



GROUP  
POLICIES AND PROCEDURES

Document Title	PRIVACY POLICY		
Issue date	22 September 2021	Developed by	R. van Zyl; T. van Kampen
Updated		Approved by	A. Jacobs

## 1. INTRODUCTION AND APPLICATION

- 1.1. Zaad Holdings Proprietary Limited ("**Company**") and its South African subsidiaries ("**Subsidiaries**") (hereinafter collectively referred to as the "**Group**") recognises the right to privacy, as enshrined in the Constitution of the Republic of South Africa, Act 108 of 1996 (as amended), which includes the right to protection against the unlawful collection, retention, dissemination and use of personal information.
- 1.2. In giving effect to the constitutional right to privacy, the Group has developed this privacy policy ("**Policy**") in conformity with the Protection of Personal Information Act, 14 of 2013 (as amended) ("**the Act**").
- 1.3. The objective of this Policy is to:
- 1.3.1. regulate the collection, retention, dissemination and use of personal information from or in respect of an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person ("**Data Subject**"), by the Group in a manner that gives effect to the right to privacy, subject to justifiable limitations that are aimed at protecting competing rights and interests; and
  - 1.3.2. establish minimum uniform data protection standards within the Group, save where an operating unit of the Group has established its own standards.
- 1.4. Under this Policy:
- 1.4.1. "**Personal Information**" shall mean information relating to a Data Subject, including, but not limited to:
    - 1.4.1.1. information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, the well-being, disability, religion, conscience, belief, culture, language and birth of the Data Subject;
    - 1.4.1.2. information relating to the education or the medical, financial, criminal or employment history of the Data Subject;
    - 1.4.1.3. any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the Data Subject;
    - 1.4.1.4. biometric information of the Data Subject. To that end, it is noted that biometric information includes personal identification information that is based on physical, physiological or behavioural characterisation including blood typing, fingerprinting, DNA analysis, retinal scanning and voice

- recognition;
- 1.4.1.5. the personal opinions, views or preferences of the Data Subject;
- 1.4.1.6. 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;
- 1.4.1.7. the views or opinions of another individual about the Data Subject; and
- 1.4.1.8. the name of the Data Subject, if it appears with other personal information relating to Data Subject or if the disclosure of the name itself would reveal information about the Data Subject;
- 1.4.2. **“Process” / “Processing”** means any operation or activity or any set of operations, whether or not by automatic means, concerning Personal Information, including:
  - 1.4.2.1. the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
  - 1.4.2.2. dissemination by means of transmission, distribution or making available in any other form; or
  - 1.4.2.3. merging, linking, as well as restriction, degradation, erasure or destruction of information.
- 1.4.3. **“Special Personal Information”** means:
  - 1.4.3.1. 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
  - 1.4.3.2. the criminal behaviour of a Data Subject to the extent that such information relates to:
    - i. the alleged commission by a Data Subject of any offence; or
    - ii. any proceedings in respect of any offence allegedly committed by a Data Subject or the disposal of such proceedings.

## 2. **ACCEPTANCE OF POLICY AND CONSENT**

- 2.1. By providing the Group with Personal Information, the Data Subject –
  - 2.1.1. signifies its acceptance of the terms and conditions of this Policy and, unless agreed or instructed otherwise, provides such information subject to the provisions of this Policy;
  - 2.1.2. authorises the Processing and cross-boarder transfer of such information by the Group for the purposes contemplated in this Policy.

