

TOPCO MODELS PRIVACY AND PERSONAL INFORMATION POLICY FOR ALL DATA SUBJECTS

Topco Models Close Corporation (reg: 1989/037397/23) ("**Topco**") adheres to the highest standards of protecting your personal information as a model or any other data subject when we process it by virtue of your use of our website <https://www.topcomodels.co.za/> or any of its related blogs, websites, applications or platforms (collectively, "**the Website**"), or by providing us with your personal information in any other way such as being a model with us or a contractor to us. As such, we have created this specific and detailed Privacy Policy ("**Policy**") for you to read and appreciate exactly how we safeguard your personal information and respect your privacy when you are a cherished data subject of the company.

- Please note that Topco is a private limited liability close corporation duly registered and operating in accordance with the laws of South Africa.
- For more information regarding your personal information lawfully stored or used by Topco, please contact linsay@topcomodels.co.za who will gladly assist.
- This Policy was last updated on 11 August 2021.
- Not all terms are necessarily defined in order.
- Please ensure that you read all the provisions below, and our other Topco rules and policies which may apply from time to time and made available to you, to understand all of your, and our, rights and duties.
- **Notwithstanding a minor's age, all minors' parents/guardians will be liable for expressly understanding and agreeing to this Policy and the way Topco processes their personal information and the personal information of their child/ward engaging with Topco. Accordingly, whilst this Policy is to be expressly understood and accepted by parents only (as it will be binding on them in both a personal and representative capacity), minors may make use of this Policy to understand the processing of their personal information too.**
- Please use the following links to jump to the relevant sections described in this Privacy Policy:
 1. [*Important information and who we are*](#)
 2. [*The data we collect about you*](#)
 3. [*How is your personal data collected*](#)
 4. [*How we use your personal data*](#)
 5. [*Disclosures of your personal data*](#)
 6. [*International transfers*](#)
 7. [*Data security*](#)
 8. [*Data retention*](#)
 9. [*Your legal rights*](#)
 10. [*Glossary*](#)

1. Important information and who we are

1.1. Purpose of this Privacy Policy

- 1.1.1. This Privacy Policy aims to give you information on how Topco collects and processes your personal data through any form of your engagement with Topco.

- 1.1.2. This Privacy Policy complies with, and facilitates the obligations required from, the South African *Protection of Personal Information Act, No. 4 of 2013* (“**POPI**”), as amended.
- 1.1.3. It is important that you read this Privacy Policy together with any other privacy policy or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you/your child, so that you are fully aware of how and why we are using your data. This Privacy Policy supplements the other notices and is not intended to override them.
- 1.1.4. **By virtue of the fact that we are a modelling agency and need very particular, and often sensitive information about models to operate, we do process special categories of personal information about minors and models, which all models, parents and minors expressly understand and agree as being absolutely necessary and essential to our operational requirements. Without this information, we simply cannot operate as a full-service modelling agency. That being said, we do everything in our power to secure and minimise this processing as much as possible, and we proudly explain how we do so herein.**

2. Role as “Responsible Party” and/or “Operator”

- 2.1. Topco is the “Responsible Party” (as defined in POPI) and is responsible for your personal data in instances where we decide the processing operations concerning your personal data.
- 2.2. We also operate as a “Operator” of personal data on behalf of a third-party Responsible Party (such as our clients who wish to attain analysis/portfolios of models), where that Responsible Party’s privacy terms will apply. Please consult the privacy policy of any such parties to whom you may be providing your personal data as their terms will apply as they are the Responsible Party directing us to process your personal data for their purposes.
- 2.3. We have appointed an Information Officer (“**IO**”) at Topco who is responsible for overseeing questions in relation to this Privacy Policy. If you have any questions about this Privacy Policy, including any requests to exercise your legal rights, please contact the IO using the details set out below.
- 2.4. In some circumstances, we have to provide service provider and other data subject details to our models and other parties who need such information to complete a client request or service for or with Topco. In such circumstances the following are applicable:
 - 2.4.1. Any model/party to whom we hand such data becomes a limited operator of such data and warrants to Topco they will protect such data at standards equal to or better than Topco (including keeping such data strictly confidential), as well as return/destroy such data when they are no longer in need of it for the purposes for which it was provided to them; and
 - 2.4.2. We reserve the right to request all the provided data be revoked and destroyed should the model/child/party no longer be represented by us.

