



POPIA PRIVACY NOTICE

1. General notice to update personal information

[The form to use to update your personal information is attached to this notice.](#) It is important that the personal data we hold about you is always accurate and current. This is to ensure the safety and integrity of the valuable information we hold about you. Please let us keep your personal information updated by contacting us should any of your personal information change. We will not know if your personal information changes without you telling us, so please let us know immediately should a change occur. The SAMRC will not be liable for any incorrect personal data it may hold on/about you if you do not notify us of the changes needed. Please contact one of our Deputy Information Officers to update your personal information. Their details are outlined on our website as and when they are lawfully designated and delegated.

2. The data we collect about you and through what avenue

- 2.1. **“Personal data”**, or **“personal identifiable information”**, means any information about an individual, both natural and juristic entities, from which that entity can be identified. It does not include data where the identity has been removed (anonymous data).
- 2.2. We may collect, use, store, and transfer (**“process”**) different kinds of personal data about you which we have grouped together as follows:
 - 2.2.1. **Identity Data** including full legal names, date of birth, nationality, gender, ethnicity, and proof of ID such as driver's licence, identity card, and passport;
 - 2.2.2. **Contact Data** including contact numbers;
 - 2.2.3. **Communications Data** including your preferences in receiving notices.
 - 2.2.4. **Financial Data** including banking details and South African Revenue Services reference numbers/tax directives.

2.3. We collect information from the categories of persons listed below:

- Our Board Members;
- Customer/Clients;
- Contractors who provide us with their services;
- People who use the Website and send us information via it;
- People who message/telephone us;
- Current employees or prospective hires;
- People who walk into our offices for an engagement

In addition to the above, our Research Units process the following data

2.3.1. GPS coordinates of homes, workplaces, family members;

2.3.2. Special personal information of various types provided by the data subject in response to questions in a questionnaire, interview, or other data elicitation process;

2.3.3. Biometric records including fingerprints;

2.3.4. Biological samples;

2.3.5. Consent forms; Information regarding referral e.g., for further medical treatment following an adverse event.

2.4. We also collect, use, and share **aggregated/anonymised Data** such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does **not** directly or indirectly reveal your identity. For example, we may aggregate your Technical Data to calculate the percentage of users accessing a specific Website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data.

2.5. Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with our Services).

3. How is your personal data collected?

3.1. We use different methods to collect data including through:

3.1.1. **Direct interactions**: Apart from the instances and avenues listed above, we may also collect personal data directly from you when you:

3.1.1.1. complete our forms;

3.1.1.2. are a registered practitioner/member of ours;

3.1.1.3. use our other services as available;

3.1.1.4. request information to be sent to you;

3.1.1.5. attend any SAMRC event, whether online or in-person; or

3.1.1.6. give us some feedback.

4. How we use your personal data

4.1. We will only use your personal data when the law allows us to and for legitimate reasons. Most commonly, we will use your personal data in the following circumstances:

4.1.1. where we have your express consent to do so;

4.1.2. where we need to consult with you or perform on the services contract we are about to enter into or have entered into with you;

4.1.3. where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests; and/or

4.1.4. where we need to comply with a legal or regulatory obligation under law or authority with a lawful mandate/allowance to such information.

5. Purposes for which we will use your personal data:

5.1. We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are, where appropriate, and which exact external third parties your personal data is handed to for the same reasons.

PURPOSE / ACTIVITY	TYPE OF DATA	LAWFUL BASIS FOR PROCESSING INCLUDING BASIS OF LEGITIMATE INTEREST	SPECIFIC EXTERNAL THIRD PARTY TO WHOM THE INFORMATION IS PROVIDED, AND FOR WHAT REASON (IF ANY)
To engage with you after you have contacted us requesting an engagement via the Website or otherwise	(a) Identity (b) Contact (c) Technical	(a) Express consent (b) Performance of a contract with you (c) Necessary for our legitimate interests (to keep our records updated and to study how engagees use our services, as well as to develop our services and grow our organisation)	Not applicable.
To provide you with our services as a mandated statutory body (as a member, client or otherwise)	(a) Identity (b) Contact (c) Medical (d) Financial (e) Parental / Guardianship (f) Technical (g) Social Media (h) Marketing and Communications	(a) Performance of a contract with you (b) Express consent (c) Necessary to comply with a legal obligation (d) Necessary for our legitimate interests (to provide you with the Services you contracted to acquire from us, and to keep our records updated and to study how engagees use our services)	Please contact SAMRC at any time to obtain an exact list of such parties.
To provide it to our authorised third-party service providers who need your personal data to provide their private services to you (such as payment service providers, government departments or	(a) Identity (b) Contact (c) Medical (d) Parental / Guardianship (e) Technical	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to provide you with the Services you have contracted from the authorised third-party, and to develop our services and grow our organisation)	Please contact SAMRC at any time to obtain an exact list of such parties.