## 3. **PERSONAL INFORMATION PROCESSED**

- 3.1. The Group predominantly collects Personal Information, which includes but is not limited to the following information concerning the Data Subject:
  - 3.1.1. Name, gender, address, contact details, date of birth, identity number, passport number, marital status, bank

details, and information about spouses and other relatives, where relevant;

- 3.1.2. Employment and employment related information. It is noted that such information shall, to the extent that it may be required, include certain information which may be deemed to constitute Special Information;
  - 3.1.3. Credit profile, credit score and other information related the creditworthiness of the Data Subject;
  - 3.1.4. Details of contracts;
  - 3.1.5. Product and sales information;
  - 3.1.6. Production data;
  - 3.1.7. Correspondence.
- 3.2. The Group shall, having regard to the purpose for which the Personal Information was collected and Processed, take reasonably practicable steps to ensure that such information is complete, accurate, not misleading and updated where necessary.
- 3.3. In the event that the Data Subject provides the Group with Personal Information of a third party, the Data Subject shall take all reasonable steps that may be required in order to inform such third party that its Personal Information has been disclosed to the Group. In addition, the Data Subject should not share the Personal Information of third parties with the Group, unless such third party has consented to the sharing with and Processing by the Group of its Personal Information.

#### **4. SOURCES OF PERSONAL INFORMATION**

- 4.1. Personal Information may be collected in a number of ways, such to include but not limited to the following:
- 4.1.1. Directly from the Data Subject when the latter interacts with the Group, albeit by email, phone or the submission of Personal Information online or any social media or other electronic platform or otherwise;
  - 4.1.2. During corporate and commercial negotiations and transactions;
  - 4.1.3. When the Data Subject visits the Group's websites or opens emails received from the Group. For further information in this regard, the Data Subject is referred to the Group's Cookie Policy, which is available at the Group's the website, being [www.zaadholdings.co.za](http://www.zaadholdings.co.za) or that of the Group's subsidiaries.
  - 4.1.4. When the Data Subject visits the Group's offices or facilities or otherwise attends or participates in any Group event, program or campaign of whatsoever nature;
  - 4.1.5. The Group may collect information about the Data Subject from its professional advisors or from public records, where the Group has a legitimate interest in doing so or where the Group has a legal duty in the investigation and prevention of a crime, albeit money laundering, financial crime or otherwise.

#### **5. USE OF PERSONAL INFORMATION**

- 5.1. Unless agreed or instructed otherwise, the Data Subject's Personal Information may be used for purposes which includes but is not limited to:

- 5.1.1. validation of identity;
- 5.1.2. auditing, internal auditing and verification of information;
- 5.1.3. credit affordability assessments and credit related matters;
- 5.1.4. valuations, corporate finance, mergers and acquisitions, investment purposes;
- 5.1.5. marketing of products and services;
- 5.1.6. dealing with requests and respond to queries from the Data Subject, regulatory authorities and third parties with a legitimate interest therein;
- 5.1.7. employment and human resources related matters;
- 5.1.8. provide and improve the Group's the websites, including auditing and monitoring its use;
- 5.1.9. compliance with the Group's memorandum of incorporation, shareholders agreements, all other constitutional documents, corporate governance structures, authorities, resolutions, policies, protocols, legal and regulatory obligations;
- 5.1.10. dealing with any complaints or the prosecution or defence of legal claims;
- 5.1.11. detecting, preventing and reporting fraud and other criminal conduct;
- 5.1.12. to manage the Group's corporate structure, business operations, financial affairs, investments and the risks to which the Group are exposed in an efficient and proper manner.

## 6. LEGALITY OF PROCESSING OF PERSONAL INFORMATION

- 6.1. Subject to the provisions and exception contemplated in the Act, the Group, including its shareholders, directors, employees and authorised third parties, shall only Process Personal Information for the purposes contemplated in this Policy and for any other legitimate purpose, which shall be communicated to the Data Subject before the Personal Information is Processed for such purpose.
- 6.2. Personal Information shall be Processed in accordance with applicable privacy laws and only provided that:
  - 6.2.1. the Data subject or a competent person, where the Data Subject is a child, consents to the Processing;
  - 6.2.2. Processing is necessary to carry out actions for the conclusion or performance of a contract to which the Data Subject is party;
  - 6.2.3. Processing complies with an obligation imposed by law on the Group;
  - 6.2.4. Processing protects a legitimate interest of the Data Subject;
  - 6.2.5. Processing is necessary for the proper performance of a public law duty by a public body; or

6.2.6. Processing is necessary for pursuing the legitimate interests of the Group or of a third party to whom the information is supplied.