3. Our Contact Details

- 3.1. Our full details are:

▪ Full name of legal entity:	Topco Models Close Corporation
▪ Name of IO:	Linsay Shuttleworth
▪ Email address:	linsay@topcomodels.co.za
▪ Postal address:	PO Box 6974, Roggebaai, 8012
▪ Telephone number:	021 418 3626
- 3.2. You have the right to make a complaint at any time to the South African regulator’s office (the Information Regulator’s Office of South Africa). We would, however, appreciate the chance to deal with your concerns before you approach any such regulator, so please contact us in the first instance.

4. Changes to the Privacy Policy and your Duty to Inform us of Changes

- 4.1. This Privacy Policy version was last updated on 11 August 2021 and historic versions are archived and can be obtained by contacting us.
- 4.2. It is important that the personal data we hold about you is accurate and current at all times. This is not only for the safety and security of you and/or your model child at Topco, but also 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 changes occur. **Topco 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.**

5. Third-Party Links on Website or otherwise

- 5.1. The Website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements or terms. When you leave our Website, or engage with such third parties, we encourage you to read the distinct privacy policy of every third-party you engage with.

6. The data we collect about you and through what avenue:

- 6.1. “**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).
- 6.2. We may collect, use, store and transfer (“**process**”) different kinds of personal data about you which we have grouped together as follows:

Models / Artists who either come straight to us or whose information we receive from another authorised party with the intention of the model becoming our data subject (including minors):

- 6.2.1. **Identity Data** including full legal names, date of birth, nationality, gender, ethnicity and proof of ID such as drivers licence, identity card, passport or birth certificate;
- 6.2.2. **Photographic & Video Data** including detailed and hi-resolution photographs;
- 6.2.3. **Contact Data** including contact numbers (direct and alternative), next of kin contacts and residential address;
- 6.2.4. **Marketing and Communications Data** including your preferences in receiving notices and marketing from us and our third parties and your communication preferences.
- 6.2.5. **Medical Data** including dietary requirements (i.e. allergies, etc.);
- 6.2.6. **Financial Data** including banking details and SARS reference numbers/tax directives;
- 6.2.7. **Modelling Data** including measurements (i.e. height, waist etc.), skills and talents, occupation, timing availability and travel visa status;
- 6.2.8. **Parental/Guardianship Data (for parents/guardians of minor models)** including relationship to minor model, contact details, address, full name;
- 6.2.9. **Technical Data** including internet protocol address/es, your login data, browser type and version, time zone setting and location, geo-locationary data, GPS pings and calculations, cookies, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access the Website; and
- 6.2.10. **Social Media Data** including social media handles/usernames.

Clients who pay us for a service:

- 6.2.11. **Identity/Company Data** including full legal/company names, website details and registration information;
- 6.2.12. **Marketing and Communications Data** including your preferences in receiving notices and marketing from us and our third parties and your communication preferences.
- 6.2.13. **Technical Data** including internet protocol address/es, your login data, browser type and version, time zone setting and location, geo-locationary data, GPS pings and calculations, cookies, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access the Website;
- 6.2.14. **Contact Data including** email address, physical address and contact numbers of not just the company but also of employees therein who assist with accounting; and
- 6.2.15. **Financial Data** including banking details, VAT number, vendor number, purchase order information, job numbers and SARS reference numbers.

Contractors who provide us with their services (including prospective freelancers):

- 6.2.16. **Identity/Company Data** including full legal/company names, website details and registration information;
- 6.2.17. **Marketing and Communications Data** including your preferences in receiving notices and marketing from us and our third parties and your communication preferences.
- 6.2.18. **Contact Data including** email address, physical address and contact numbers of not just the company but also of employees therein who assist with accounting; and
- 6.2.19. **Financial Data** including banking details, VAT number, vendor number, purchase order information, job numbers and SARS reference numbers.

People who use the Website and send us information via it:

- 6.2.20. **Identity Data** including full legal names, date of birth, nationality, gender and ethnicity;
- 6.2.21. **Contact Data** including contact numbers (direct and alternative), next of kin contacts and residential address;
- 6.2.22. **Modelling Data** including measurements (i.e. height, waist etc.), skills and talents, occupation and travel visas;
- 6.2.23. **Marketing and Communications Data** including your preferences in receiving notices and marketing from us and our third parties and your communication preferences.
- 6.2.24. **Technical Data** including internet protocol address/es, your login data, browser type and version, time zone setting and location, geo-locationary data, GPS pings and calculations, cookies, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access the Website; and
- 6.2.25. **Social Media Data** including social media handles/usernames.

