



**BEXGROUP (PTY) LTD**

**Registration Number: 2002/021088/07**  
**(the "Company"/ "BexGroup")**

**PRIVACY POLICY**  
**("the Policy")**

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<b>Approved By</b>		<b>Date Approved</b>	
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## **1 INTRODUCTION**

Your privacy is important to BexGroup\*. BexGroup is therefore committed to protecting your privacy and ensuring that your personal information is collected, processed and used properly and lawfully, with the required confidentiality and transparency. This policy sets out the practices applicable to the protection of your personal information and explains how we obtain, use, disclose and discard your personal information.

\*(Includes all subsidiary and related entities in the Group)

## **2 SCOPE**

BexGroup is the holding company for several businesses in the agricultural and logistics value chain. This policy applies to all divisions and subsidiaries within the BexGroup.

Subsidiary companies within BexGroup may have additional notices and/ or disclaimers in place with provisions in relation to personal information. The aforementioned may be specific to the entity in question and/or may apply to your relationship with BexGroup. To the extent that any BexGroup subsidiary company may have a dedicated notice, dealing with personal information in place, such a notice should be read in conjunction with this policy.

## **3 PURPOSE**

This policy sets out how we deal with your personal information in light of applicable data protection laws and regulations, including, but not limited to:

- The Protection of Personal Information Act, 2013 (Act 4 of 2013) (“POPIA”). POPIA promotes the protection of personal information processed by public and private bodies and seeks to balance the right to privacy against other rights, such as access to information.
- The Promotion of Access to Information Act, 2000 (“PAIA”). Entities which process personal information must ensure that it is done in a lawful way. PAIA is fundamental in safeguarding persons’ personal information and thus protecting them against data breaches and theft of personal information.

## **4 INTERPRETATION AND DEFINITIONS**

In this policy, unless otherwise stated or the context so requires, the words in the first column below shall have the meanings stated opposite to them in the second column below.

<b>Words</b>	<b>Meaning</b>
<b>“Data”</b>	refers to electronic representations of information in any form.
<b>“Documents”</b>	include books, records, security or accounts and any information that has been stored or recorded electronically, photographically, biometrically, mechanically, electro-mechanically or optically, or in any other form.
<b>“Electronic communication”</b>	refers to a communication by means of e-mail or data messages.
<b>“Information Officer”</b>	their role within an organisation is now not only governed by the provisions of POPIA, but also PAIA.
<b>“Information Regulator”</b>	<p>the Information Regulator is an independent body established in terms of section 39 of POPIA. It is subject only to the law and the constitution and it is accountable to the National Assembly.</p> <p>The Information Regulator is, among others, empowered to monitor and enforce compliance by public and private bodies with the provisions of the promotion of PAIA and POPIA.</p> <p>The President appointed the Chairperson and members of the Information Regulator with effect from 1 December 2016, for a period of five years.</p>
<b>“Personal information”</b>	<p>applies to the personal information of both living natural persons and existing juristic persons. Personal information includes, among other things, the following:</p> <ul style="list-style-type: none"> <li>• information relating to the race, gender, sex, pregnancy, marital status, national, ethnic, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, belief, culture, language and birth of the person;</li> <li>• information relating to the education or the medical, financial, criminal or employment history of the person;</li> <li>• the e-mail address, physical address and telephone number of the person;</li> <li>• the biometric information of the person;</li> </ul>

Words	Meaning
	<ul style="list-style-type: none"> <li>• the personal opinions, views or preferences of the person;</li> <li>• and the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.</li> </ul>
“Processing”	<p><i>‘any operation or activity or any set of operations, whether or not by automatic means, concerning person information’.</i></p> <p>This includes, amongst other things, the collection, recording, organisation, storage, modification or transmission of personal information.</p>
“Records”	include paper or electronic formats.
“Regulations”	Regulations made by the Minister in terms of section 112, subject to section 113 of POPIA.