## 7. SHARING OF PERSONAL INFORMATION

- 7.1. The Group may employ the services of third parties that may come in possession of the Data Subject's Personal Information in the ordinary course and scope of their duties, albeit contractual or otherwise.
- 7.2. The Group may share the Data Subject's Personal Information with such third parties for the purposes contemplated in this Policy.
- 7.3. Where the Group disseminates the Data Subject's Personal Information to third parties, such third parties shall be responsible for compliance with applicable privacy laws. The Group shall however take reasonable steps to ensure that such third parties have adequate safeguards in place to protect the Data Subject's Personal Information.
- 7.4. The Group undertakes that it shall not, unless expressly agreed or instructed otherwise, sell and/or otherwise disseminate the Data Subject's Personal Information to any third party for the purposes of unsolicited marketing.

## 8. DISSEMINATION OF PERSONAL INFORMATION OUTSIDE OF SOUTH AFRICA

- 8.1. The Act, amongst other, prohibits the transfer of the Personal Information to third parties outside of the Republic of South Africa, unless:
- 8.1.1. the third party who is the recipient of the Personal Information is subject to a law, binding corporate rules or binding agreement which provide an adequate level of protection that:
- 8.1.1.1. effectively upholds principles for reasonable Processing of the Personal Information that are substantially similar to the conditions for the lawful processing of personal information relating to a Data Subject;
- 8.1.1.2. includes provisions, that are substantially similar to the Act, relating to the further transfer of Personal Information from the recipient to third parties who are in a foreign country.
- 8.1.2. the Data Subject consents to the transfer;
- 8.1.3. the transfer is necessary for the performance of a contract between the Data Subject and the responsible party, or for the implementation of pre-contractual measures taken in response to the Data Subject's request;
- 8.1.4. the transfer is necessary for the conclusion or performance of a contract concluded in the interest of the Data Subject between the responsible party and a third party; or
- 8.1.5. the transfer is for the benefit of the Data Subject, and:
- 8.1.5.1. it is not reasonably practicable to obtain the consent of the data subject to that transfer; and
- 8.1.5.2. if it were reasonably practicable to obtain such consent, the data subject would be likely to give it.

- 8.2. In the event of the Group transmitting the Data Subject's Personal Information to another country, the Group shall take reasonable steps so as to ensure that adequate measures are in place to safeguard such Personal Information and to allow the Data Subject to exercise its rights effectively.

## 9. RETENTION OF PERSONAL INFORMATION

- 9.1. The Data Subject's Personal Information shall only be kept for such period as may reasonably be required for the purposes for which it was collected or (if longer) for any period for which the Group is required to keep Personal Information in order to comply with the Group's legal and regulatory obligations.

## 10. STORAGE AND SECURITY OF PERSONAL INFORMATION

### 10.1. The Group:

- 10.1.1. Uses various applications, software and data basis to Process and retain Personal Information collected;
- 10.1.2. Implements various security, technical and organisational measures to protect Personal Information under the Group's control, which includes but is not limited to:
  - 10.1.2.1. restricting physical and digital access to Personal Information to those authorised to be in possession thereof;
  - 10.1.2.2. entering into written agreements with third parties/operators to whom personal information is entrusted by the Group to ensure that it receives adequate protection;
  - 10.1.2.3. installing anti-virus and anti-ransomware software on its servers, desktops and laptops, which are password protected, and ensuring that all software is updated on a daily basis; and
  - 10.1.2.4. ensuring that the Group regularly revise its security strategies and safeguards to prevent unauthorised access to personal information.

, all of which provide the level of security reasonably required to achieve the objectives of the Act and of this Policy.

