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1. PURPOSE AND SCOPE

- 1.1. The Protection of Personal Information Act, 4 of 2013 (POPIA) regulates and controls the processing of Personal Information.
- 1.2. P&I Associates for the purposes of carrying out its business and related objectives, does and will from time to time, process the Personal Information of living individuals and legal entities including public and private entities, such as Personal Information pertaining to employees and staff, prospective employees and job applicants, students and interns, service providers and contractors, vendors, clients, customers, and other third parties. This includes but is not limited to recruitment and employment purposes; concluding contracts and business transactions; for risk assessments, insurance and underwriting purposes; assessing and processing queries, enquiries, complaints, and / or claims; conducting criminal reference checks and / or conducting credit reference searches or verification; confirming, verifying and updating persons details; for purposes of personnel and other claims history; for the detection and prevention of fraud, crime, money laundering or other malpractice; conducting market or customer satisfaction research; promotional, marketing and direct marketing purposes; financial, audit and record keeping purposes; in connection with legal proceedings; communicating with employees, third parties, customers, suppliers and / or governmental officials and regulatory agencies; and in connection with and to comply with legal and regulatory requirements or when it is otherwise required or allowed by law.
- 1.3. This Policy describes how P&I Associates will discharge its duties in order to ensure continuing compliance with POPIA in general and the information protection conditions and rights of data subjects in particular.
- 1.4. This Policy without exception will apply to P&I Associates, its employees, directors and Operators.

2. DEFINITIONS

- 2.1. **Data Processor** - the employee or operator processing Personal Information on behalf of P&I Associates.
- 2.2. **Data Subject** - the person who has provided the Personal Information to P&I Associates and who consents when providing such Personal Information, to P&I Associates' use thereof in accordance with the Informed Consent Notice.
- 2.3. **Informed Consent Notice** – P&I Associates' notice in terms of S18 of POPIA which will be loaded on the P&I Associates' website (Appendix A).
- 2.4. **Information Officer** – as designated in P&I Associates' PAIA Manual.
- 2.5. **Operator** - a natural person or a juristic person who processes a Data Subject's Personal Information on behalf of P&I Associates in terms of the provisions of a service agreement;
- 2.6. **PAIA Manual** – P&I Associates' manual in terms of the Promotion of Access to Information Act, 2 of 2000 which is available on its website.
- 2.7. **Personal Information** means personal information relating to an identifiable, living, natural or juristic person, including, but not limited to:

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- race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth;
- the education or the medical, financial, criminal or employment history;
- any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment;
- biometric information;
- personal opinions, views or preferences;
- correspondence sent that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
- the views or opinions of another individual about the person; and
- the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.

2.8. **P&I Associates** means P&I Associates (Pty) Ltd a private company with registration number 99/00985/07.

2.9. **Processing** - any operation or activity or any set of operations, whether or not by automatic means, concerning Personal Information, including collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation, use, dissemination, merging, linking, restricting, degrading, erasing or destroying.

2.10. **Special Personal Information** – information about ethnicity, gender, religious or other beliefs, political opinions, membership of a trade union, sexual orientation, medical history, offences committed or alleged to have been committed by that individual, biometric details, and children’s details.

3. POLICY

3.1. Any Data Processor who processes Personal Information belonging to a Data Subject on behalf of P&I Associates shall comply with all the provisions of POPIA, including the eight data protection conditions set out under section 4 of POPIA.

3.2. Before any Personal Information is processed, the Data Processor must bring the Informed Consent Notice to the Data Subject’s attention.

3.3. When processing a Data Subject’s Personal Information, the Data Processor must ensure that: they only process Personal Information, which is relevant and accurate and only for the purpose for which it is required; and that Special Personal Information will only be processed in line with the provisions set out under POPIA and in accordance with instructions set out by the Information Officer from time to time.

3.4. Data Processors must, before processing Personal Information ensure that the record housing the Personal Information will be kept secure and that appropriate measures and safeguards are in place to prevent any unauthorised access, disclosure and / or loss of such Personal Information.

3.5. Removing and Downloading Personal Information on to portable devices from workplace equipment or taking soft copies of Personal Information off-site must be authorised in writing by the Information Officer.

