



DN INVEST PROPRIETARY LIMITED
DATA PROTECTION AND PRIVACY POLICY

1 DEFINITIONS

In this Policy (as defined below), unless the context requires otherwise, the following capitalised terms shall have the meanings given to them -

- 1.1 **"Affiliate"** - of a specific entity ("**Specified Entity**") means -
- 1.1.1 each entity which is directly or indirectly Controlled by the Specified Entity; and
 - 1.1.2 each entity which directly or indirectly Controls the Specified Entity; and
 - 1.1.3 each entity which is directly or indirectly Controlled by an entity referred to in 1.1.2;
- 1.2 **"Applicable Laws"** in relation to the Company, includes all statutes, subordinate legislation, common law, regulations, ordinances, by-laws, directives, codes of practice, circulars, guidance or practice notices, judgments, decisions, standards and similar provisions -
- 1.2.1 which are prescribed, adopted, made, published or enforced by any Relevant Authority; and
 - 1.2.2 compliance with which is mandatory for the Company;
- 1.3 **"Biometrics"** means a technique of personal identification that is based on physical, physiological or behavioural characterisation including fingerprinting, retinal scanning and voice recognition;
- 1.4 **"Child"** means any natural person under the age of 18 years;
- 1.5 **"Companies Act"** means the Companies Act No 71 of 2008;
- 1.6 **"Company"** means DN Invest Proprietary Limited (registration number 2019/254459/07);
- 1.7 **"Competent Person"** means anyone who is legally competent to Consent to any action or decision being taken by any matter concerning a Child, for example a parent or legal guardian;



- 1.8 "**Control**" shall be construed in accordance with section 2(2) (as read with section 3(2)) of the Companies Act, and "**Controls**" and "**Controlled**" shall be construed accordingly;
- 1.9 "**Controller**" means the Company, in circumstances where it Processes Personal Data;
- 1.10 "**Consent**" means any voluntary, specific and informed expression of will in terms of which permission is given for the Processing of Personal Information;
- 1.11 "**Data Subject**" means any Third Party in respect of whom the Company Processes Personal Information/Personal Data;
- 1.12 "**Data Processing Infrastructure**" means any and all systems, networks, servers, workstations, laptops, mobile devices, web applications, mobile applications, cloud storages and websites owned, controlled or operated by the Company;
- 1.13 "**Electronic Means**" means, in relation to the Processing of any Personal Information/Personal Data, the use of any website, electronic mail (email), text, voice, sound or image messages by the Company;
- 1.14 "**GDPR**" means the General Data Protection Regulation, which is a European law that governs all collection and processing of personal data from individuals inside the European Union;
- 1.15 "**Non-Electronic Means**" means, in relation to the Processing of any Personal Information/Personal Data, the use of traditional means of Processing, such as hard copy documents, traditional filing systems deployed for the storage and retention of Personal Information/Personal Data and face-to-face personal engagements with Data Subjects;
- 1.16 "**Operator**" means a person or entity who Processes Personal Information/Data for a Responsible Party;
- 1.17 "**PAIA**" means the Promotion of Access to Information Act, No 2 of 2000;
- 1.18 "**PAIA Manual**" means the Company's manual published in terms of section 51 of PAIA;
- 1.19 "**Personal Data**" (as defined in Article 4 of the GDPR) means any information relating to an identified or identifiable natural person; an identifiable natural person



is one who can be identified, directly or indirectly, which in the context of the Company shall comprise of the types of Personal Data recorded in this Policy below;

- 1.20 "**Personal Information**" shall have the same meaning as is given in section 1 of POPIA, but shall in the context of the Company comprise of the types of Personal Information recorded in this Policy below and shall include, Special Personal Information;
- 1.21 "**Policy**" means this Data Protection and Privacy Policy;
- 1.22 "**POPIA**" means the Protection of Personal Information Act, No 4 of 2013;
- 1.23 "**Processing**" means any operation or activity or any set of operations, whether or not by automatic means, concerning Personal Information/Personal Data, including -
 - 1.23.1 the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
 - 1.23.2 the dissemination by means of transmission, distribution or making available in any other form by electronic communications or other means; or
 - 1.23.3 the merging, linking, blocking, degradation, erasure or destruction. For the purposes of this definition; and "**Process**" shall be construed accordingly;
- 1.24 "**Regulator**" means the Information Regulator established in terms of POPIA;
- 1.25 "**Relevant Authority**" - any competent court or regulatory or other authority, or any local, provincial or national governmental authority, body or department or any inter-governmental or supra-national organisation or any self-regulatory authority, body or organisation;
- 1.26 "**Responsible Party**" means in the context of this Policy, the Company;
- 1.27 "**Special Personal Information/Data**" means Personal Information/Personal Data concerning, amongst other aspects contemplated in terms of section 26 of POPIA, a Data Subject's religious beliefs, race or ethnic origin, trade union membership, political persuasion, health, biometric data or criminal behaviour;