People who message/telephone us:

- 6.2.26. **Identity Data** including full legal names/company names;
- 6.2.27. **Marketing and Communications Data** including your preferences in receiving notices and marketing from us and our third parties and your communication preferences; and
- 6.2.28. **Contact Data** including contact numbers (direct and alternative).

People who walk into our offices for an engagement:

- 6.2.29. **Identity Data** including full legal names/company names;
 - 6.2.30. **Marketing and Communications Data** including your preferences in receiving notices and marketing from us and our third parties and your communication preferences; and
 - 6.2.31. **Contact Data** including contact numbers (direct and alternative).
- 6.3. We also collect, use and share **Aggregated 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 which will be used in accordance with this Privacy Policy.
- 6.4. 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 agency Services).

7. How is your personal data collected?

- 7.1. We use different methods to collect data from and about you (such as described above), including through:
- 7.1.1. **Direct interactions:** Apart from the instances and avenues listed above, we may also collect personal data directly from you when:
 - 7.1.1.1. complete our forms;
 - 7.1.1.2. sign-up for our newsletters;
 - 7.1.1.3. make purchases of merchandise from us;
 - 7.1.1.4. interact with us via webinar or social platform group, such as an Instagram™ account;
 - 7.1.1.5. subscribe to any of our publications;
 - 7.1.1.6. request information to be sent to you;
 - 7.1.1.7. use our Website;
 - 7.1.1.8. attend any Topco event whether online or in person; or
 - 7.1.1.9. give us some feedback.
 - 7.1.2. **Automated technologies or interactions:** As you interact with our Website, we may automatically collect **Technical Data** about your equipment, browsing actions and patterns. We may collect this personal data by using cookies, server logs and other similar technologies. We may also receive Technical Data about you if you visit other websites employing our cookies.
 - 7.1.3. **Third parties or publicly available sources:** We may receive personal data about you from various third parties and public sources as set out below:
 - 7.1.3.1. **Technical Data** and **Social Data** from the following parties:
 - 7.1.3.1.1. analytics providers such as *Google Analytics based in USA*
 - 7.1.3.1.2. social networks such as *Our Website based in South Africa; Instagram based in USA; TikTok based in China; Facebook based in USA; YouTube based in USA; WhatsApp based in USA*

- 7.1.3.1.3. marketing platforms such as *Mailchimp* based in *USA*; and
- 7.1.3.1.4. search information providers such as *Mainboard* based in *South Africa*;
- 7.1.3.2. **Contact, Financial and Transaction Data** from providers of technical and/or payment services such as *Standard Bank* based in *South Africa*.
- 7.1.3.3. **Modelling, Identity, and contact data** from national and international modelling agencies who have their data subjects' (i.e your) express and informed consent to providing us with such information, and which exact list of same parties can be acquired from us on request at any time (as this list is substantial and very dynamic);
- 7.1.3.4. **Identity and Contact Data** from publicly available such as the *CIPC* based in *South Africa*

8. How we use your personal data

- 8.1. We will only use your personal data when the law allows us to and for legitimate reasons, which you hereby expressly understand and consent to. Most commonly, we will use your personal data in the following circumstances:
 - 8.1.1. where we have your express consent to do so;
 - 8.1.2. 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;
 - 8.1.3. 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
 - 8.1.4. where we need to comply with a legal or regulatory obligation under a law or authority with a lawful mandate/allowance to such information.

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

- 9.1. 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 same reasons.
- 9.2. 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 below.
- 9.3. Due to the fact that we have an extensive network of clients to whom we provide models personal data, all such third parties cannot be listed in the table below. Should a user want to know exactly which third parties to whom we send your personal data, please contact us on linsay@topcomodels.co.za who will gladly provide you with the exact requested list.

