



POLICY AND PROCEDURES

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PEPKOR HOLDINGS LIMITED

REGISTRATION NUMBER 2017/221869/06

(*"The Company" or "Pepkor"*)

1. POLICY STATEMENT

- 1.1. The purpose of the Protection of Personal Information Act 4 of 2013, as defined by the Act itself, is to protect the right to privacy of personal information of South African data subjects, to strike a balance between the right to privacy and the need for the free flow of, and access to information, and to regulate how personal information is processed.
- 1.2. During the normal course of its business activities, Pepkor will collect, store and process personal information about Pepkor staff, customers, suppliers and other third parties.
- 1.3. Pepkor recognises that it has a moral and legal responsibility to treat such data in a manner which respects the rights of the data subjects in both the letter and spirit of the relevant legislation and is committed to taking all reasonable steps to do so.

2. RELEVANT DEFINITIONS

- 2.1. The following terms bear the meaning given to them here in this policy and its annexures:
 - 2.1.1. **"Data subjects"** for the purpose of this policy include all living individuals and juristic persons about whom Pepkor holds personal information. All data subjects have legal rights in relation to their personal information.
 - 2.1.2. **"Pepkor"** means Pepkor Holdings Limited and all its subsidiaries and business areas.
 - 2.1.3. **"IO"** means the information officer appointed as such by Pepkor in terms of section 56 of POPIA and who will have the ultimate responsibility to ensure that Pepkor complies with the provisions of POPIA.
 - 2.1.4. **"Operators"** include any person who processes personal information on behalf of a responsible party. Employees of responsible parties are excluded from this definition but it could include suppliers which handle personal information on Pepkor behalf.
 - 2.1.5. **"Personal information"** means information relating to an identifiable, living, natural person, and (where applicable) an identifiable, existing

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juristic person, including the name, race, gender, marital status, address and identifying number of a person, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person.

- 2.1.6. **"POPIA"** means the Protection of Personal Information Act 4 of 2013.
- 2.1.7. **"Processing"** is any activity that involves use of personal information. It includes any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including -
 - 2.1.7.1. the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
 - 2.1.7.2. dissemination by means of transmission, distribution or making available in any other form; or
 - 2.1.7.3. merging, linking, as well as restriction, degradation, erasure or destruction of information.
- 2.1.8. **"Processing conditions"** are the 8 (eight) conditions for the lawful processing of personal information set out in chapter 3 of POPIA.
- 2.1.9. **"Regulator"** means the Information Regulator established in terms of section 39 of POPIA.
- 2.1.10. **"Responsible parties"** are the people or organisations which determine the purposes for which, and the manner in which, any personal information is processed. They have a responsibility to establish practices and policies in line with POPIA. Pepkor is the responsible party of all personal information used in its business. **[Note: Each legal entity e.g. Pepkor Trading (Pty) Ltd, Pepkor Speciality (Pty) Ltd, etc. will be deemed a responsible party in its own right]**
- 2.1.11. **"Special personal information"** includes personal information concerning the religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life or biometric information of a data subject; or the criminal behaviour of a data subject to the extent that such information relates to the alleged commission by a data subject of any offence; or any proceedings in respect of any offence allegedly committed by a data subject or the disposal of such proceedings.
- 2.1.12. **"Users"** include employees whose work involves using personal information. Users have a duty to protect the information they handle by following Pepkor data privacy and data protection policies at all times.

3. ABOUT THIS POLICY

- 3.1. This policy applies to all users and will come into effect on 1 July 2021.

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- 3.2. This policy does not form part of any employee's contract of employment and may be amended at any time.
- 3.3. If you consider that the policy has not been followed in respect of personal information about yourself or others you should raise the matter with your line manager or the IO.

4. PURPOSE OF THE POLICY

- 4.1. The purpose of the policy is to establish management direction and high-level objectives for regulating the manner in which personal information is processed and to provide for remedies in cases where personal information is not handled accordingly. Further purposes of the policy include:
 - 4.1.1. to align it with South African laws;
 - 4.1.2. compliance with the requirements of POPIA;
 - 4.1.3. to ensure that in all instances where personal information is processed that the legal basis therefore is established and valid;
 - 4.1.4. to ensure that in all instances where personal information is processed that that the eight conditions for processing have been met;
 - 4.1.5. to ensure that in all instances where personal information is processed that the rights of the data subjects can be exercised;
 - 4.1.6. to ensure that in all instances where personal information is processed that a risk assessment or 'privacy impact assessment' has been performed and that any risks to the rights of the data subjects have been considered;
 - 4.1.7. to ensure that in instances where children's personal data is processed, that it is done so in compliance with the requirements of the Act;
 - 4.1.8. to ensure that in instances where special categories of personal data is processed, that it is done so in compliance with the requirements of the Act;
 - 4.1.9. to ensure that cross border transfers of personal data are conducted within the requirements of the Act;
 - 4.1.10. to ensure that electronic direct marketing is conducted within the requirements of the act;
 - 4.1.11. to ensure the registration of Pepkor Group with the Regulator;
 - 4.1.12. to ensure the appointment of a suitable person (s) as the Information Officer;
 - 4.1.13. to ensure the creating and publication of both internal and external Data Privacy Notices
 - 4.1.14. to ensure the creating and publication of appropriate policies and procedures
 - 4.1.15. to ensure the provision and recording of appropriate training and awareness for all staff required to deal with personal information;
 - 4.1.16. to ensure the proper contracting of third-party data processors or 'data operators'

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- 4.1.17. to ensure that a procedure for the notification of both data subjects and/or the Regulator in the event of a breach has been developed and published;

5. MONITORING AND REVIEW OF THE POLICY

This policy is reviewed annually by the IO to ensure it is achieving its stated objectives.

6. REFERENCES

- Pepkor PAIA Manual
- Pepkor External Privacy policy
- Pepkor Document Retention policy
- Pepkor Personal Information Sharing policy
- Pepkor Data Subject Access Request policy
- Pepkor Privacy Incident Response Plan
- Pepkor Internal Privacy policy
- Pepkor Website Privacy policy
- Pepkor Cookie policy
- Pepkor Password policy
- Pepkor Bring Your Own Device (BYOD) policy
- Pepkor Photography policy
- Pepkor CCTV policy
- Pepkor Privacy Compromises policy

Leon Lourens
Chief Executive Officer

Date

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