



PHX BUILT PRIVACY NOTICE

1. INTRODUCTION

- 1.1. Phoenix Built Environment (Pty) Ltd (reg. no. 2020/173139/07) (“**PHX Built**”) recognises the importance of privacy and the protection of personal information provided to it and is committed to the safeguarding of such information.
- 1.2. This privacy notice explains how PHX Built collects and uses your personal information. It contains information regarding the rights of natural persons (and juristic persons, where applicable) to whom personal information relates (“data subjects” or “you”).
- 1.3. This privacy notice covers personal information that PHX Built processes using its website, mobile applications, email, telephone communication, and text-messaging services, as well as in terms of services provided at the premises of PHX Built.
- 1.4. PHX Built reserves the right to amend this privacy notice or add provisions to it at any time by publishing an updated version on our website.

2. COLLECTION OF INFORMATION

- 2.1. PHX Built collects personal information in various instances, including when:
 - 2.1.1. you contact PHX Built to request information regarding our products or services, ask us questions, or provide us with your feedback;
 - 2.1.2. PHX Built provides any services to you;
 - 2.1.3. when you engage with PHX Built through any means, use PHX Built’s websites, microsites or information systems, or when you interact with PHX Built through social media;
 - 2.1.4. you visit our premises;
 - 2.1.5. you apply for employment at PHX Built; and/or
 - 2.1.6. you supply any services and/or products to PHX Built.
- 2.2. PHX Built may collect your personal information directly from you or from third parties (such as regulators, government authorities, and registries).
- 2.3. Your interaction with PHX Built on its website will result in the collection of information regarding your activities on the website. Similarly, when you engage with PHX Built via any one of its social media platforms. This information includes, but is not limited to, your name, contact details, and information regarding the matter with which you need assistance.
- 2.4. In the course of engaging with customers, PHX Built will naturally be exposed to and collect personal information which includes their name, contact details, financial information as well as any other relevant information required by PHX Built.
- 2.5. As part of the PHX Built’s recruitment processes, PHX Built collects information from employment applicants. This information includes a potential applicant’s full name, educational information, employment history, and contact details. By enquiring about employment opportunities at PHX Built or applying for employment, we infer that we are acting in your and our best interests when we process your personal information for recruitment purposes, which may include screening as well as background and reference checks by third parties.
- 2.6. We may need to collect your information in terms of various laws. Some examples of such laws include:
 - 2.6.1. Protection of Personal Information Act, 2013;
 - 2.6.2. Promotion of Access to Information Act, 2000;
 - 2.6.3. Consumer Protection Act, 2008;
 - 2.6.4. Competition Act, 1998;
 - 2.6.5. Companies Act, 2008;
 - 2.6.6. National Credit Act, 2005;
 - 2.6.7. Income Tax Act, 1962;
 - 2.6.8. Value Added Tax Act, 1991;
 - 2.6.9. Labour Relations Act, 1995;
 - 2.6.10. Basic Conditions of Employment Act, 1997;
 - 2.6.11. Compensation for Occupational Injuries and Disease Act, 1993;
 - 2.6.12. Occupational Health and Safety Act, 1993;
 - 2.6.13. Unemployment Insurance Act, 2001;
 - 2.6.14. Unemployment Insurance Contributions Act, 2002;
 - 2.6.15. Employment Equity Act, 1998;
 - 2.6.16. Broad-Based Black Economic Empowerment Act, 2003;
 - 2.6.17. Copyright Act, 1978;
 - 2.6.18. Electronic Communications and Transactions Act, 2002.

3. BASIS AND PURPOSE FOR PROCESSING PERSONAL INFORMATION

- 3.1. PHX Built may process personal information:
 - 3.1.1. to provide services to its customers (in other words, in terms of a verbal or written contract);
 - 3.1.2. in your legitimate interests;
 - 3.1.3. in our legitimate interests (e.g. to issue you with an invoice);
 - 3.1.4. in the legitimate interests of another person to whom we supply your personal information;
 - 3.1.5. to comply with legal or regulatory obligations;
 - 3.1.6. if you have provided your consent; or
 - 3.1.7. if the processing is allowed by law.
- 3.2. The purposes for which PHX Built processes personal information include, but are not limited to:
 - 3.2.1. providing and improving services to PHX Built customers;
 - 3.2.2. marketing and promotions;
 - 3.2.3. improving users' experience when using PHX Built's websites;
 - 3.2.4. communicating with persons for PHX Built's internal purposes;
 - 3.2.5. enabling PHX Built's internal operations; and
 - 3.2.6. exercising and defending legal rights.