affiliates)		(c) Express consent	
To process and service your payment for any services rendered by SAMRC or its service providers. To manage payments, fees, and charges	(a) Identity (b) Contact (c) Financial	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to make or receive necessary organisation payments) (c) Express consent	Please contact SAMRC at any time to obtain an exact list of such parties.
To manage our relationship with you which may include notifying you about changes to our terms or Personal Information Privacy Policy or Services	(a) Identity (b) Contact (c) Marketing and Communications	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to keep our records updated and to study how engagees use our Services) (d) Express consent	Please contact SAMRC at any time to obtain an exact list of such parties.
To administer and protect our organisation and our Website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(a) Identity (b) Contact (c) Technical	(a) Necessary for our legitimate interests (for running our organisation, provision of administration and IT services, network security, to prevent fraud and in the context of an organisation restructuring exercise) (b) Necessary to comply with a legal obligation (c) Express consent	Please contact SAMRC at any time to obtain an exact list of such parties.
To employ or interview staff or prospective staff members	(a) Identity (b) Contact (c) Technical (d) Marketing and Communications	(a) Necessary for our legitimate interests (for running our organisation, provision of administration and IT services, network	Please contact SAMRC at any time to obtain an exact list of such parties.

		<p>security, to prevent fraud)</p> <p>(b) Necessary to comply with a legal obligation</p> <p>(c) Express consent</p>	
To use data analytics to improve our Website, Services, engagee-relationships, and experiences	<p>(a) Technical</p> <p>(b) Identity</p>	<p>(a) Necessary for our legitimate interests (to define types of engagees for our services, to keep our Website updated and relevant, to develop our organisation and to inform our marketing strategy)</p> <p>(b) Express consent</p>	Please contact SAMRC at any time to obtain an exact list of such parties.
To provide you with direct and user-specific marketing, make suggestions and recommendations to you about events or services that may be of interest to you	<p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Technical</p> <p>(d) Marketing and Communications</p>	<p>(a) Necessary for our legitimate interests (to develop our services and grow our organisation)</p> <p>(b) Express consent</p>	Please contact SAMRC at any time to obtain an exact list of such parties.

5.2. Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table above.

5.3. Due to the fact that we have an extensive network of authorised or statutorily mandated third parties to whom we provide data subjects' personal data, all such third parties cannot be listed. Should a user want to know exactly which third parties to whom we send your personal data, please contact our deputy information officer who will gladly provide you with the exact requested list.

6. Disclosures of your personal data

6.1. We may have to share your personal data with third parties:

- 6.1.1. Internal third parties as set out in the glossary;
 - 6.1.2. External third parties as set out in the glossary;
 - 6.1.3. Specific third parties; and/or
- 6.2. We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions and standards.

7. **Data security**

- 7.1. We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used, or accessed in an unauthorised way, altered, or disclosed.
- 7.2. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a legitimate need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.
- 7.3. We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

8. **Data retention**

- 8.1. We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.
- 8.2. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data, any other South African applicable law requiring us to retain the data and whether we can achieve those purposes through other means, and the applicable legal requirements.
- 8.3. Details of retention periods for different aspects of your personal data are available from us by contacting us.
- 8.4. In some circumstances you can ask us to delete your data; see below for further information.

- 8.5. In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

9. Your legal rights

- 9.1. Under certain circumstances, you have rights under data protection laws in relation to your personal data where we are the relevant "Responsible Party" over such personal data. Please contact us to find out more about, or manifest, these rights:

- 9.1.1. request access to your personal data;
- 9.1.2. request correction of your personal data;
- 9.1.3. request erasure of your personal data;
- 9.1.4. object to the processing of your personal data. [Attached to this notice is the form that enables you to so object](#)
- 9.1.5. request a restriction of processing your personal data;
- 9.1.6. request transfer of your personal data; and/or
- 9.1.7. right to withdraw consent.

*Should you wish to exercise any of your rights, please contact one of our Deputy Information Officers listed on our website. You may do that via e-mail, letter, telephone or by visiting them at **The South African Medical Research Council Medicina Campus, Francie Van Zyl Drive, Parow, Cape Town.** Our current contact details are always displayed on our website which you must consult for up-to-date address information.*

- 9.2. **All data subjects understand and agree that although they may have the right to revoke their consent provided to SAMRC to process their data, SAMRC may still have a lawful ground upon which to continue to process their data and will rely on such lawful ground to continue to do so (such as the need to process your data pursuant to our statutory rights to do so as a parastatal).**
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