

# CJ HUGO PHYSIOTHERAPISTS INC. PRIVACY POLICY

## 1. Introduction

- 1.1 **CJ Hugo Physiotherapists Inc.** (Registration number:2016/504267/21) trading under Sharks Medical Centre Physiotherapy respects your privacy and your personal information, and will take reasonable measures to protect it, as more fully detailed below.
- 1.2 Should you decide to register as a patient with us, or use any of our online websites, blogs or digital platforms ("Website") we may collect, collate, process, and use the following types of information about you to render our Services ("**personal information**"), **which you hereby expressly consent to CJ Hugo Physiotherapists Inc.** processing such information in accordance with this policy. Unless otherwise defined in this Privacy Policy, terms used in this Privacy Policy have the same meanings as in our Terms and Conditions.

## 2. Information provided by the patient

- 2.1 CJ Hugo Physiotherapists Inc. processes regular personal information (that is conventional information about the patient that is personally identifiable including, but not limited to, the patient's full name, address, age, work experience, e-mail address, phone number(s), passwords, product and service preference and contact preferences that are not otherwise publicly available);
- 2.2 CJ Hugo Physiotherapists Inc. also processes special personal information (that is information about the patient that is sensitive and personally identifiable including, but not limited to, the patient's medical history, race, gender, biological information, medical scheme information, medical preferences and minor-patient's information that are not otherwise publicly available);

## 3. Information that is collected automatically

- 3.1 CJ Hugo Physiotherapists Inc. receives and stores information which is transmitted automatically from the patient's computer when the patient browses the internet and visits the Website. This information may include information from "cookies" (which are described in clause 12 below), the patient's Internet Protocol ("**IP**") address, browser type, web beacons, geo-locationary information, embedded web links, and other commonly used information-gathering tools. These tools collect certain standard information that your browser sends to the Website such as your browser type and language, access times, and the address from which you arrived at the Website.
- 3.2 CJ Hugo Physiotherapists Inc. processing of your personal information is exclusively required for the proper medical treatment and care of you and/or your recovery, as a patient, as well as the management of administration services and other related healthcare services related thereto.
- 3.3 Should your personal information change, please inform and provide us with updates to your personal information as soon as reasonably possible to enable CJ Hugo Physiotherapists Inc. or other information supplied by you is correct.
- 3.4 You warrant that the personal information disclosed to CJ Hugo Physiotherapists Inc. or the Website is directly from you as the patient or in connection to the Services, and all such personal information is lawfully yours to provide in your own private or representative capacity.
- 3.5 You may choose to provide additional personal information to CJ Hugo Physiotherapists Inc., in which event you agree to provide accurate and current information, and, generally, not to impersonate or misrepresent any person or entity or falsely state or otherwise misrepresent your affiliation with anyone or anything.
- 3.6 Any processing of your personal information will be reservedly for CJ Hugo Physiotherapists Inc. legitimate business purposes and as a necessary function of your engagement with the Website and/or the Services, and you have hereby consented to this, but CJ Hugo Physiotherapists Inc. will not:
- 3.7 use your personal information for any purpose other than as set out below:
  - 3.7.1 to contact you in order to engage with you regarding Services you have received from CJ Hugo Physiotherapists Inc., or payment related thereto;
  - 3.7.2 to provide and optimize the healthcare service that you receive;
  - 3.7.3 to contact you regarding current or new information, products or Services or any other Service offered by CJ Hugo Physiotherapists Inc. (unless you have opted out from receiving marketing material from CJ Hugo Physiotherapists Inc., possible through same contact); and
  - 3.7.4 to improve CJ Hugo Physiotherapists Inc. Services selection and your experience on the Website by, for example, monitoring your browsing habits, or tracking your interaction on the Website; or
  - 3.7.5 disclose your personal information to any third party other than as set out below:
    - 3.7.5.1 to CJ Hugo Physiotherapists Inc., its partners, employees or contracted third party service providers who assist CJ Hugo Physiotherapists Inc. to interact with you via the Website or in relation to the Services, for the engagement of their services, and thus need to know your personal information in order to assist CJ Hugo Physiotherapists Inc. to communicate with you properly and efficiently;