- 1.28 **"Third-Party"** means any Affiliate of the Company, employee, service provider, independent contractor, agent, consultant or user of any Data Processing Infrastructure;
- 1.29 **"Unique Identifier"** means any identifier that is assigned to a Data Subject and is used by the Responsible Party for the purposes of the operations of that Responsible Party and that uniquely identifies that data subject in relation to the Responsible Party;

2 INTRODUCTION

- 2.1 This Policy regulates the Processing of Personal Information/Personal Data by the Company and sets forth the requirements with which the Company undertakes to comply when Processing Personal Information/Personal Data pursuant to undertaking its operations and fulfilling its contractual obligations in respect of Data Subjects in general.
- 2.2 The Company places a high premium on the privacy of every person or organisation with whom it interacts or engages with and therefore acknowledges the need to ensure that Personal Information/Personal Data is handled with a reasonable standard of care as may be expected from it. The Company is therefore committed to ensuring that it complies with the requirements of POPIA, and also with the terms of the GDPR to the extent that the GDPR applies.
- 2.3 When a Data Subject engages with the Company, whether it be physically or via any digital or electronic interface, the Data Subject acknowledges that it trusts the Company to Process its Personal Information/Personal Data, including the Personal Information/Personal Data of its customers, members employees and other related third parties, as the case may be.
- 2.4 All Data Subjects have the right to object to the processing of their Personal Information/Personal Data.

3 PURPOSE AND APPLICATION

- 3.1 The purpose of this Policy is not only to inform Data Subjects of what Personal Information/Personal Data of theirs the Company may Process, where the Company may have collected such Personal Information/Personal Data from (if not directly from them as the Data Subject), how the Company Processes their



Personal Information/Personal Data, but also to establish a standard by which the Company and its employees, representatives and operators shall comply in as far as the Processing of Personal Information/Personal Data is concerned.

- 3.2 The Company, in its capacity as a Responsible Party and/or Operator and/or Controller, as the case may be, shall strive to observe and comply with its obligations under POPIA and the GDPR (as may be applicable and to the extent necessary) when it Processes Personal Information/Personal Data from or in respect of any Data Subject.

4 COLLECTING & PROCESSING OF PERSONAL INFORMATION/PERSONAL DATA

- 4.1 Whenever any Data Subject engages with the Company, whether it be through Electronic Means or Non-Electronic Means, or through the use of its facilities the Company will, in effect, be Processing the Data Subject's Personal Information/Personal Data.

- 4.2 It may, from time to time, be that the Company has collected a Data Subject's Personal Information/Personal Data from other sources and in such instances the Data Subject will be informed by virtue of any privacy notices it deploys from time to time. In the event that a Data Subject has shared its Personal Information/Personal Data with any third parties, the Company will not be responsible for any loss suffered by the Data Subject, their dependents, beneficiaries, customers, representatives, agents or employees (as the case may be).

- 4.3 When a Data Subject provides the Company with the Personal Information of any other third party, the Company will process the Personal Information/Personal Data of such third party in line with this Policy, as well as any terms and conditions or privacy notices to which this Policy relates.

- 4.4 The Company will primarily Process Personal Information/Personal Data in order to facilitate the management and administration of its business, foster a legally compliant workplace environment, as well as safeguard the Personal Information/Personal Data relating to any Data Subject which it in fact holds. In such an instance, the Data Subject providing the Company with such Personal Information/Personal Data may also be required to confirm that they are a



Competent Person and that they have authority to give the requisite Consent to enable the Company to process such Personal Information/Personal Data.

