

# GENET MINERAL PROCESSING (PTY) LTD

## WEBSITE PRIVACY POLICY

between (i) Genet Mineral Processing (Pty) Ltd (“GMP”) and (ii) you.

### 1. Introduction

- 1.1. This Privacy Policy describes how GMP receives, uses and discloses your Personal Information, whether provided by you to us, or collected by us through other means when you engage with us, in your ordinary use of our goods and services, in providing us with your products and services, or in accessing our Website (the “**Website**”).
- 1.2. This Privacy Policy applies to the processing by us, or on our behalf, of the Personal Information relating to you, being a user who accesses and/or uses the Website or our goods and services, or a provider of products and services to us, clients, suppliers, former employees, prospective employees and other data subjects that engage with us.
- 1.3. GMP is committed to protecting your privacy and to ensuring that your Personal Information is collected and used appropriately, lawfully and transparently in accordance with the Protection of Personal Information Act, 4 of 2013 (POPI Act) and the Promotion of Access to Information Act, 2 of 2000 (PAIA).
- 1.4. Whilst every effort has been made to explain the measures we have taken to protect your Personal Information, the content of this Privacy Policy is not exhaustive of all of the substantive and practical measures taken by GMP to protect all Personal Information processed.
- 1.5. By using the Website, you agree to the processing of your Personal Information as set out in this Privacy Policy.

### 2. Personal Information

- 2.1. Personal Information refers to any information that identifies you or specifically relates to you. Personal Information includes, but is not limited to, the following information:
  - 2.1.1. 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 of the customer and/or data subject;
  - 2.1.2. information relating to the education or the medical, financial, criminal or employment history of the customer and/or data subject;
  - 2.1.3. any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the customer and/or data subject;
  - 2.1.4. the biometric information of the customer and/or data subject;
  - 2.1.5. the personal opinions, views or preferences of the customer and/or data subject;

- 2.1.6. correspondence sent by the customer and/or data subject that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
  - 2.1.7. the views or opinions of another individual about the customer and/or data subject; and
  - 2.1.8. the name of the customer and/or data subject if it appears with other personal information relating to the customer and/or data subject or if the disclosure of the name itself would reveal information about the customer and/or data subject.
- 2.2. You acknowledge that, when accessing and utilising this Website, GMP will gain access to your Personal Information.
  - 2.3. You acknowledge that GMP will own and retain all rights to non-personal statistical information collected and compiled through your utilisation of our Website, which may incorporate de-identified Personal Information (information that (a) identifies the data subject, (b) can be used or manipulated by a reasonably foreseeable method to identify the data subject, or (c) can be linked by a reasonably foreseeable method to other information that identifies the data subject).
  - 2.4. You furthermore consent to your Personal Information being used or disclosed to third parties for communication purposes; statistical and data analysis; to improve and develop our Website; to analyse the effectiveness of our Website; for marketing and direct marketing purposes; or if required by law.
  - 2.5. Despite the fact that GMP will take reasonable steps to protect your Personal Information, there is no absolute secure transmission of data on the internet. GMP accordingly does not warrant the absolute security of any information that you may transmit to GMP or which GMP may submit to you.
  - 2.6. GMP respects your privacy and will take all reasonable measures to protect it.

### 3. Collection and processing of Personal Information

- 3.1. You consent to GMP collecting Personal Information about you from the following sources:
  - 3.1.1. Personal Information collected directly from you when you communicate directly with us, for example when you complete certain application forms such as vendor forms;
  - 3.1.2. Personal Information collected from public records;
  - 3.1.3. Personal Information collected from a public domain, where you have disclosed the Personal Information;
  - 3.1.4. Personal Information collected based on your use of GMP's goods and/or services;
  - 3.1.5. Personal Information based on how you engage or interact with GMP via emails, letters and telephone calls;
  - 3.1.6. Personal Information collected from third parties; and