4. DISCLOSURE OF PERSONAL INFORMATION

- 4.1. PHX Built may release personal information or disclose it to third parties in certain circumstances. These include, but are not limited to:
 - 4.1.1. if PHX Built is required or authorised to do so by law or a court order;
 - 4.1.2. in order for PHX Built to enforce its rights;
 - 4.1.3. when PHX Built handles consumer complaints;
 - 4.1.4. in order for PHX Built to supply its services to its customers.
- 4.2. The third parties to whom we disclose personal information include, but are not limited to:
 - 4.2.1. third parties who provide goods and/or services to PHX Built;
 - 4.2.2. partners of PHX Built who offer services to you; and
 - 4.2.3. government authorities and registries, organs of state, regulators, courts, tribunals and law enforcement agencies.

5. TRANSFER OF PERSONAL INFORMATION

- 5.1. Personal information collected by PHX Built may be transferred to natural or legal persons in other countries. We may do so, for example, to supply services to you in that country, where we need to make use of online cloud servers in order to store our business-related information, or where we make use of suppliers or service providers in other countries as part of our service offering to you or for our own internal business purposes. We will, however, only transfer the information necessary to another country for the applicable purpose.
- 5.2. Those countries' laws might not protect personal information in the same way or on the same level as the law in South Africa. However, PHX Built will take reasonable steps to ensure that recipients in other countries have appropriate privacy measures in place, for example, by executing a legal agreement with the recipient where necessary.

6. RETENTION OF PERSONAL INFORMATION

PHX Built retains personal information for as long as may be reasonably necessary in accordance with applicable law, and/or in order to supply goods and/or provide services to you. It is impractical for us to tell you in this document how long we may keep your information, however, our first obligation is to keep it as long as may be required by law. Thereafter, we would only keep information in order to provide services to you, or for specific business purposes, such as collecting unpaid debts.

7. COOKIES

- 7.1. PHX Built's websites make use of cookies. Cookies store information regarding website visitors. Cookies have various purposes, such as improving the visitor's experience on the website and facilitating their use of the website.
- 7.2. A website visitor may disable or decline cookies. However, if the visitor does so, their user experience on the site may be diminished.

8. SECURITY

PHX Built takes all reasonable steps to protect and avoid unauthorised access to personal information. We have implemented various procedures, hardware and software to safeguard personal information, and routinely review our operations in order to ensure that personal information is adequately protected.

9. YOUR (DATA SUBJECT) RIGHTS

9.1. The law may provide you with rights to access, amend or delete personal information that is in the possession of PHX Built. However, PHX Built may, in certain instances, legally refuse or decline such requests. If applicable, you may also have the right to object to PHX Built's processing of their personal information or to file a complaint with a regulator. In South Africa, the Information Regulator can be contacted at:

Address: JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001

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

Email: inforeg@justice.gov.za (enquiries) /
complaints.IR@justice.gov.za (complaints)

Website: <https://justice.gov.za/inforeg/index.html>

9.2. In some cases, you may withdraw your consent for processing, however, such a withdrawal has no effect on lawful processing conducted up to that point.

9.3. If you wish to exercise your rights, you can contact PHX Built at the details provided below. PHX Built may charge you a fee for accessing, amending or deleting your personal information. You will be advised of this fee in advance, if applicable.

9.4. You are encouraged to contact PHX Built in order to update your personal information as and when necessary.

10. CONTACT DETAILS

PHX Built may be contacted using the following contact details:

Address: Royal Cape Park, Londonderry Road, Ottery, Western Cape, Republic of South Africa, 7800

Email: info@phxbuilt.co.za

Website: www.phxbuilt.co.za

Revised: September 2021

Phoenix Built Environment (PTY) Ltd

Royal Cape Park, Londonderry Road, Ottery, Western Cape, Republic of South Africa, 7800

Telephone: + 27 (0) 21 023 2777

P.O.Box 503, Melkbosstrand, Western Cape, Republic of South Africa, 7441

Email: info@phxbuilt.co.za

Directors: Tate E. Eshelby and Nicholas L. Hishin

Vat Reg No: 4920290410 | Co. Reg. No: 2020/173139/07 | Import & Export Reg. No: 25091099

www.phxbuilt.co.za

Bank: Mercantile Bank | Branch: Business Direct | Branch Code: 450105 | Account Number: 105 077 0684 | Swift Code: CABLZAJJ