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- 3.6. Where it is necessary to store Personal Information on portable devices such as laptops, USB flash drives, portable hard drives, CDs, DVDs, or any computer not owned by P&I Associates, Data Processors must before storing said Personal Information ensure that the data is encrypted and is kept secure and that appropriate measures and safeguards are in place to prevent unauthorised access, disclosure and loss of such Personal Information.
- 3.7. Where paper or hard copies of Personal Information are removed from P&I Associates premises, Data Processors must, before removing said Personal Information, ensure that only that data necessary for the purpose it is being removed is taken, is documented in a removal register and is thereafter whilst away from P&I Associates premises kept safe and secure and that appropriate measures and safeguards are in place to prevent any unauthorised access, disclosure and loss of such Personal Information.
- 3.8. Paper or hard copies of Personal Information and portable electronic devices housing Personal Information should be stored in locked units, which should not be left on desks overnight or in view of other employees or third parties.
- 3.9. Personal Information, which is no longer required, should be securely archived and retained, as per Quality Management: Document Control.
- 3.10. Personal Information must not be disclosed unlawfully to any third party. All losses or unauthorised disclosures of Personal Information must be reported to the Information Officer. Negligent loss or unauthorised disclosure of Personal Information, or failure to report such events, may be treated as a disciplinary matter.
- 3.11. Any request by a Data Subject for access to or updating of Personal Information or an objection to processing of Personal information must be directed to the Information Officer in terms of the PAIA Manual. In terms of POPIA, a Data Subject has the right to:
- 3.12. Where any P&I Associates employee requires an Operator to process Personal Information for or on behalf of P&I Associates, such employee shall ensure that prior to such processing an Operator agreement is concluded with the Operator in respect of such processing.

4. REFERENCES

- 4.1. BF-03 Quality Management: Document Control
- 4.2. Protection of Personal Information Act, 4 of 2013
- 4.3. Promotion of Access to Information Act, 2 of 2000
- 4.4. P&I Associates PAIA Manual

5. APPENDICES

- 5.1. Appendix A – Informed Consent Notice

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Appendix A

CONSENT TO PROCESS PERSONAL INFORMATION IN TERMS OF SECTION 18A OF THE PROTECTION OF PERSONAL INFORMATION ACT, 4 OF 2013 (“Processing Notice”)

This Processing Notice will apply to P&I Associates (PTY) LTD, and business and/or trading partners, on the one hand, (“**P&I Associates**”)

AND

P&I Associates’ employees, and / or any other person including without detracting from the generality thereof, any juristic or natural person, full time, fixed term, part time and temporary employees of P&I Associates, prospective P&I Associates employees, employment candidates, bursary and study recipients, P&I Associates’ service providers, P&I Associates’ operators, and P&I Associates’ customers, governmental, provincial and municipal agencies or entities, regulators, persons making enquiries and / or other third parties, including all associated, related and /or family members of such Data Subjects or any person who may be acting on behalf of /or in a representative capacity in respect of the Data Subject, and from whom P&I Associates receives Personal Information, on the other hand (“**Data Subject**”).

1. PURPOSE OF THIS NOTICE AND TERMS USED

- 1.1. In order to do business, P&I Associates (PTY) LTD (“we”, “us”, “P&I Associates” or “the company”) in our capacity as a Responsible Party, will have to comply with a law known as the Protection of Personal Information Act, 4 of 2013 (hereinafter referred to as “POPIA”), which regulates and controls the processing of a Data Subject’s Personal Information in South Africa, which processing includes the collection, use, and transfer of a Data Subject’s Personal Information.
- 1.2. In terms of POPIA, where a person processes another’s Personal Information, such processing must be done in a lawful, legitimate and responsible manner and in accordance with the provisions, principles and conditions set out under POPIA.
- 1.3. In order to comply with POPIA, a Responsible Party processing a Data Subject’s Personal Information must:
 - 1.3.1. provide the Data Subject with a number of details pertaining to the processing of the Data Subject’s Personal Information, before such information is processed; and
 - 1.3.2. get permission or consent, explicitly or implied, from the Data Subject, to process his / her / its Personal Information, unless such processing: is necessary to carry out actions for the conclusion or performance of a contract to which the Data Subject of the Personal Information is a party; is required in order to comply with an obligation imposed by law; is for a legitimate purpose or is necessary to protect the legitimate interest(s) and/or for pursuing the legitimate interests of the Data Subject, the Responsible Party, or that of a third-party to whom the Personal Information is supplied; or is necessary for the proper performance of a public law duty.

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1.4. In accordance with the requirements of POPIA, and because your privacy and trust is important to us, we set out below how we, P&I Associates collect, use, and share your Personal Information and the reasons why we need to use and process your Personal Information.