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	(a) Identity (b) Contact (c) Technical	(a) Express consent (b) Performance of a contract with you (c) Necessary for our legitimate interests (to	Please contact Topco at any time to obtain an exact list of such parties, which are too dynamically changing to list in a static

engagement via the Website or otherwise		keep our records updated and to study how engagees use our services, as well as to develop our services and grow our organisation)	matter.
To provide you with our model agency Services as contracted (as a major model or a parent of a minor model child)	(a) Identity (b) Photographic (c) Contact (d) Medical (e) Financial (f) Modelling (g) Parental / Guardianship (h) Technical (i) Social Media (j) 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 Topco at any time to obtain an exact list of such parties, which are too dynamically changing to list in a static matter.
To provide you with Services as a client (including the purchasing of merchandise from us)	(a) Identity/Company (b) Technical (c) Contact (d) Financial (e) Social Media (f) 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 Topco at any time to obtain an exact list of such parties, which are too dynamically changing to list in a static matter.
To allow you to use the Website	(a) Technical	(a) Performance of a contract with you (b) Express consent	Please contact Topco at any time to obtain an exact list of such parties, which are too dynamically changing to list in a static matter.
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 gateway providers, photographers or related agencies & scouts)	(a) Identity (b) Photographic (c) Contact (d) Medical (e) Modelling (f) Parental / Guardianship (g) Technical (h) Social Media.	(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) (c) Express consent	Please contact Topco at any time to obtain an exact list of such parties, which are too dynamically changing to list in a static matter.
To process and service your payment for any services rendered by Topco or	(a) Identity (b) Contact (c) Financial	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to make or receive	Please contact Topco at any time to obtain an exact list of such parties, which are too dynamically changing to list in a static

its service providers. To manage payments, fees and charges		necessary company payments) (c) Express consent	matter.
To manage our relationship with you which may include notifying you about changes to our terms or 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 Topco at any time to obtain an exact list of such parties, which are too dynamically changing to list in a static matter.
To administer and protect our agency 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 Topco at any time to obtain an exact list of such parties, which are too dynamically changing to list in a static matter.
To use data analytics to improve our Website, Services, engagee-relationships and experiences	(a) Technical (b) Identity	(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) (b) Express consent	Please contact Topco at any time to obtain an exact list of such parties, which are too dynamically changing to list in a static matter.
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	(a) Identity (b) Contact (c) Technical (d) Marketing and Communications	(a) Necessary for our legitimate interests (to develop our services and grow our organisation) (b) Express consent	Please contact Topco at any time to obtain an exact list of such parties, which are too dynamically changing to list in a static matter.

9.4. Marketing

- 9.4.1. You will receive marketing communications from us if you are an existing customer, model or client of the company, as you are our data subject.
- 9.4.2. We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising. To manifest your rights attached to

any marketing sent to you as an existing customer, model or client, please use the in-built prompts provided on those communications, or contact us.

9.5. Third-Party Marketing

9.5.1. Whilst we may use your personal data within our Topco organisation group, we will get your express opt-in consent before we share your personal data publicly with any entity outside the Topco group of organisations for their marketing purposes.

9.6. Change of Purpose

9.6.1. We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

9.6.2. If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

9.6.3. Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by national law.

10. Disclosures of your personal data

10.1. We may have to share your personal data with the parties set out below for the purposes set out in the table above.

10.1.1. Internal Third Parties as set out in the Glossary;

10.1.2. External Third Parties as set out in the Glossary;

10.1.3. Specific third parties listed in the table above; and/or

10.1.4. Third parties to whom we may choose to sell, transfer, or merge parts of our organisation or our assets. Alternatively, we may seek to acquire other organisations or merge with them. If a change happens to our organisation, then the new owners may use your personal data in the same way as set out in this Privacy Policy.

10.2. 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.

11. Express Cookies provision

11.1. The Website may make use of “cookies” to automatically collect information and data through the standard operation of the Internet servers. “Cookies” are small text files a website can use (and which we may use) to recognise repeat users, facilitate the user’s on-going access to and use of a website and allow a website to track usage behaviour and compile aggregate data that will allow the Website operator to improve the functionality of the Website and its content, and to display more focused advertising to a user by way of third party tools.

11.2. The type of information collected by cookies is not used to personally identify you. If you do not want information collected through the use of cookies, there is a simple procedure in most browsers that allows you to deny or accept the cookie feature. Please note that cookies may be necessary to provide you with certain features available on our Website, and thus if you disable the cookies on your browser you may not be able to use those features, and your access to our Website will therefore be limited. If you do not disable “cookies”, you are deemed to consent to our use of any personal information collected using those cookies, subject to the provisions of this Policy and our other policies or terms.

12. International transfers

- 12.1. We share your personal data within the Topco group of organisations and affiliates, and this may involve transferring and processing your data outside of South Africa.
- 12.2. Whenever we transfer your personal data out of either territory, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:
 - 12.2.1. We will always have a contract in place covering the processing of data and service-provision between the parties; and
 - 12.2.2. We will only provide your personal data to an entity that processes personal information at standards equal to or better than ours; or
 - 12.2.3. We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the South African Information Regulator's office; or
 - 12.2.4. Where we use certain service providers, we may use specific contracts/clauses approved by the South African Information Regulator's office which give personal data the same protection it has in South Africa.
- 12.3. Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of South Africa.

