

POLICY ON THE PROTECTION OF PERSONAL INFORMATION (POPI ACT)

Version: Version 1

Category: Operations

Date of Approval:

Date of Implementation:

Date of Review:

Policy Custodian: Information Officer

Applicability:

This policy applies to all permanent and contract employees, customers, suppliers, and other stakeholders of Centurion Refractories (Pty) Ltd

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1. Background

The objective of this policy is to show compliance to the provisions of the Protection of Personal Information Act (POPIA) to safeguard personal information.

Centurion Refractories (Pty) Ltd promotes the right to privacy, including the right to protection against unlawful processing of personal information, as stated in section 14 of the Constitution of the Republic of South Africa.

Centurion Refractories (Pty) Ltd recognises the importance of compliance with the statutory requirements in the collection, transfer, retention, and distribution of personal information.

The policy sets out the way Centurion Refractories (Pty) Ltd deals with customers, suppliers, employees, and other stakeholders' personal information and how the said information is to be used.

2. Purpose

This policy advances the protection of personal information and aims to regulate, in consensus with the regulatory standards, the utilization of this information by Centurion Refractories (Pty) Ltd.

Centurion Refractories (Pty)Ltd processes personal information of all its customers, suppliers, employees, and other stakeholders to carry out its operations and activities. The company regards the lawful and proper processing of personal information as crucial to successful service delivery and essential to maintain professional relationships.

Centurion Refractories (Pty) Ltd will ensure that customers, suppliers, employees, and other stakeholders' personal information in the company's possession is adequately protected to avoid unauthorised access. The personal information will be used appropriately, transparently, and in accordance with applicable laws.

3. Definitions

Authorised Third Party: Independent contractor, agent, consultant, sub-contractor of Centurion Refractories (Pty) Ltd

The Company: Centurion Refractories (Pty) Ltd

Consent: Any voluntary, specific, and informed expression of will in terms of which permission is given for the processing of personal information.

Data Subject: An identifiable, living, natural person to whom personal information relates. Any identifiable existing juristic person. Specifically for the purposes of this policy it refers to the employees, customers, suppliers, and any other person(s) who's personal information is processed by Centurion Refractories (Pty) Ltd and other authorised third parties.

De-identified: To delete any information that identifies the data subject, can be used or manipulated by a reasonably foreseeable method to identify the data subject, or can be linked by a reasonably foreseeable method to other information that identifies the data subject.

Employees: Any employee (including part-time and full-time employees) of Centurion Refractories (Pty) Ltd.

Information Officer: The person appointed by Centurion Refractories (Pty) Ltd that is responsible to ensure the company's compliance with the terms of section 55 of POPIA.

Information Regulator: The Information Regulator of South Africa established in terms of section 39 of POPIA.

Legitimate Basis: Any one of the following bases recognised by POPIA for the legitimate processing of personal information:

- the data subject, or a competent person, consents to the processing of personal information
- the processing of personal information is necessary for the honouring of a contract to which the data subject is a party
- the processing of personal information complies with the obligations imposed by law
- the processing of personal information protects the legitimate interests of the data subject
- the processing of personal information is necessary for pursuing the legitimate interests of Centurion Refractories (Pty) Ltd or of an authorised third party to whom information is supplied

Operator: Any person or entity who process personal information for a responsible party in terms of contract or mandate, without coming under the direct authority of that responsible party.

Person: A natural or juristic person.

Personal Information: Information relating to any data subject, including but not limited to:

- race, sex, gender, sexual orientation, pregnancy, marital status, nationality, ethnic or social origin, colour, age, physical or mental health, well-being, disability, religion, conscience, belief, cultural affiliation, language, and birth
- education, medical, financial, criminal or employment history
- names, identity number and/or any other identifier (including any number(s) which may uniquely identify a data subject), account or customer number, password, pin code, customer or data subject code or number, numeric or alpha-numeric design or configuration of any nature, symbol, email address, domain name or IP address, physical address, cellular phone number, telephone number or other particular assignment
- blood type, fingerprint, or any other biometric information
- personal opinions, views or preferences of a data subject or personal opinions, views about another data subject
- correspondence that is implicitly or expressly of a personal, private or confidential nature (or further correspondence that will reveal the contents of the original correspondence)
- corporate structure, composition, and business operations (in circumstances where the data subject is a juristic person) irrespective of whether such information is in the public domain or not

POPIA: The Protection of Personal Information Act, 4 of 2013.

Processing: Any operation or activity or any set of activities, whether or not by automatic means, concerning personal information including:

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

(for the purposes of this definition “process” has a corresponding meaning)

Responsible Party: 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.

4. Principle:

This policy applies to:

- all employees, directors, and other personnel of the company
 - all third parties who process information of the company’s data subjects on behalf of or as part of any functions or duties which they carry out for the company
- all employees, directors, and other personnel of the company
This policy applies to the processing of personal information by the company from the point of first collection to time of destruction of personal information.
The legal duty to uphold the POPI act will stand in any situation where there is processing of personal information by or on behalf of the company, unless the processing of information:

The legal duty to uphold POPIA will stand in any situation where there is processing of personal information by or on behalf of the company, unless the processing of information:

- is concluded
- where the personal information has been de-identified
- where the data subject is deceased or no longer exists

This policy applies to the processing of personal information by the company from the point of first collection to time of destruction of personal information.