2. APPLICATION

2.1. This Processing Notice applies to the following persons:

- 2.1.1. Customers and Clients - potential and actual;
- 2.1.2. Lessors, Contractors, Vendors and Service Providers;
- 2.1.3. Employees;
- 2.1.4. Regulators, State Owned Entities and Public Bodies; and
- 2.1.5. Business partners.

3. PURPOSE FOR PROCESSING YOUR PERSONAL INFORMATION

3.1. Your Personal Information will be processed by us for the following purposes, for which further consent is not required:

- 3.1.1. To carry out an ABC and / or commercial due diligence before deciding to engage with you;
- 3.1.2. To negotiate and conclude a contract;
- 3.1.3. To perform in accordance with the contract, including any operational matters;
- 3.1.4. To attend to financial matters pertaining to any transaction;
- 3.1.5. To communicate with you about any matter relating to a contract or our business dealings with each other;
- 3.1.6. To comply with our legal obligations, insurance requirements, reporting requirements (including BEE), public duties or to litigate;
- 3.1.7. To carry out any duties and obligations as an employer;
- 3.1.8. To facilitate business travel;
- 3.1.9. To communicate with your family members in the case of medical emergency;
- 3.1.10. To permit you access to physical sites and / or IT systems; and
- 3.1.11. To carry out our duties as a holding company.

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4. WHAT PERSONAL INFORMATION OR INFORMATION DO WE COLLECT FROM YOU?

- 4.1. In order to engage and/or interact with you, for the purposes described above, we will have to process certain types of your Personal Information, as described below:
 - 4.1.1. You or your employer’s contact information;
 - 4.1.2. Specific identifiers, which are required in order to protect legitimate interests, comply with legal obligations or public legal duties, or in order to accommodate you in our workplaces,
 - 4.1.3. Banking and account information;
 - 4.1.4. Financial information including VAT and other tax numbers;
 - 4.1.5. Education and other employment related information; or
 - 4.1.6. Health records, including your vaccination status.

5. SOURCES OF INFORMATION - HOW AND WHERE DO WE COLLECT YOUR PERSONAL INFORMATION FROM

- 5.1. Depending on your requirements, we will collect and obtain Personal Information about you either directly from you, from certain third parties, or from other sources which are described below:
 - 5.1.1. Direct information provided by you to use, either voluntarily or on request;
 - 5.1.2. Automatic collection when you use our websites, open emails or otherwise communicate with us;
 - 5.1.3. Collection from third parties that publish information about you, including social media and government agencies.

6. HOW WE SHARE INFORMATION

- 6.1. We share Personal Information for the purposes set out in this Privacy Notice with the following categories of recipients:
 - 6.1.1. our employees, professional advisors, affiliates, service providers and the companies within the Bidvest Group for business and operational purposes;
 - 6.1.2. your organisation to facilitate the performance of contractual obligations
 - 6.1.3. regulators and law enforcement agencies
 - 6.1.4. other third parties if we reasonably believe that disclosure of such information is helpful, will achieve a legitimate purpose or in order to pursue a legitimate interest or is reasonably necessary to enforce our terms and conditions or other rights (including investigations of potential violations of our rights), to detect, prevent, or address fraud or security issues, or to protect against harm to the rights, property, or safety of P&I Associates, our employees, any users, or the public.

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7. SECURITY OF INFORMATION

- 7.1. The security of your Personal Information is important to us. Taking into account the nature, scope, context, and purposes of processing Personal Information, as well as the risks to individuals of varying likelihood and severity, we have implemented technical and organizational measures designed to protect the security of Personal Information. In this regard we will conduct regular audits regarding the safety and the security of your Personal Information.
- 7.2. Your Personal Information will be stored electronically and in some cases in hard copy in files and records, which information, for operational reasons, will be accessible to and or provided to persons employed or contracted by us on a need to know basis.
- 7.3. Once your Personal Information is no longer required due to the fact that the purpose for which the Personal Information was held has come to an end, such Personal Information will be retained in accordance with P&I Associates records retention schedule, which varies depending on the type of processing, the purpose for such processing, the business function, record classes, and record types. We calculate retention periods based upon and reserve the right to retain Personal Information for the periods that the Personal Information is needed to: (a) fulfil the purposes described in this Processing Notice, (b) meet the timelines determined or recommended by regulators, professional bodies, or associations, (c) comply with applicable laws, legal holds, and other legal obligations (including contractual obligations), and (d) comply with your requests.
- 7.4. Notwithstanding the contents housed under clauses 7 and 8, please note that no method of transmission over the Internet or method of electronic storage is 100% secure. Therefore, while we strive to use commercially acceptable measures designed to protect Personal Information, we cannot guarantee its absolute security.