- 3.7.5.2 to third party processors and assistants who provide CJ Hugo Physiotherapists Inc. with services which may have to use your personal information, such as Google mail services, medical processors, authorities or survey companies;
  - 3.7.5.3 to third party medical professionals, healthcare institutions or social services, insurance companies, medical aid schemes, medical aid scheme administrators and managed healthcare organisations, who may process your personal information if it is necessary for assessing a risk or treatment to be insured or covered by a medical aid scheme, the performance of an insurance or medical aid agreement or enforcement of any contractual rights and obligations;
  - 3.7.5.4 to law enforcement, government officials, fraud detection agencies or other third parties when CJ Hugo Physiotherapists Inc. believes in good faith that the disclosure of personal information is necessary to prevent physical harm or financial loss, to report or support the investigation into suspected illegal activity or the contravention of an applicable law, or to investigate violations of these Terms or policies. and/or the Website's other policies; and
  - 3.7.5.5 to CJ Hugo Physiotherapists Inc. service providers (under any contract with CJ Hugo Physiotherapists Inc.) who help with parts CJ Hugo Physiotherapists Inc. business operations (such as fraud prevention, technology services). However, in this event CJ Hugo Physiotherapists Inc. contracts shall dictate that these service providers may only use your information in connection with the services they perform for CJ Hugo Physiotherapists Inc., not for their own benefit and under the same standards as how CJ Hugo Physiotherapists Inc. operates.
4. CJ Hugo Physiotherapists Inc. is entitled to use or disclose your personal information if such use or disclosure is required in order to comply with any applicable law, subpoena, order of court or legal process served on CJ Hugo Physiotherapists Inc., or to protect and defend CJ Hugo Physiotherapists Inc. rights or property. In the event of a fraudulent EFT payment or misuse of the provided banking details, CJ Hugo Physiotherapists Inc. is entitled to disclose relevant personal information for criminal investigation purposes or in line with any other legal obligation for disclosure of the personal information which may be required of it.
  5. CJ Hugo Physiotherapists Inc. will ensure that all of its employees, third party service providers, divisions and partners (including their employees and third party service providers) having access to your personal information are bound by appropriate and legally binding confidentiality obligations and process your personal information at standards equal to or higher than CJ Hugo Physiotherapists Inc. in relation to your personal information.
  6. CJ Hugo Physiotherapists Inc. may from time to time market existing services on social media platforms, you hereby authorise and consent to any photographs or video's for such purposes;
  7. CJ Hugo Physiotherapists Inc. will:
    - 7.1 treat your personal information as strictly confidential, save where CJ Hugo Physiotherapists Inc. is entitled to share it as set out in this policy or by law;
    - 7.2 take appropriate technical and organisational measures to ensure that your personal information is kept secure and is protected against unauthorised or unlawful processing, accidental loss, destruction or damage, alteration, disclosure or access;
    - 7.3 provide you with reasonable access to your personal information to view and/or update personal details;
    - 7.4 promptly notify you if CJ Hugo Physiotherapists Inc. becomes aware of any unauthorised use, disclosure or processing of your personal information;
    - 7.5 provide you with reasonable evidence of CJ Hugo Physiotherapists Inc. compliance with its obligations under this Privacy Policy on reasonable notice and request; and
    - 7.6 upon your request, promptly correct, return or destroy any and all of your personal information in CJ Hugo Physiotherapists Inc. possession or control, save for that which CJ Hugo Physiotherapists Inc. is legally obliged or entitled to retain (acknowledging that some Website functionality or Service provision might be lost if certain personal information is amended or destroyed).
  8. Our regular retention practices will require us to hold your medical information in perpetuity in order to ensure that we have your medical information in case you need medical treatment from us in the future, or such information is required by another authorised third or for risk, or quality management, statistical, historical analysis or research purposes and you hereby expressly consent to this retention. We will however not retain any of your personal information, which is not relevant for these purposes, as soon as it no longer becomes relevant.
  9. CJ Hugo Physiotherapists Inc. undertakes never to sell or make your personal information available to any third party other than as provided for in this Privacy Policy.
  10. Whilst CJ Hugo Physiotherapists Inc. will do all things reasonably necessary to protect your rights of privacy, CJ Hugo Physiotherapists Inc. cannot guarantee or accept any liability whatsoever for unauthorised or unlawful disclosures of your personal information, whilst in

- CJ Hugo Physiotherapists Inc. possession, made by third parties who are not subject to CJ Hugo Physiotherapists Inc.'s control, unless such disclosure is as a result of CJ Hugo Physiotherapists Inc. gross negligence or fraud.
11. If you disclose your personal information to a third party, such as an entity which operates a website linked to this Website or anyone other than CJ Hugo Physiotherapists Inc., CJ Hugo Physiotherapists Inc. **shall not be liable for any loss or damage, howsoever arising, suffered by you as a result of the disclosure of such information to the third party.** This is because CJ Hugo Physiotherapists Inc. does not regulate or control how that third party uses your personal information. You should always ensure that you read the privacy policy of any third party.
  12. This 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 CJ Hugo Physiotherapists Inc. may use) to recognise repeat users and patients, facilitate the patient'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 patient by way of third party tools. 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 the Website, and thus if you disable the "cookies" on your browser you may not be able to use those features, and your access to the Website will therefore be limited. If you do not disable "cookies", you are deemed to consent to CJ Hugo Physiotherapists Inc. use of any personal information collected using those "cookies", subject to the provisions of these Terms.
  13. The patient is entitled to request access to any relevant personal data held by CJ Hugo Physiotherapists Inc. and where such access is necessary for you to exercise and/or protect any of the patient's rights. For any personal data held by any third party, the patient must approach that party for the realisation of the patient's personal data rights with them, and not with CJ Hugo Physiotherapists Inc.
  14. Please be advised that this Privacy Policy and our operations are all interpreted, applied and/or are in accordance with, the privacy and data protection laws of the Republic of South Africa, as we are a South African practice focused on providing services to South African patients. Should you be a citizen of a territory other than the Republic of South Africa with the result that additional privacy laws apply to the processing of your personal information, please contact us so that we may gladly assist you in manifesting those rights, and ensuring that you are fully protected as required. You can contact us at [kim@sharksmedical.co.za](mailto:kim@sharksmedical.co.za) for any such assistance.
  15. **Patients understand that there are risks involved in sharing personal information, where the patient assumes all such risks.**