13. Data security

- 13.1. 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 by having all Topco computers password protected. All business-critical data is stored on the Network Attached Storage device (NAS) which is password protected + access controlled within the Topco Organisation. Emails are hosted with Microsoft 365 and users and licensing are managed by Left Click. Topco Models makes use of a MikroTik device to secure the network to all Topco computers and the NAS drive. All physical copies of contracts are kept offsite in a secure location. 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.
- 13.2. 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.

14. Data retention

- 14.1. 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.
- 14.2. 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.
- 14.3. Details of retention periods for different aspects of your personal data are available from us by contacting us.
- 14.4. In some circumstances you can ask us to delete your data; see below for further information.
- 14.5. 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.

15. Your legal rights

- 15.1. 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:
 - 15.1.1. request access to your personal data;
 - 15.1.2. request correction of your personal data;
 - 15.1.3. request erasure of your personal data;
 - 15.1.4. object to the processing of your personal data;
 - 15.1.5. request a restriction of processing your personal data;
 - 15.1.6. request transfer of your personal data; and/or
 - 15.1.7. right to withdraw consent.
 - 15.2. You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.
 - 15.3. We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.
 - 15.4. We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.
 - 15.5. **Models and all other data subjects understand and agree that although you may have the right to revoke your consent provided to Topco to process your data, Topco may still have a lawful ground upon which to continue to process your data, and will rely on such lawful ground to continue to do so (such as the need to process your data pursuant to the contractual/service relationship we still have with you).**
-

16. Glossary

16.1. Lawful Basis

- 16.1.1. **Legitimate Interest** means the interest of our agency in conducting and managing our organisation to enable us to give you the best service and the most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.
- 16.1.2. **Performance of Contract** means processing your data where it is necessary for the performance of a contract to which you are a party (i.e. to provide you with our agency Services as a model) or to take steps at your request before entering into such a contract.
- 16.1.3. **Comply with a legal or regulatory obligation** means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to (such as the *Income Tax Act*).

- 16.1.4. **Express consent** means the confirmed express consent you have provided to our processing of your personal data by actively accepting this Privacy Policy.
- 16.2. **Third Parties**
- 16.2.1. **Internal Third Parties** means other entities or parties in the Topco group acting as joint controllers or operators and who are based in South Africa and provide IT and system administration services and undertake reporting.
- 16.2.2. **External Third Parties** means:
- 16.2.2.1. Authorised third-party service providers under contract with Topco who need your personal information in order to contact and transact with you pursuant to your use of our Services (such as banks, lawyers, photographers);
 - 16.2.2.2. specific third parties who have been identified in the table above;
 - 16.2.2.3. service providers acting as processors based in South Africa who provide IT and system administration services;
 - 16.2.2.4. South African or other national governments and/or their respective authorities pursuant to our adherence with anti-corruption, crime-fighting legislation; and/or
 - 16.2.2.5. Professional advisers acting as sub-operators including lawyers, bankers, auditors and insurers based in South Africa who provide consultancy, banking, legal, insurance and accounting services as required.

17. Your legal rights

- 17.1. You have the right to:
- 17.1.1. **Request access** to your personal data (commonly known as a “data subject access request”). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
 - 17.1.2. **Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.
 - 17.1.3. **Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no valid reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. **Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be communicated to you, if applicable, at the time of your request (most commonly being other national laws requiring us to continue to process your personal data for a lawful, prescribed reason).**
 - 17.1.4. **Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
 - 17.1.5. **Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:
 - 17.1.5.1. if you want us to establish the data’s accuracy;

- 17.1.5.2. where our use of the data is unlawful but you do not want us to erase it;
 - 17.1.5.3. where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or
 - 17.1.5.4. you have objected to our use of your data, but we need to verify whether we have overriding legitimate grounds to use it.
- 17.1.6. **Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform on a contract with you.
- 17.1.7. **Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain Website access or Services to you. We will advise you if this is the case at the time you withdraw your consent. **Please take note that regardless of your right to withdraw consent under POPI, other South African legislation applies and may require that we continue to process your data in order to comply with anti-corruption, tax, child-care, crime-fighting and/or other national legislation, which you expressly understand and agree to.**