## 5 INFORMATION OFFICER

The Information Officer, who is duly registered with the Information Regulator, ensures that BexGroup remains compliant with applicable data protection laws and regulations.

Should you need clarity on our privacy practices or policy, the details of the Company’s Information Officer and Head Office are as follows:

Information Officer: Mrs E Olivier

Business Address: 29 Elektron Road, Techno Park, Stellenbosch, 7600

Postal Address: PO Box 7329, Stellenbosch, 7599

Telephone: +27 (0)21 809 2500

E-mail: [elmien.olivier@bexgroup.co.za](mailto:elmien.olivier@bexgroup.co.za)

Website: [www.bexgroup.co.za](http://www.bexgroup.co.za)

## 6 PERSONAL INFORMATION COLLECTED

We collect and process your personal information to provide you with access to our products and services. To do this, we either enter into an agreement with you, or accept a mandate from you, authorizing us to provide these services to you and on your behalf in relation to third parties. In addition, we may collect and process your personal information to help us improve our offerings to you and for other lawful purposes.

The type of information we collect will depend on the purpose for which it is collected and used. When you contact us, enter into an agreement with us or provide us with a mandate to represent you, we will collect only the information that we need to provide you with the products and/or services that we offer.

When you apply for employment, we perform screening and background checks. When you are an existing employee, we create and retain an employment record on our system to enable continuous monitoring during your employment.

We also collect information about your experiences over time as you use our website. This information is given to your browser by our web server when you visit our website.

## **7 COOKIES**

When you use our website, we gather standard internet visitor usage information. This is done through 'cookies' and similar tools. Cookies help websites remember information about your device and information on how you use the website. We use this information to monitor the areas of the website that are used most frequently and use this knowledge for future website enhancements. This information is anonymised, pooled information, and individual behaviour or patterns cannot be identified.

Should you not wish for us to collect this information, your browser will normally allow you to disable cookies.

## **8 USE OF PERSONAL INFORMATION**

Our Information Officer is tasked with ensuring the lawful gathering and processing of your personal information.

We apply the following approach in dealing with your personal information:

- Obtaining your consent or pursuant to a contractual relationship\*.
- We collect and use the information only for a specific purpose.
- Further use of information must be compatible with the original purpose.
- We take all reasonable steps to ensure information collected is complete, accurate, not misleading and updated where necessary.
- You will be made aware of the collecting of personal information and for what purpose the information will be used.
- We take all reasonable steps to ensure that your information will be kept secure against the risk of loss, unlawful access, interference, modification, unauthorized destruction and disclosure. However, should a data breach occur, we will notify you in writing, as soon as

reasonably possible after the discovery to allow you to take protective measures against the potential consequences of the data breach.

- You may ask the following. To do so, please contact us at [elmien.olivier@bexgroup.co.za](mailto:elmien.olivier@bexgroup.co.za).
  - what personal information we hold about you;
  - what information was sent to our suppliers, service providers or any other third party;
  - To update, correct or delete any out-of-date or incorrect personal information we hold about you;
  - To unsubscribe from any direct marketing communications we may send you;
  - To object to the processing of your personal information.

\*There are various ways in which we may process your data. The remainder of this section details our purposes for processing, our legal basis for the processing, and our storage periods.

In certain cases, we will process your data after **obtaining your consent**. You are free to withdraw your consent at any time. We may process your data with your consent for the following purposes:

- Electronic communications, such as subscribing to our mailing list or by contacting us via a form or email address upon the Site.
- Cookies, in order to grant you a personalised experience when dealing with us. You may decline the installation of cookies; however, this may affect the functionality of our website or prevent you from using the Site entirely. If you opt out of using cookies, we may store a single cookie in order to remember this preference.
- For website analytics, storing details such as your IP address, bounce rate, page time, cost per click, most visited pages, and device information. These tracking cookies may be declined at any time.
- For promotional campaigns, in which case additional information may be volunteered by you in order to participate in the promotion or to receive a delivery.