5. Directives

The following conditions apply for the lawful processing of personal information as set out by the POPI act:

- duty by a public body
- legal obligation to perform the processing of personal information
- information may only be processed if it is adequate relevant and not excessive given the purpose for which it is collected
- personal information must be collected for a specific, explicitly defined, and lawful purpose related to the activity of the responsible party
- where information is received from a third party and passed on to the responsible party for further processing, the further processing must be compatible with the purpose for which it was initially processed
- information must be complete, accurate, not misleading and updated where necessary

- the data subject must be informed when collecting information and the specific nature thereof
- the responsible party must ensure the integrity of the personal information by taking measures to prevent the loss, damage, or unauthorised destruction of the information

6. Rights

The company recognises that data subjects have the following rights in accordance with the terms of the POPI act:

- the right to access personal information
- the right to have personal information corrected or deleted
- the right to object or withdraw consent from the collection, transfer, retention, and distribution of personal information
- the right to complain to the information regulator
- the right to be informed when and why information will be collected and processed

7. Procedures

In terms of the POPI act, personal information may only be processed if given the purpose for which it is processed, if the purpose for which it is processed, is adequate, relevant, and not excessive.

The company collects personal information for human resources, financial purposes, and contractual relationships with third-party service providers who process personal data on behalf of the company.

The company aims to collect personal information in a fair, lawful, and reasonable manner to ensure that the data subject's privacy will be protected. The company strives to process the personal information based on the lawful processing conditions prescribed by POPIA, in a manner that is not detrimental to the data subject.

The company will, as far as possible, collect personal information directly from the data subject. If The company obtains personal information from third parties, the company will ensure that consent is provided by the data subject. The company will only process personal information without the data subject's consent where it is permitted to do so in terms of the applicable laws.

8. Processing

The company will ensure that there is a legitimate basis for the processing of any personal information. The company will use this information only in relation to the purposes for which it is necessary and with the knowledge and consent, if relevant, of the data subject. The company will not process any personal information for any other purposes.

The company may use personal information for the purposes of:

- receiving services and/or products provided by the data subject to the company
- providing services and/or products to the data subject
- establish, maintain, and terminate employment
- enforcing its rights, and for other purposes as applicable by law
- engaging with third parties regarding local community obligations or unsolicited correspondence received from a data subject

8.1 Processing Limitations

The company must ensure that the personal information in its control processed in a fair, lawful, and necessary manner for a specified purpose.

If a data subject withdraws consent or there is another justified objection to the processing of personal information by the company, the company will ensure that the personal information is no longer processed. This will not affect the lawfulness of any processing done prior to the withdrawal or objection.

The company will be entitled to further processing of personal information:

- where the information is disclosed by die data subject or available from a public record
- when further processing is necessary to avoid prejudice to maintenance of the law by any public body
- for compliance with legislation concerning the collection of revenue
- for conduct of judicial proceedings
- in the interest of national security
- to prevent a serious and eminent threat to public health or safety
- to prevent a serious and eminent threat to life and health of the data subject or any other individual
- when the further processing of personal information is in accordance with an exemption granted by die Information Regulator in terms of POPIA

The company must obtain additional consent from the data subject if the company seeks to process personal information for a purpose other than the original purpose for which it was collected, and where this secondary purpose is not compatible with the original purpose.

8.2 Processing quality and transparency

The company is responsible for taking reasonable steps to ensure that all personal information in the company's possession is accurate and complete.

POPIA requires that the company discloses the following information to the data subject:

- the contents of the personal information that is being processed
- the way the personal information will be processed
- whether providing the personal information is voluntary or compulsory
- the consequences of withholding personal information
- if the personal information will be shared with any third parties and the reasons for doing so

8.3 Processing safeguards

The company must ensure the integrity and confidentiality of personal information in its possession or under its control by taking appropriate, reasonable measures to prevent:

- loss of, damage to or unauthorised destruction of personal information
- unlawful or unauthorised access to processing of information

Employees of the company have the responsibility to ensure that all electronic and hard-copy records of personal information are stored securely on shared drives and storage facilities.

All new personnel are required to sign letters of appointment containing contractual terms and conditions for the use and storage of personal information. In addition, confidentiality clauses are included in all contracts with operators to reduce the risk of unauthorised disclosures of personal information.

9. Storage and Retention

The company may store a data subject's personal information electronically using secure sites such as Sage, and in hard copy format. Authorised third parties with contractual relationships to the company may also store personal information of data subjects.

The company may keep records of the personal information it has collected, correspondence and comments in electronic and hard copy formats.

The company may retain personal information for as long as necessary to satisfy the purposes for which the personal information was collected and/or as permitted by law.

The company may retain personal information for longer periods for statistical, historical or research purposes. The company will continue to process and safeguard this personal information in accordance with this policy and the applicable laws.

The company may retain personal information where:

- the company has obtained consent of the data subject, or authorised representative
- retention is required and authorised by law
- retention is required for a contract between the data subject and the company
- the record is required for company's functions or business operations

The company will ensure that, when the purpose for which the personal information was collected and processed no longer applies or becomes obsolete, the personal information is deleted, destroyed or de-identified.

10. Information Officer

The information officer is responsible for:

- ensuring that the company is following the provisions of POPIA
- keeping the company updated about its responsibilities under POPIA
- continually assessing and aligning the company's personal information protection responsibilities under POPIA
- updating data subjects' personal information
- organising and overseeing awareness training of employees in the processing of personal information
- addressing POPIA related requests, reports of breaches to this policy and to the company's data security.
- addressing employees and authorised third party POPIA related questions
- working with the Information Regulator on any ongoing investigations

10.1 Information Officer Details

Matilda van Aswegen

Tel: 063 896 5132

Email: admin@cenref.co.za

11. Amendment

Amendment to this policy will take place on an ad hoc basis or when needed. Any changes will be updated electronically and posted to www.cenref.co.za

13. Authorisation

This Policy Document was approved by the Directors of Centurion Refractories (Pty) Ltd on 18 April 2024 and signed by George Robson, Financial Director, on behalf of the company.

Signature:

A handwritten signature in black ink, appearing to be 'G. Robson', written over a faint dotted line.

Date: 2024-04-23