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**External Data Privacy Notice**

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## 1. INTRODUCTION

- 1.1 Bowmans (the "**Firm**", "we", "us", or "our") takes its data protection and information security responsibilities very seriously. We recognise the importance of your privacy and understand your concerns about the security of your personal information. We are committed to the effective management of all personal information that is provided to us or collected by us during the course of our business as well as the personal information we receive from visitors to our website and ensuring its security and confidentiality.
- 1.2 This Privacy Notice explains how we generally collect, hold, use and share personal information you provide to us and your rights in relation to the personal information that we hold about you in the context of your visit to and use of this website and in the course of our business.

## 2. WHO IS RESPONSIBLE FOR YOUR PERSONAL INFORMATION

- 2.1 Bowmans is responsible for your personal information.
- 2.2 Bowmans has appointed an Information Officer and any questions, comments and requests regarding this Privacy Notice are welcomed and should be addressed to [data.protection@bowmanslaw.com](mailto:data.protection@bowmanslaw.com).

## 3. APPLICATION

- 3.1 As an African law firm, we are subject to the varying requirements of data protection legislation in the jurisdictions where we have offices. Although our aim is to have a consistent approach to protecting personal information and to accord with all applicable legislation, the specific requirements, rights and obligations relating to personal information and/or our data processing activities can be different in the various jurisdictions. The following descriptions of data processing, rights and obligations, and in particular the limitations to data processing apply within the scope of applicability of the South African Protection of Personal Information Act, 2013, the Kenyan Data Protection Act, 2019, the Mauritius Data Protection Act, 2017, the Ugandan Data Protection and Privacy Act, 2019, and where applicable the General Data Protection Regulation (GDPR) made by the European Parliament and the Council of the European Union (**Applicable Data Legislation**). Where we have offices in jurisdictions with significantly different data protection laws it may be that the rights and obligations set out in this Privacy Notice do not apply.
- 3.2 When engaging individuals or a juristic entity (such as a company or a Government institution) we may collect personal information about individuals who are employees, directors or principals of those entities or their associates. If you are juristic entity and you provide us with personal information about such individuals or are otherwise aware that we have collected personal information about such individuals, we ask you to assist us by referring the relevant individuals to this Privacy Notice. Before you provide us with personal information about an individual that may fall within the category of special/sensitive personal information, you must ensure that you are authorised by the relevant individual to disclose that information to us. (Special/sensitive personal information includes information regarding an individual's race, region of belief, health, criminal behaviour and biometric information.)

3.3 Where this Privacy Notice refers to a party that may be either an individual or an organisation (such as our clients or service providers), the reference includes individuals who are employees, directors, or principals of an organisation or its associates.

#### **4. THE PERSONAL INFORMATION THAT WE COLLECT**

4.1 Personal information is any information relating to an identifiable, living individual, as well as an identifiable juristic person, that identifies you either directly from that information or indirectly, by reference to other information that we have access to. The personal information that we collect, and how we collect it, depends upon how you interact with us. Categories of personal information that we collect include:

4.1.1 Contact and biographical information such as name, job title, business, residential and/or postal address, email address, telephone or mobile number, employer information;

4.1.2 Payment and financial information necessary for processing payments, investing funds and tax compliance as well as conducting fraud prevention;

4.1.3 Business information when you or your organisation becomes a client, and as necessary to provide legal service in relation to instructions given, requests and mandates;

4.1.4 Identification information required for client onboarding purposes which includes information required for anti-money laundering and counterterrorist financing;

4.1.5 Information sourced from publicly available resources, integrity data bases and credit agencies;

4.1.6 Marketing, communication preferences and related information such as feedback and survey responses. We may ask for information about your health for the purpose of identifying and being considerate of any disabilities or special dietary requirements you may have, and any use of such information will be based on your consent;

4.1.7 Technical information, such as information from your visits to our website or in relation to electronic communications we send to you;

4.1.8 Details of your visits to our premises and attendance at events;

4.1.9 Services information such as details of services that we have purchased from you; and

4.1.10 Special categories of personal information such as race and ethnicity, trade union membership, information about health or information, political opinions or religious beliefs.

#### **5. HOW WE COLLECT PERSONAL INFORMATION FROM YOU**

5.1 We collect personal information from you in a number of circumstances, including:

5.1.1 When you provide personal information directly to us;

5.1.2 When you become a client and in terms of our client onboarding process which includes conflicts, anti-money laundering & counter terrorist financing, sanctions, reputational,

financial and criminal & verification checks where applicable. This includes collecting personal information from publicly available sources or third-party data vendors.