- 3.1.7. Personal Information collected from any other source with your written consent.
- 3.2. If required by law, the necessary consent will be obtained before the collection of your Personal Information from third parties.
- 3.3. Personal Information will be collected, to:
  - 3.3.1. provide you with goods and services;
  - 3.3.2. market our goods and services to you;
  - 3.3.3. provide direct marketing by means of electronic communications;
  - 3.3.4. respond to enquires and/or complaints;
  - 3.3.5. grant you access to our premises;
  - 3.3.6. comply with legislative, regulatory, risk and compliance requirements (including directives, sanctions and rules), codes of conduct and industry agreements or to fulfil reporting requirements and information requests;
  - 3.3.7. enter into contracts and to satisfy any obligations as per GMP contracts;
  - 3.3.8. process payment instruments (i.e. to enable payment by instant electronic funds transfer);
  - 3.3.9. for security purposes and identity verification, as well as to check the accuracy of your information; and/or
  - 3.3.10. pursue and protect your interests or the interest of a third party with whom the information is being shared.
- 3.4. GMP undertakes to process the Personal Information lawfully and in a reasonable manner, so as not to infringe on your privacy. The information collected will only be processed for the aforesaid purposes.

#### 4. The sharing of Personal Information

- 4.1. GMP will only share your Personal Information if:
  - 4.1.1. you have consented to the sharing of your Personal Information;
  - 4.1.2. it is necessary for the conclusion or performance under a contract;
  - 4.1.3. it is required for the proper performance of a public law duty by a public body;
  - 4.1.4. it is required by law; and/or
  - 4.1.5. it is to protect or pursue your, GMP's, or a third party's legitimate interest.

- 4.2. GMP may share certain information with third party operators who perform certain processing activities on its behalf.
- 4.3. GMP Website may, from time to time, contain links to and from websites of GMP's partner networks and/or affiliates. GMP accepts no liability and/or responsibility for the privacy and cookie policies contained on these sites.
- 4.4. GMP will not sell any Personal Information to a third party.

5. Trans-Border Information

- 5.1. GMP may transfer and store information outside of South Africa or the country of your location. This transfer of information may only be done if:
  - 5.1.1. you have consented to the transfer;
  - 5.1.2. transfer is necessary for the fulfilment of a contract between GMP and yourself; and/or
  - 5.1.3. the third party in the foreign country is subject to a law, which provides adequate levels of protection that effectively uphold principles for reasonable processing of information that are substantially similar to the data protection laws in South Africa.
- 5.2. The transfer will happen within the requirements and safeguards of the law.
- 5.3. Where possible, the party processing your Personal Information in the other country will agree to apply the same level of protection as available by law in your country or if the other country's laws provide better protection, the other country's laws would be agreed to and applied.

6. Personal Information of Children

- 6.1. You consent to GMP collecting and processing Personal Information concerning children.
- 6.2. GMP shall take reasonable measures to secure the integrity and confidentiality of the personal information of the child in its possession and undertakes to:
  - 6.2.1. identify all reasonably foreseeable internal and external risks to personal information in its possession or under its control;
  - 6.2.2. establish and maintain appropriate safeguards against the risks identified;
  - 6.2.3. regularly verify that the safeguards are effectively implemented; and
  - 6.2.4. ensure that the safeguards are continually updated in response to new risks or deficiencies in previously implemented safeguards.

7. Automated Decision Making and Profiling

GMP does not engage in any automated processing of Personal Information intended to provide a profile of a customer including their credit worthiness, reliability, location, health, personal preferences or conduct.

8. Duration

8.1. GMP shall retain records of Personal Information only for as long as necessary for achieving the purpose for which the Personal Information was collected and/or processed.

8.2. GMP shall keep your Personal Information for as long as:

8.2.1. required by law;

8.2.2. a contract between yourself and GMP stipulates the time frame for the information to be kept;

8.2.3. you have consented to the Personal Information being kept;

8.2.4. we require the Personal Information to achieve the purposes listed in this Privacy Policy;

8.2.5. GMP requires it for statistical or research purposes; and/or

8.2.6. GMP requires it for lawful business operations.

8.3. GMP may keep your Personal Information even after termination of the relationship, for historical data, statistical and/or research purposes.

