

PERSONAL INFORMATION PROTECTION COMPLIANCE PRINCIPLES

1. Personal Information Document

*note that the use of the words “you” or “yours” for the purposes of this document shall be a reference to the individual communicating with the Centre for the AIDS Program of Research in South Africa (“CAPRISA”) and/or concluding any agreement and each of the individuals referred to or included in terms of such agreement.

This document sets out how CAPRISA will collect, use and protect your personal information, including those on whose behalf you act or on behalf of who require information, services and/or goods from us. If you have any questions or comments arising from this document, please contact CAPRISA’s Information Officer:

Name: Dr Carl Thomas Montague
Designation: Chief Operations Officer
Postal Address: Private Bag X7, Durban, 4000
Physical Address: 2nd Floor DDRMI Bldg, 719 Umbilo Road, Congella, 4013
Telephone Number: +27 31 260 4555
Fax Number: +27 31 260 4549
E-mail: caprisa@caprisa.org

2. What is personal information

The personal information that CAPRISA is most involved in dealing with, depending on the nature of the agreement you conclude with CAPRISA, will be information relating to medical history and information, age, racial demographical information, birth dates, identity numbers, passport numbers, occupation information, personal and work email and contact details, certain financial information relating to trade references, credit cards, bank accounts and other payment methods.

3. What is the purpose of the collection, use and disclosure (the processing) of your personal information

In order for CAPRISA to:

- permit your participation in any research, testing or studies;
- employ you and maintain an employment relationship with you;
- receive goods and/or services from you;
- provide you with the goods and services you request and/or require; or
- otherwise engage with you

it is necessary for us to collect, use and disclose your personal information in order to complete these and other transactions related to your requirements. More specifically, you will note that your information may be collected, used and/or disclosed in the

obtaining of ancillary or additional services. Such instances, depending on the nature of your agreement or contact with CAPRISA, will include:

- to gather medical data for research purposes and disseminate the information to medical professionals and other parties engaging in CAPRISA's scientific medical research and related programs;
- to compile statistics and results from scientific medical research and related programs;
- to assess eligibility for medical testing, employment or service provision, as the case may be;
- to obtain payment approval, including credit approvals and care or other financial approval for payment;
- to assess security for payment and credit, banking and employment history;
- to compile statistics and research information;
- to comply with the law; and/or
- for a purpose that is ancillary to the above.

Your personal information will not be processed for a purpose other than what is identified (the "purpose") above without obtaining your consent beforehand.

4. How your personal information will be processed

CAPRISA will only collect your information for the stated and agreed purpose. We will collect information relating to any agreement concluded between yourself and CAPRISA and the services and/or goods that we require from you or that you require from us in the following manner:

- directly from you when you make a request of us for information, services or goods, which request you may make in writing or verbally;
- from your agent, employer, work colleague or other duly authorised representative who may act on your behalf;
- from other service providers that provided you with services previously;
- from financial institutions, credit bureaus or similar entities;
- from our own records relating to our previous supply of services or responses to your request for services;
- from any automated services that were used to render services to you previously; and/or
- from other service providers or relevant parties in another country where applicable.

5. To whom will your personal information be disclosed

The personal information that may be processed in terms of your agreement with CAPRISA may be disclosed to other parties, including:

- medical professionals and researchers,
- employees of CAPRISA,
- third party service providers or other third parties in relation to the purpose or who are sources of your personal information,
- service providers who operate across the borders of this country (trans-border flow of information) where your personal information must be sent.

6. Consent and Permission to process your personal information

As the party referred to in terms of any agreement and any requests for services from CAPRISA, and this will include where you act on behalf of another person or third party, you accept notification of CAPRISA's Personal Information Protection document as set out herein. CAPRISA will accept the following as your consent to the current or existing and future processing of your personal information:

- should you fail to advise CAPRISA that you do not agree with the Document and you wish to exclude all or some of the provisions of it, after you receive notification of this Document as contained herein;
- should you directly or indirectly through an agent or representative acting on your behalf, provide us with your personal information when you request information or services and/or goods from CAPRISA;
- should you verbally or in writing give your consent be it by virtue of a previous consent you may have given CAPRISA or in the circumstances of an application form or survey or like interaction with CAPRISA.

CAPRISA draws to your attention that in terms of POPI and other laws of the country, there are instances where your express consent is not necessary in order to permit the processing of your personal information, which may be related to police investigations, litigation or when your personal information is publicly available.

Where you share personal information of other individuals, including where you act on behalf of a juristic person, the members, directors or officers of that party with CAPRISA (i.e. on whose behalf you are engaging with CAPRISA including where you are requesting services and/or goods from CAPRISA in terms of your agreement with CAPRISA) you hereby consent on their behalf to the collection, use and disclosure of their personal information in terms of this personal information document and you warrant that you are authorised to give this consent on their behalf.

7. Your rights regarding the processing of personal information

- You may withdraw your consent to the processing of your personal information at any time, and should you wish to do so, you must provide CAPRISA with reasonable notice to this effect. Please note that your withdrawal of your consent is still subject to the terms and conditions of any agreement that is in place. Should you wish to withdraw your consent but the withdrawal would then result in the interference of legal obligations, then such withdrawal will only be effective if CAPRISA agrees to same in writing. CAPRISA specifically draws to your attention that the withdrawal of your consent may result in it being unable to provide you with the requested information and/or services.
- In order to withdraw your consent, please contact the Information Officer.
- A copy of this document is available on at our offices, situated at 2nd Floor Doris Duke Medical Research Institute Building, 719 Umbilo Road, Durban, 4001.
- You are encouraged to ensure that where your personal information changes in any respect, you notify CAPRISA so that our records may be updated. CAPRISA will largely rely on you to ensure that your personal information is correct and accurate.
- You have the right to access your personal information that CAPRISA may have in its possession and you are entitled to request the identity of which third parties will receive and/or process your information for the stated and agreed purpose. Please note however, that your request in this regard may be declined if:

- it is too expensive to reproduce the information,
- the information comes under legal privilege in the course of litigation,
- the disclosure to you of your personal information in the form it is processed may result in the disclosure of confidential or proprietary information,
- giving you access may cause a third party to refuse to provide similar information to CAPRISA,
- the information was collected in furtherance of an investigation or legal dispute, instituted or being contemplated,
- the information as it is disclosed to you may result in the disclosure of another person's information,
- the information contains an opinion about another person and that person has not consented,
- the disclosure is prohibited by law.

8. Requesting access and lodging of complaints:

- Please submit any requests for access to your personal information in writing to CAPRISA's Information Officer at 2nd Floor, Doris Duke Medical Research Institute Building, 719 Umbilo Road, Durban, 4001. Please provide sufficient detail regarding the information you require to allow CAPRISA to identify what information you are seeking access to.
- With any request for access to your personal information, CAPRISA will require you to provide personal information in order to verify your identification and therefore your right to access the information.
- There may be a reasonable charge for providing you with copies of the information you are requesting.
- Please direct any request for access to your personal information or complaints regarding this document or any aspect thereof or any of the procedures CAPRISA uses to process information, to the Information Officer.
- Should you feel that CAPRISA has not dealt with any complaint you have filed to your satisfaction or you wish to report a complaint to the Information Regulator, you have the right to contact the office of the Information Regulator.