## 11. DATA SUBJECT'S RIGHTS IN RELATION TO ITS PERSONAL INFORMATION

- 11.1. In relation to its Personal Information, the Data Subject is, subject to the provisions of the Act, amongst other entitled to the following rights; To:
- 11.1.1. establish whether the Group holds Personal Information of the Data Subject;
  - 11.1.2. access a copy of the its Personal Information held by the Group;
  - 11.1.3. correction of inaccurate or incomplete Personal Information;
  - 11.1.4. have Personal Information deleted or destroyed;

- 11.1.5. , subject to section 18 of the Act, to be notified if its Personal Information is being collected;
- 11.1.6. , subject to section 22 of the Act, to be notified when its Personal Information has been accessed or acquired by any unauthorised person;
- 11.1.7. object to the Processing of Personal Information;
- 11.1.8. withdraw its consent to Process Personal Information;
- 11.1.9. , subject to the exceptions contemplated in section 69 of the Act, not to have his, her or its Personal Information Processed for purposes of direct marketing by means of unsolicited electronic communications;
- 11.1.10. , subject to the exceptions contemplated in section 71 of the Act, not to be subject to a decision which is based solely on the basis of the automated processing of his, her or its Personal Information intended to provide a profile of such Data Subject.

11.2. The Data Subject may, in the prescribed form and subject to the prescribed fees, make application to the Group to receive confirmation of any Personal Information held by the Group or request for a correction, deletion, or destruction of Personal Information in terms of the Group's Manual in terms of section 51 of the Promotion of Access to Information Act, Act 2 of 2000 (as amended).

## 12. RESPONSIBLE PARTY TO SAFEGUARD PERSONAL INFORMATION

- 12.1. The Act defines a Responsible Party as 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.
- 12.2. The party responsible for Processing the Data Subject's Personal Information is Zaad Holding Proprietary Limited, with its chief executive officer serving as the Information Officer.

## 13. ENQUIRIES OR COMPLAINTS

- 13.1. All enquiries or complaints regarding the manner in which the Data Subject's Personal Information has been Processed may be directed in writing for the attention of the Information Officer at the below mentioned address, whom shall endeavour to resolve the issue.

<b>PHYSICAL ADDRESS:</b>	37 Eagle Street, Okavango Park, Brackenfell, 7560, Republic of South Africa
<b>POSTAL ADDRESS:</b>	P.O. Box 300, Brackenfell, 7560, Republic of South Africa
<b>EMAIL ADDRESS: COMPLAINTS OR ENQUIRIES</b>	<a href="mailto:POPIA@zaad.co.za">POPIA@zaad.co.za</a>

- 13.2. If the complaint cannot be resolved, the Data Subject shall be entitled to lodge a written complaint with the Information Regulator at:

<b>PHYSICAL ADDRESS:</b>	JD House. 27 Stiemans Street, Braamfontein, Johannesburg, 2001, Republic of South Africa
<b>POSTAL ADDRESS:</b>	P.O. Box 31533, Braamfontein, Johannesburg, 2017, Republic of South Africa
<b>EMAIL ADDRESS: COMPLAINTS</b>	<a href="mailto:Complaints.IR@justice.gov.za">Complaints.IR@justice.gov.za</a>
<b>EMAIL ADDRESS: GENERAL ENQUIRIES</b>	<a href="mailto:inforeg@justice.gov.za">inforeg@justice.gov.za</a>

#### 14. AMENDMENT OF POLICY

- 14.1. The Group reserves the right to unilaterally update and amended the Policy. The latest version of the Policy may be obtained from the Information Officer or from the Company's website at [www.zaadholdings.co.za](http://www.zaadholdings.co.za) or the websites of the relevant Subsidiaries.

DocuSigned by:

*Antonie Jacobs*

4863D34AEA0047E...

**A.E. JACOBS**

*Chief Executive Officer / Information Officer*

Date: September 28, 2021