8. ACCESS BY OTHERS AND CROSS BORDER TRANSFER

- 8.1. P&I Associates may from time to time have to disclose your Personal Information to other parties, including P&I Associates subsidiaries, trading partners, agents, auditors, organs of state, regulatory bodies and/or national governmental, provincial, or local government municipal officials, or overseas trading parties or agents, but such disclosure will always be subject to an agreement which will be concluded as between ourselves and the party to whom we are disclosing your Personal Information to, which contractually obliges the recipient of your Personal Information to comply with strict confidentiality and data security conditions.
- 8.2. Where Personal Information and related data is transferred to a country which is situated outside South Africa, your Personal Information will only be transferred to those countries which have similar data privacy laws in place or where the recipient of the Personal Information concludes an agreement which contractually obliges the recipient to comply with strict confidentiality and data security conditions and which in particular will be to a no lesser set of standards than those imposed by POPIA.

9. YOUR RIGHTS

- 9.1. You as a Data Subject have certain rights, which are detailed below:
 - 9.1.1. The right of access - You may ask P&I Associates (free of charge) to confirm that we hold your Personal Information, or ask us to provide you with details, (at a fee) on how

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we have processed your Personal Information, which request must be done by following the process set out under the Bidvest Group PAIA Manual.

- 9.1.2. The right to rectification - You have the right to ask us to update or rectify any inaccurate Personal Information which we hold of yours, which can be done by accessing the update / rectification request.
- 9.1.3. The right to object to and restrict further processing - Where we do not need your consent to process your Personal Information, but you are not in agreement with such processing, you may lodge an objection to such processing by accessing the objection request.
- 9.1.4. The right to withdraw consent - Where you have provided us with consent to process your Personal Information, you have to right to subsequently withdraw your consent, which can be done by accessing the withdrawal of consent request.

9.2. These rights may be exercised by using the relevant forms housed on the Bidvest Group website.

10. PROCESSING OTHER PERSONS PERSONAL INFORMATION

10.1. If you process another’s Personal Information on P&I Associates’s behalf, or which we provide to you in order to perform your contractual or legal obligations or to protect any legitimate interest, you will:

- 10.1.1. if you are processing such Personal Information as our Operator as defined under POPIA, process all and any such Personal Information in compliance with the obligations in a signed “Operator Agreement”; or
- 10.1.2. where not acting as an Operator, nonetheless keep such information confidential and secure as per POPIA and you will not, unless authorized to do so, process, publish, make accessible, or use in any other way such Personal Information unless in the course and scope of your duties, and only for the purpose for which the information has been received and granted to you, and related to the duties assigned to you.

11. COMPLAINTS OR QUERIES - CONTACT US

- 11.1. Any comments, questions or suggestions about this Processing Notice or our handling of your Personal Information should be emailed to our Information Officers at pidur@pandi.co.za
- 11.2. Should you feel unsatisfied with our handling of your Personal Information, or about any complaint that you have made to us, you are entitled to escalate your complaint to the South African, Information Regulator who can be contacted at <https://inforegulator.org.za/>

12. ACCEPTANCE AND BINDING NATURE OF THIS DOCUMENT

- 12.1. By providing P&I Associates with the Personal Information which we require from you as listed under this Processing Notice:
 - 12.1.1. you acknowledge that you understand why your Personal Information needs to be processed;

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- 12.1.2. you accept the terms which will apply to such processing, including the terms applicable to the transfer of such Personal Information cross border;
- 12.1.3. where consent is required for any processing as reflected in this Processing notice, you agree that we may process this particular Personal Information.
- 12.2. Where you provide us with another person's Personal Information for processing, you confirm that that you have obtained the required permission from such person (s) to provide us with their Personal Information for processing.
- 12.3. The rights and obligations of the parties under this Processing Notice will be binding on, and will be of benefit to, each of the parties' successors in title and/or assigns where applicable.
- 12.4. Should any of the Personal Information concern or pertain to a legal entity whom you represent, you confirm that you have the necessary authority to act on behalf of such legal entity and that you have the right to provide the Personal Information and/or the required permissions in respect of the processing of that Organization or entities' Personal Information.

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