



31 Kent Road
Mount Croix
Port Elizabeth
6001

MONIQUE COOPER ATTORNEYS

Labour and General Litigation

T: 041 110 1095

C: 062 669 2706

E: admin@moniquecooperattorneys.co.za

E: monique@moniquecooperattorneys.co.za

E: litigation@moniquecooperattorneys.co.za

Processing of personal information consent **Form and client identification**

1. General

- 1.1 Monique Cooper Attorneys Inc. ("MCA") recognizes and respects its clients' constitutional right to privacy and legislative measures in place in safeguarding this right. In line with the Protection of Personal Information Act 4 of 2013 ("POPIA"), MCA seeks to uphold the conditions of lawful processing of the Personal Information of its Clients and others while rendering legal services. MCA requires this consent and identification form, incorporating the provisions of its Protection of Personal Information Policy, to be completed and agreed to by the prospective client. The terms and conditions set out hereunder shall form part of MCA's terms of service.
- 1.2 A copy of MCA's Protection of Personal Information Policy is accessible in the hard copy upon request, subject to an administrative fee for requesting a copy thereof to be made.

2. Personal Information: Consent and warranties

2.1 "Client" hereinafter shall mean any person, natural or juristic, engaging with MCA and making use of any legal services rendered to me by MCA and "**Personal information**" shall also include special personal information as defined by POPIA.

2.2 By signing this document, the Client or his/her/ its duly authorized representative, expressly consents to the processing of Personal Information to give effect to any mandate to MCA by the Client for rendering of any legal services, including any matter reasonably necessary and incidental thereto. This will ensure effective rendering of legal service. Processing shall include but is by no means limited to collection, use, storage or otherwise processing of such Personal information.

2.3 MCA may process Special Personal Information as defined by POPIA in rendering legal service and the client or his/her/ its duly authorized representative expressly consents to the processing of such Special Personal Information.

2.4 MCA may process Personal Information about children in the scope and course of rendering legal service which must be consented to by the child's legal guardian. By signing this document, the signatory consents to the processing of Personal Information of the child and warrants his/ her title as legal guardian of the child concerned.



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2.5 By providing the Personal Information, the client or his/her/ its duly authorized representative warrants the correctness of the personal information provided.

2.6 MCA may, in the course its business, or where required by law, share personal information of the client with third parties in pursuit of legitimate interests of the client or legislative requirements and by signing this document, the client or his/her/ its duly authorized representative consents to the sharing of Personal information with third parties when necessary for the effective rendering of legal services or otherwise required or justified by law.

2.7 MCA shall not be liable for any damage suffered, or for the unlawful processing of the client's Personal Information by a third party, except where the sharing of such information was not authorized by the client or his/her/ its duly authorized representative or otherwise justified by POPIA.

2.8 Where the client or his/her/its duly authorized representative provides personal information about any other person, including a juristic person, in the course of making use of MCA's legal services, the client or his/her/its duly authorized representative warrants that:

2.8.1 Such Personal Information was obtained in a lawful manner:

2.8.2 the client lawfully provides such Personal to MCA and for a legitimate purpose.

2.9 Your attention is specifically drawn to the MCA Protection of Personal Information Policy developed and implemented in accordance with POPIA which applies to any mandate/ engagement with MCA or rendering of any legal services by MCA.

3. Financial Intelligence Centre Act 38 of 2001 ("FICA")

3.1 MCA is an accountable institution under FICA and is therefore by law requires to:

3.1.1 identify its clients.

3.1.2 identify its clients' authorized representatives acting on his/her/ its behalf.

3.2 As such, MCA requires its clients and /or their authorized representative to provide:



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3.2.1 Where the client is a natural person, a certified copy of his or her identity document not older than three months as well as proof of residence not older than three months.

3.2.2 Where the client is a juristic person (which, for the purposes hereof shall include a partnership), a certified copy of its proof of registration or founding document not older than 3 months as well as proof of registered or principal place of business not older than 3 months.

3.2.3 In the case of a natural person acting as an authorized representative of a client: a certified copy of his/ her identity document not older than 3 months, a certified copy of proof of residence not older than 3 months as well as a written mandate from the person (natural or juristic) he or she is representing, together with any empowering documents authorizing agency.