



ADMINISTRATIVE POLICY

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Introduction

A person's right to privacy is a fundamental human right, protected by the Constitution. The Protection of Personal Information Act 4 of 2013 (POPIA) was created to protect this right.

POPIA protects the right to privacy by setting out guiding principles which apply when a person's Personal Information is processed by a responsible person.

A person's right to privacy means that a person has control over their personal information and how that personal information is used, stored, or distributed.

This Policy will set out a summary of how Personal Information is processed in terms of the POPIA, and the way that S & N RUBBER processes Personal Information over which it is responsible.

Who does POPIA apply to?

POPIA applies to natural and public or private juristic (legal) persons, such as Companies, Trusts or other organisations, which are:

- a) domiciled within the Republic of South Africa, or
- b) not domiciled in the Republic of South Africa, but who makes use of automated and non-automated means within South Africa to process personal information, unless those means are solely for the purpose of transferring personal information through South Africa.

POPIA recognises three kinds of people in the Data Processing chain, the **Data Subject**, the **Responsible Party** and **Operators**. All of these terms have definitions in Section 1 of the POPIA.

- A "**Data Subject**" is any person who the Personal Information is about, such as employees, clients, contractors, suppliers, or other persons with whom S & N Rubber engages contractually.
- A "**Responsible Party**" means a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means for processing personal information. For the purpose of this policy S & N Rubber is a Responsible Party.
- An "**Operator**" means a person who processes personal information for a **responsible party** under a written contract or mandate, without being under the direct authority of that party, for example S & N Rubber's professional services consultants such as its accountants and or labour advisors.

What IS Personal Information?

POPIA defines "**Personal Information**" as information relating to

- (a) the race, gender, sex, marital status, national or ethnic origin, colour, sexual orientation, age, physical or mental health, disability, religion, conscience, belief, culture, language and birth of a Data Subject.
- (b) information relating to the education or the medical, financial, criminal or employment history of a Data Subject.
- (c) any identifying number, symbol, email address, physical address, telephone number, location information, online identifier, or other particular assignment to a Data Subject; the biometric information of a Data Subject.
- (d) the personal opinions, views or preferences of a Data Subject.



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- (e) correspondence sent by the 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.
- (f) the views or opinions of another individual about the Data Subject, whether the information is recorded electronically or otherwise.

What kind of Personal Information do we process?

The processing of Personal Information by S & N Rubber is necessary for the carrying out of our day-to-day services and business offerings. We collect and store personal information about and including (but not limited to):

a) Information about our Suppliers and Contractors

Such as:

- identifying numbers, names, addresses, banking details and other information for the purposes of correspondence and billings, including names and email addresses of financial or accounts staff.
- Pricing information and supplier history to assess trade relationships from time to time.
- Product information and sales information.

b) Information about our Clients

Such As

- identifying numbers, names, addresses, banking details and other information for the purposes of correspondence and billings, including names and email addresses of financial or accounts staff.
- Trade history and patterns, including purchasing patterns.
- Information regarding the client's credit history, financial circumstances, capacity for credit and trade references.
- Contact information of support, sales, financial and administrative staff.

c) Information about our Employees

Such As

- identifying numbers, names, addresses, banking details, salary information, and other information for the purposes of paying salaries and providing payslips.
- Employment history, leave records, medical examination results, performance history, disciplinary records, trade union membership and criminal records.
- Access to statutory records such as UIF payment history, PAYE history and payment bracket and trade union levy payments.
- Information regarding names and addresses of next-of-kin.



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How does someone “Process” personal information?

In POPIA “**processing**” means any operation or activity or any set of operations (whether automatically or manually), concerning personal information, including—

- the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
- dissemination by means of transmission, distribution or making available in any other form; or
- merging, linking, as well as restriction, degradation, erasure or destruction of information;

Therefore, if any Personal Information relating to a Data Subject is collected, recorded, stored, accessed, and amended, or shared with any other parties, it is being processed. The definition of processing also covers the destruction of personal information.

General Guiding Principles

Responsible Parties are required to ensure that Personal Information is processed in line with the conditions of lawful processing set out in Chapter 3 of POPIA and must always promote and respect the rights of Data Subjects.

The Conditions for the lawful processing of Personal Information are:

(a) Accountability

S & N Rubber will ensure that all tiers of the organization comply with POPIA through the encouragement of appropriate behaviour and implementation of appropriate POPIA policies.

In addition, S & N Rubber will take appropriate sanctions, which may include disciplinary action, against those individuals who, through their intentional or negligent actions and/or omissions fail to comply with the principles and responsibilities outlined in this policy and under POPIA and cause S & N Rubber to fail.

(b) Processing Limitation

S & N Rubber will ensure that Personal Information under its control is only processed:

- I. lawfully; and
- II. in a reasonable manner that does not infringe the privacy of the data subject.

Personal information may only be processed if, given the purpose for which it is processed, it is adequate, relevant, and not excessive.

(c) Purpose Specification

S & N Rubber will only process a Data Subject’s personal information for specific, explicitly defined, and legitimate reasons.

(d) Further Processing Limitation

Personal Information will not be processed for a secondary purpose unless that processing is compatible with the original purpose.



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Therefore, where S & N Rubber seeks to process personal information it holds for a purpose other than the original purpose for which it was originally collected and where this secondary purpose is not compatible with the original purpose, S & N Rubber will first obtain additional consent from A Data Subject.

(e) Information Quality

S & N Rubber will take reasonable steps to ensure that all personal information collected is complete, accurate and not misleading. It is A Data Subject's responsibility to ensure that all Personal Information supplied by A Data Subject is accurate, complete and not misleading.