- 5.1.3 When you appoint us to provide legal services, we will ask for the information that we need to provide those services. Information provided by a client may include personal information that relates to persons whose information is relevant to the instruction; for example, when we advise on a corporate transaction or represent a client in litigation;
  - 5.1.4 When you sign up to receive news services, use a toolkit or register for one of our online services, we will ask you provide your contact and other relevant information, as well as your communication preferences;
  - 5.1.5 When you register to attend one of our events, we will ask you to provide your contact, guest and other relevant information including meal preferences;
  - 5.1.6 When you use our website or one of our online services, we collect information about your visit and how you interact with our website;
  - 5.1.7 When you participate in our vacation programme, apply for employment, become employed or if your employment is terminated, then we will process certain personal information as set out in more detail in the applicable notifications.
  - 5.1.8 When you join our alumni program, we will collect personal information from you including your contact details, gender, information about your current employment and information about your employment with us;
  - 5.1.9 When you or your organisation render services to us, we will collect personal information as part of our due diligence process in appointing suppliers; and
  - 5.1.10 When you visit one of our buildings, we may collect information that we need in order to identify you and complete necessary security and health checks. We may also collect your image on CCTV.
- 5.2 If you provide information to us about another person, you must ensure that you comply with any legal obligations that may apply to your provision of the information to us, and to allow us, where necessary, to share that information with our service providers.

## 6. **HOW WE COLLECT INFORMATION FROM THIRD PARTIES**

- 6.1 Most of the personal data that we collect about you will be information that you provide to us voluntarily. In some circumstances we may also receive information from:
  - 6.1.1 other Bowmans entities;
  - 6.1.2 your organisation;
  - 6.1.3 our clients, when we handle personal information on their behalf;
  - 6.1.4 regulatory bodies;

- 6.1.5 credit reference agencies; and
- 6.1.6 other companies providing services to us.
- 6.2 Some of these third-party sources may include publicly available sources of information.

## 7. **HOW WE COLLECT DATA AUTOMATICALLY**

When you visit one of our websites, we automatically collect, store and use technical information about your equipment and interaction with our website. This information is sent from your computer to us using a variety of cookies.

## 8. **HOW WE USE YOUR PERSONAL DATA**

8.1 We will only use your personal information fairly and where we are permitted to do so by applicable law. We may use personal information for the following purposes only (**Permitted Purposes**):

- 8.1.1 Providing legal services;
- 8.1.2 Managing and administering our business and our commercial relationships with clients, suppliers and vendors;
- 8.1.3 Market our legal services through newsletters, publications, announcements, legal memoranda and details of seminars and other events;
- 8.1.4 Administering and managing our recruitment processes and our employment relationships with employees;
- 8.1.5 Compliance with our legal and regulatory obligations (such as record keeping obligations), compliance screening or recording obligations (anti-money laundering & counter terrorist financing checks, financial, criminal and credit checks and fraud prevention and detection purposes), which may include automated checks of your contact data or other information you provide about your identity against applicable third party sanctioned lists, including reporting to and/or being audited by regulatory bodies;
- 8.1.6 Protecting the security of and managing access to our premises, IT and communication systems, online platforms and mobile applications, websites and other systems, preventing and detecting security threats, fraud or other criminal or malicious activities; preventing and detecting security threats, fraud or other criminal or malicious activities;
- 8.1.7 For insurance purposes;
- 8.1.8 For monitoring and assessing compliance with our policies and procedures;
- 8.1.9 To comply with court orders and exercises and/or defend our legal rights; and
- 8.1.10 For any purpose related and/or ancillary to any of the above or any other purpose for which your personal data was provided to us.

8.2 With regard to marketing-related communication, we will provide you with such information if you are a client and provide you the opportunity to opt out anytime if you do not want to receive further marketing-related communication from us. If you are not a client, we will provide you with marketing-related communications after you have opted in and provide you the opportunity to opt out at any time.

## 9. HOW WE PROCESS PERSONAL INFORMATION

9.1 We process personal information on one or more of the following grounds:

9.1.1 For the legitimate business purposes described above;

9.1.2 On the basis of consent from the relevant individual;

9.1.3 To perform a contract, including a contract to provide legal services;

9.1.4 For the establishment, exercise or defence of legal claims or proceedings; and

9.1.5 To comply with legal and regulatory obligations.

## 10. HOW WE SHARE AND TRANSFER PERSONAL INFORMATION

10.1 We treat your personal information with respect and do not share it with third parties except as detailed in this clause.

10.2 Bowmans has offices in a number of [African countries](#). Personal information that is given to one Bowmans office may be transferred to one or more of our other offices (including any office we may open in the future). Generally, we will share your personal information between the Bowmans offices for the purpose of providing legal advice or other products or services as well as for our internal business processes (such as administration and billing and co-ordinating marketing initiatives).

10.3 We may disclose personal information relating to our clients, their employees and agents to other legal specialists including advocates, mediators, arbitrators, consultants or experts engaged in a matter as well as technology service providers such as eDiscovery and document review platforms. We may also disclose personal information to third party law firms for the purpose of obtaining foreign legal advice.

10.4 We may share your personal information with companies providing services for money laundering checks, credit checks and other fraud and crime prevention purposes and companies providing similar services, including financial institutions and credit reference agencies.