We will process your data when we have to **perform a contract**; for as long as the contractual relationship is in place, and for the length of time for which your data is required for a relevant purpose, following the end of the relationship. In order to fulfil our obligations to you in terms of the Services you have engaged us for, we will need to process your data.



## **9 SHARING OF PERSONAL INFORMATION AND MARKETING**

Depending on your relationship with us, whether you are a customer, or a supplier, or seeking employment, you agree to also share your information with BexGroup's applicable subsidiary and related entities, who are bound by privacy and confidentiality under this Policy.

Direct marketing via any form of electronic communication to customers, is done with consent. We from time to time provide information to customers via e-mail or other communication format. You will be asked whether you want to continue receiving it and will be able to unsubscribe at any time.

## **10 THIRD PARTIES**

From time-to-time, we have to disclose your personal information to and share it with third parties who are involved in the delivery of products or services, giving effect to the terms of our agreement. We have agreements in place with the recipients to ensure that they also comply with applicable privacy and confidentiality laws.

In the case of third parties processing data, we require that they comply with our internal standards, policies, technical and organisational measures, ensuring that your data is protected and remains confidential. We will only share data in accordance with this Privacy Policy and with approved and contractually appointed third parties.

We may legally disclose your personal information in circumstances where we have a duty or a right to disclose in terms of law or other industry codes, or where we believe it is necessary for pursuing our legitimate interests or that of a third party to whom your personal information is supplied.

We take reasonable steps to impose appropriate security, privacy and confidentiality obligations on those recipients as processors of personal information. This is to ensure that personal information that we are responsible for, is kept secure and only processed lawfully.

In some cases, your information may be stored and processed outside of the country or region where it was originally collected in order to complete our obligations to you. In some of these countries, you may have fewer rights in respect of your information than you do in your country of residence.

Your agreement to the terms of this Privacy Policy, followed by your submission of information in connection with our Services, represents your agreement to this cross-border transfer of personal data.

## **11 SECURITY MEASURES**

BexGroup have information security safeguards in place to protect personal information. However, it cannot be guaranteed that such safeguards cannot be breached and that personal information may not be accessed, disclosed, altered or destroyed by a breach of any of our information security safeguards.

BexGroup have measures and a response plan in place to minimise the threat and impact to your personal information in case of a breach. You will be informed of any breaches/ threats which may affect your personal information.

## **12 YOUR RIGHTS**

You have the right to request access to, and rectification or erasure of your personal information. You may also restrict processing, or object to processing in accordance with relevant data protection regulation.

In cases where consent was given, you have the right to withdraw consent at any time.

If you do request that your information is deleted, and should your request be accepted, all information will be permanently erased, except for information that we are required to keep by law or by other exception in line with data privacy regulation. You may exercise your rights at any time by lodging a request with our Information Officer.

## **13 LIABILITY**

Notwithstanding anything to the contrary contained herein, the provisions of this Policy are not intended and should not be construed nor interpreted as placing more onerous duties, obligations or responsibilities of any nature whatsoever on the Company, the board, managers or employees than is required in terms of any legislation and/or regulatory requirements.

## **14 UPDATES TO THIS POLICY**

This policy will be updated when new legislation is released, or other material changes are required. Please check our website, [www.bexgroup.co.za](http://www.bexgroup.co.za)<sup>1</sup>, periodically to inform yourself of any changes.

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<sup>1</sup> [www.bexgroup.co.za](http://www.bexgroup.co.za)

## 15 INFORMATION REGULATOR

You have the right to complain to the Information Regulator.

### **Contact details:**

Tel: 010 023 5200

Complaints email: [POPIAComplaints@inforegulator.org.za](mailto:POPIAComplaints@inforegulator.org.za)

General enquiries email: [enquiries@inforegulator.org.za](mailto:enquiries@inforegulator.org.za)

Website: [www.inforegulator.org.za](http://www.inforegulator.org.za)