(f) Openness

S & N Rubber's PAIA manual, which describes our processing systems and how to make a request regarding any information held by us, is available on our website, and digitally on request.

If we ever collect or use Personal Information belonging to a data subject, we will take all reasonable steps to ensure that the data subject concerned is aware of:

- I. What information is being collected, and where it is being collected from;
- II. Our specific details
- III. The purpose for which we are processing the Personal Information
- IV. Under what circumstances collecting the Personal Information will be voluntary or mandatory
- V. Consequences of not providing that information
- VI. If the information is required in terms of a law, details of that law
- VII. Whether the information will be transferred to another country (cross-border transmission)
- VIII. Any other relevant information regarding our processing procedures, which has not already been supplied to the data subject.

(g) Security Safeguards

S & N Rubber will manage the security of its filing systems to ensure that Personal Information is adequately protected. To this end, controls have been implemented in order to minimize the risk of loss, unauthorized access, disclosure, modification or destruction of Personal Information.

Security measures will be applied in a context-sensitive manner, for example: the more sensitive the information the greater the security required.

All employees are expected to familiarize themselves with and adhere to S & N Rubber's confidentiality and POPIA policies and to take all reasonable steps to prevent unauthorised disclosure of or access to Personal Information processed by them.

If any person processes information under the direction of S & N Rubber (an "Operator"), that person will *only* be allowed to do so in terms of a written mandate, and only for a specific purpose.

If there is any authorised access to or disclosure of a data subject's personal information, S & N is



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obliged to notify the Information Regulator as well as the Data Subject.

(h) Data Subject Participation

A Data Subject may request the correction or deletion of his or her Personal Information held by the organization. S & N Rubber will ensure that it provides a facility for all data subjects to request the correction or deletion of their personal information insofar as may be necessary.

Details of how to request access to Personal Information held and processed by S & N Rubber may be found in our PAIA manual.

Rights of Data subjects

POPIA provides Data Subjects with certain explicit rights regarding the processing of their Personal Information. These rights are, briefly:

a) The Right to Access Personal Information

A Data Subject has the right to establish whether S & N Rubber holds personal information related to him or her, including the right to request access to that personal information.

b) The Right to have Personal Information corrected or deleted

A Data Subject has the right to request, where necessary, that his or her personal information must be corrected or deleted where S & N Rubber is no longer required or authorized to retain the personal information.

c) The Right to object to the processing of personal information

A Data Subject has the right, on reasonable grounds to object to the processing of his or her personal information. In the event that A Data Subject objects to the processing of their Personal Information, S & N Rubber will give due considerations to the nature and circumstances of the request, as well as the requirements of POPIA. S & N Rubber may cease to use or disclose the data subject's personal information any may, subject to any statutory and contractual record keeping requirements, also approve the destruction of the personal information.

d) The Right to object to Direct Marketing

A Data Subject has the right to object to the processing of his/her Personal Information for purposes of direct marketing by means of unsolicited electronic communication.

e) The Right to complain to the Information Regulator

A Data Subject has the right to submit a complaint to the Information Regulator regarding an alleged infringement of any of the rights protected under POPIA and to institute civil proceedings regarding the alleged non-compliance with the protection of his/her Personal Information.

f) The Right to be informed

A Data Subject has the right to be notified that his/her personal information is being collected by the Employer. A Data Subject also has the right to be notified in any situation where the Employer has reasonable grounds to believe that the Personal Information of the data subject has been accessed or acquired by an unauthorized person.

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Contacting Us

Any Data Subject whose personal information we process is welcome to contact us in order to enforce any of the rights granted to them in terms of the POPIA, this policy or any other law.

Details of the relevant process to request details about Personal Information may be found in our PAIA manual, and are set out below:

Information Officer Details	
Name	Rochelle Thomas
Contact Number	041 486 1505
Contact Email	snwageadmin@snrubber.co.za
Responsible Party Details	
Physical Address	98 Burman Road, Deal Party, Port Elizabeth, Eastern Cape, 6210
General Email	admin@snrubber.co.za
Website	https://snrubber.co.za/

Contacting the Information Regulator

The office of the Information Regulator is responsible for ensuring compliance with POPIA, and the overall protection of a Data Subject's right to Privacy as enshrined in the Constitution.

If any Data Subject whose personal information is processed by S & N Rubber is of the view that S & N Rubber is not complying with its duties in terms of the PAIA or POPIA or wishes to get any further information regarding the POPIA, their rights or any other matter related to Personal Information, they may contact the Information Regulator.

Complaints must be made in the form required by the Information Regulator.

PAIAComplaints@inforegulator.org.za - should a Data Subject's PAIA request be denied, or should the Data Subject receive no response to a request for access, the Data Subject may use this email address to lodge a complaint.

POPIAComplaints@inforegulator.org.za – should a Data Subject feel that their personal information has been violated, they may use this e-mail address to lodge a complaint.



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The Information Regulator's contact details and information are:

Name	The Information Regulator of South Africa
Physical Address	JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001.
General Enquiries	enquiries@inforegulator.org.za
Complaints	See above
Website	https://www.justice.gov.za/infoereg/index.html

Version: 1

Review Date: 30.11.2021

Next Review: November 2022

Signed:

Name: Alan Shone

Designation: Plant Operations Officer

INITIATOR: QUALITY MANAGER

REVIEWED: FINANCE & ADMIN
MANAGER

APPROVED: PLANT OPS OFFICER

REASON: Issue 1: To define and document the POPIA Policy