10.5 We may share personal information with our insurers and insurance brokers.

10.6 We may share personal information with our suppliers and service providers, domestically or abroad, e.g. IT service providers, including cloud service providers such as data storage platforms, to process personal information for the Permitted Purposes on our behalf and in accordance with our instructions only. Bowmans will retain control over and will remain fully

responsible for your personal information and will use appropriate safeguards as required by applicable law to ensure the integrity and security of your personal information when engaging such service providers.

- 10.7 We may share personal information with ranking agencies.
- 10.8 In some circumstances, we may also share personal information with regulatory authorities, courts, tribunals, government agencies and law enforcement agencies. We may be required to disclose your information to comply with legal or regulatory requirements. Where possible, we will use reasonable efforts to notify you before disclosing your information, but we may be legally restricted from doing so.
- 10.9 The information sharing described above may involve a transfer of your information from a location within the European Economic Area (the "EEA") to outside the EEA, or from outside the EEA to a location within the EEA. The level of information protection in countries outside the EEA may be less than that offered within the EEA. We will implement appropriate measures to ensure that your personal information nevertheless remains protected and secure in accordance with applicable data protection laws.
- 10.10 Save for the above, we will only share your personal information when you have consented to us doing so, when we are required by applicable law or regulations or judicial or official request to do so, or as required to investigate actual or suspected fraudulent or criminal activities. Bowmans does not sell any personal information.

## **11. HOW WE PROCESS PERSONAL INFORMATION OF THIRD PARTIES THAT YOU PROVIDE TO US**

- 11.1 We may require the personal information of third parties (such as name, contact details and e-signature) for the purpose of managing electronic agreements. If you provide personal information to us about someone else (such as one of your directors or employees, or someone with whom you have business dealings) you must ensure that you are entitled to disclose that personal information to us and that, without our taking any further steps, we may collect, use and disclose that personal information as described in this Privacy Notice.
- 11.2 In particular, you must ensure the individual concerned is aware of the various matters detailed in this Privacy Notice, as those matters relate to that individual, including our identity, how to contact us, our purposes of collection, our personal data disclosure practices (including disclosure to overseas recipients), the individual's right to obtain access to the personal information and make complaints about the handling of the personal information, and the consequences if the personal information is not provided (such as our inability to provide services).

## **12. HOW WE PROTECT YOUR PERSONAL DATA**

- 12.1 We protect your personal data and implement appropriate technical and organisational security measures to protect it against any unauthorised or unlawful processing and against any accidental loss, destruction, or damage.

12.2 These measures are reviewed periodically by external assessors who confirm and certify our operations.

### 13. **HOW WE KEEP YOUR PERSONAL DATA**

13.1 Your personal information will be retained in accordance with this Privacy Notice.

13.2 We retain personal information of different types, or relating to different categories of people, for different periods, taking into account its business purpose. For example, information about individuals who have unsuccessfully applied for employment with us will be retained for a shorter period than information about individuals who have actually worked for us.

13.3 The periods for which we retain personal information are based on the requirements of applicable data protection laws and the purpose for which the personal information is collected and used. We do not keep your personal information for any longer than is necessary to fulfil the purpose for which we collected it, or to comply with any legal, regulatory or reporting obligations or to assert or defend against legal claims.

### 14. **YOUR RIGHTS REGARDING YOUR PERSONAL DATA**

14.1 You have certain rights regarding how we use and keep your personal information. These are:

14.1.1 you can request us to update or correct any inaccurate personal information, or to complete any incomplete personal information, concerning you. If you do, we will take reasonable steps to check the accuracy of and correct the information. Please let us know if any of your information changes so that we can keep it accurate and up to date;

14.1.2 you can request us to stop processing your information for direct marketing purposes; if you withdraw your consent, we may not be able to provide certain products or services to you; and

14.1.3 in certain circumstances, you have the right to object to our use of your personal information more generally.

14.2 You may also have the right, in certain circumstances to:

14.2.1 be provided with a copy of any personal information that we hold about you. There are exceptions to this right; for example, where information is legally privileged or if providing you with the information would reveal personal information about another person;

14.2.2 to request us, without undue delay, to delete your personal information;

14.2.3 to request that we "restrict" our use of your information, so that it can only continue subject to restrictions; and

14.2.4 to request personal information which you have provided to us and which are processed by using automated means, based on your consent or the performance of a contract with you, to be provided to you in machine readable format so that they can be "ported" to a replacement service provider.



14.3 You can exercise the above rights, where applicable by contacting the Bowmans Information Officer. We will require you to provide satisfactory proof of your identity in order to ensure that your rights are respected and protected. This is to ensure that your personal information is disclosed only to you.

15. **CHANGES TO OUR PRIVACY NOTICE**

15.1 We regularly review this Privacy Notice and may make changes as our services or privacy practices change, or as required by applicable laws or regulations. Future versions of our Privacy Notice will be available on our website. We encourage you to review this Privacy Notice periodically to be informed of how we use your personal information.