8.4. GMP undertakes to destroy or delete any records of Personal Information or to de-identify the Personal Information as soon as practicably possible after GMP is no longer authorised to retain the Personal Information.

9. Duties and Rights

9.1. It is your responsibility to:

9.1.1. ensure that the Personal Information given to GMP is up-to-date, accurate and complete;

9.1.2. inform GMP of any changes to the Personal Information.

9.2. You have the right to access your Personal Information held by GMP, and to request confirmation as to:

9.2.1. the Personal Information held by GMP;

9.2.2. a copy or description of the record kept by GMP in relation to your Personal Information; and

9.2.3. the identity or categories of third parties who have access to your Personal Information.

9.3. Your right to access information may be limited by law.

9.4. You have the right to request GMP to correct or delete any Personal Information stored in relation to you if it is inaccurate, irrelevant, excessive, outdated, misleading, incomplete, obtained unlawfully or your consent has been withdrawn.

9.5. In the event that the Personal Information is inaccurate, irrelevant, excessive, outdated, misleading, or incomplete, an email is to be addressed to [annalize.bekker@genet.co.za](mailto:annalize.bekker@genet.co.za) to request the information to be corrected, deleted or updated.

9.6. Should you wish to withdraw any consent previously given, you may send an e-mail to [annalize.bekker@genet.co.za](mailto:annalize.bekker@genet.co.za).

9.7. Any further processing of Personal Information by GMP must be:

9.7.1. linked to or compatible with the original purpose; and/or

9.7.2. necessary for meeting legal obligations.

## 10. Security Breaches

10.1. GMP undertakes to notify and contact you as soon as reasonably possible in the event of a breach by an unauthorized party which results in such party accessing your Personal Information held by GMP.

10.2. GMP undertakes to provide you with as much information, as reasonably possible, to allow you to take the necessary steps in mitigating the risk.

## 11. Amendment to Privacy Policy

11.1. GMP reserves the right to change, update, add, remove and/or amend any of the provisions of this Privacy Policy from time to time.

11.2. Such changes, updates, additions, removals or amendments shall be displayed by way of a prominent notice on the Website and will become effective from the date of their publication on our Website.

## 12. Our Cookie Policy

12.1. By using our Website you consent to the use of cookies, and that they may be forwarded from the Website to your computer or device.

12.2. You consent to GMP collecting information about your computer, including, where available, your IP address, operating system, and browser type, for purposes of system administration and to report aggregate information to our service providers. This is statistical data about our users' browsing actions and patterns and cannot be linked to an individual.

12.3. For the same reason, we may obtain information about your general internet usage by using a cookie file which is stored on the hard drive of your computer. Cookies contain information that is transferred to your computer's hard drive. They help us to improve our Website and to deliver a better and more personalized service.

12.4. You may refuse to accept cookies by activating the setting on your browser which allows you to refuse the setting of cookies. However, if you select this setting, you may be unable to access certain parts of our Website. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you log on to our Website.

13. Get in Touch

13.1. For any queries in relation to this Privacy Policy or the processing of your Personal Information, kindly reach out to us by email on [annalize.bekker@genet.co.za](mailto:annalize.bekker@genet.co.za).

13.2. You may at any time request confirmation of your Personal Information that is held by us, or the processing activities carried out by us on [annalize.bekker@genet.co.za](mailto:annalize.bekker@genet.co.za).

14. Complaints

Any complaints in regard to the processing of your Personal Information can be lodged with the Information Regulator:

Email:	<a href="mailto:Complaints.IR@justice.gov.za">Complaints.IR@justice.gov.za</a>
Postal Address:	PO Box 31533, Braamfontein, Johannesburg, 2017
Physical Address:	JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001