entity sending you information on news, trends, services, events and promotions for our own similar products and or services, always subject to your right to opt out of receiving such marketing at the time your information is collected and on each subsequent marketing communication thereafter. You may object to receiving direct marketing from Gryphon at any time by contacting the Gryphon Client service Agents at 021 9155100.

Where you choose to exercise your right to opt out of direct marketing, please allow up to 21 days for Gryphon to effect that change.

#### 13. CLICKSTREAM DATA

In the interests of better customer service, Gryphon may collect anonymous information from visitors to its websites. For example, Gryphon keeps track of the domains from which people visit its website and also measures visitor activity on its website. In the process, Gryphon ensures the information cannot be used to identify you. This information is sometimes known as "clickstream data". Gryphon or its analytics vendors (including Google Analytics) may use this data to analyse trends and statistics and to provide better customer service.

The information, referred to as traffic data, which may be collected includes:

- a. Your IP address;
- b. The search terms you have used;
- c. The pages accessed on the website and the links you've clicked on;
- d. The date and time you visited the website;
- e. The referring website (if any) through which you clicked through to our website; and
- f. The type of website browser you use.

As mentioned, *the traffic data is aggregated and not personally identifiable* and our website analysis will also respect any 'do not track' setting you might have on your web browser.

#### 14. COOKIES

A cookie is a small text file that is downloaded onto 'terminal equipment' (for example, a computer or smartphone) when you access a website. It allows the website to recognise your device and store some information about your preferences or past actions.

What cookies do we use?

Some cookies which we use are essential to the functioning of our website. Some cookies help us with the performance and design of our website. This allows us to measure how many times a page has been visited, whether a page has been visited on the website through an advertisement or by other means. Other cookies help us to remember your settings which you may have selected or assist with other functionality when you browse and use our website. This helps us to remember what you have selected, so on your return visit – we remember your preferences. On certain pages of the website we use cookies to help us understand your interests as you browse the internet, so we can tailor and render to you more personalised content and services in the future. This assists us in delivering relevant advertising to you during various advertising campaigns we may run from time to time through participating third-party sites.

In addition, we also use cookies on certain pages of our website to communicate with third-party data suppliers in order to extrapolate your digital behaviour. This helps us to understand and target more relevant advertising in the future. The information we receive is all aggregate and anonymous, but will include statistics such as demographics, online behaviour, product interests and lifestyle.

#### *How do I disable cookies?*

If you do not want to receive a cookie from the website, you have the option of setting your browser to notify you when you receive a cookie, so that you may determine whether to accept it or not. However, please be aware that if you do turn off 'cookies' in your browser, you will not be able to fully experience some of the features of the website. For example, you will not be able to benefit from automatic log-on and other personalisation features.

#### 15. CHILDREN

Gryphon's website is not directed towards children.

#### 16. UPDATES

This privacy statement was last updated on **12 May 2021**. The latest version of this document will be available on the Gryphon website. Please check the website to ensure that you are aware of the latest version of this Privacy Notice.

#### 17. QUESTIONS REGARDING THIS STATEMENT

Questions, comments and requests regarding this statement may be directed to [invest@gryphon.com](mailto:invest@gryphon.com) for clarification.

#### 18. Particulars of Gryphon

Should you have a complaint or concern regarding the processing of your personal information, your complaint may be submitted to [info@gryphon.com](mailto:info@gryphon.com)

Gryphon Financial Services (Pty) Ltd is the controlling company of the Gryphon Asset Management (Pty) Ltd, which in turns control Gryphon Collective Investments (RF) (Pty) Ltd.

Gryphon Asset Management (Pty) Ltd is a licensed financial services provider.

Our office's registered address is 1<sup>st</sup> Floor, Bonitas Park, Carl Cronje Drive, Bellville, Western Cape, South Africa, 7530.

#### 19. THE INFORMATION REGULATOR

Whereas we would appreciate the opportunity to first address any complaints regarding our processing of your personal information, you have the right to complain to the Information Regulator, whose contact details are:

The Information Regulator (South Africa), JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001;

P.O. Box 31533, Braamfontein, Johannesburg, 2017

Complaints email: [complaints.IR@justice.gov.za](mailto:complaints.IR@justice.gov.za)

General enquiries email: [infoereg@justice.gov.za](mailto:infoereg@justice.gov.za)