4.5 The Company undertakes to process any Personal Information/Personal Data in a manner which promotes the constitutional right to privacy, retains accountability and Data Subject participation.

4.6 Prior to recording the purposes for which the Company may, or will, process the Personal Information/Personal Data of Data Subjects, the Company hereby records the types of Personal Information/Personal Data of Data Subjects it may process from time to time -

4.6.1 full names;

4.6.2 identity numbers;

4.6.3 registration numbers;

4.6.4 financial information, including banking account information;

4.6.5 statutory information;

4.6.6 physical and postal address particulars;

4.6.7 telephone numbers;

4.6.8 e-mail addresses;

4.6.9 Biometrics; and

4.6.10 Unique Identifiers.

4.7 In supplementation of the above and any information privacy notices provided to any Data Subject from time to time pursuant to any engagement with them, the Company may process Personal Information/Personal Data for the following purposes -

4.7.1 to provide or manage any information requested by or delivered to Data Subjects in general;

4.7.2 to establish a Data Subject's needs, wants and preferences in relation to the products and/or services provided by any Affiliate of the Company;



- 4.7.3 to help the Company identify Data Subjects when they engage with the Company;
 - 4.7.4 to allocate Unique Identifiers to Data Subjects for the purpose of securely storing, retaining and recalling their Personal Information/Personal Data from time to time;
 - 4.7.5 to maintain records of Data Subjects;
 - 4.7.6 for general administration purposes;
 - 4.7.7 for legal and/or contractual purposes;
 - 4.7.8 for health and safety purposes;
 - 4.7.9 to monitor access, secure and manage any facilities operated by the Company regardless of location;
 - 4.7.10 to transact with Data Subjects;
 - 4.7.11 to transfer Personal Information/Personal Data to any Affiliate of the Company so as to enable the relevant Affiliate of the Company to market its products and/or services to Data Subjects;
 - 4.7.12 to transfer Personal Information/Personal Data across the borders of South Africa to other jurisdictions if it is required;
 - 4.7.13 to identify other products and services which might be of interest to Data Subjects in general, as well as to inform them of such products and/or services; and
 - 4.7.14 to comply with any Applicable Laws applicable to the Company and in some instances Affiliates of the Company.
- 4.8 When collecting Personal Information/Personal Data from a Data Subject, the Company shall comply with the notification requirements as set out in Section 18 of POPIA, and to the extent applicable, Articles 13 and 14 of the GDPR.
- 4.9 The Company will collect and Process Personal Information/Personal Data in compliance with the conditions as set out in POPIA and/or the processing principles in the GDPR (as the case may be), to ensure that it protects the Data Subject's privacy.



4.10 The Company will not Process the Personal Information/Personal Data of a Data Subject for any purpose other than for the purposes set forth in this Policy or in any other privacy notices which may be provided to Data Subjects from time to time, unless the Company is permitted or required to do so in terms of Applicable Laws or otherwise by law.

5 PERSONAL INFORMATION/PERSONAL DATA FOR DIRECT MARKETING PURPOSES

5.1 The Company acknowledges that it may only use Personal Information/Personal Data to contact Data Subjects for purposes of direct marketing where the Company has complied with the provisions of POPIA and GDPR (where applicable) and when it is generally permissible to do so in terms of Applicable Laws.

5.2 In the event that the Company may lawfully direct market to a Data Subject in terms of section 69 of POPIA, the Company will ensure that a reasonable opportunity is given to such Data Subjects to object (opt-out) to the use of their Personal Information/Personal Data for the Company's marketing purposes when collecting the Personal Information/Personal Data and on the occasion of each communication to the Data Subject for purposes of direct marketing.

6 STORAGE AND RETENTION OF PERSONAL INFORMATION/PERSONAL DATA

6.1 The Company will retain Personal Information/Data it has Processed, in an electronic or hardcopy file format and may do so with a third party service provider appointed for this purpose. In such instance, the provisions of clause 8 below will apply in this regard).

6.2 Personal Information/Personal Data will only be retained by the Company for as long as necessary to fulfil the legitimate purposes for which that Personal Information/Personal Data was collected in the first place and/or as permitted or required in terms of Applicable Law.

6.3 It is specifically recorded that any Data Subject has the right to object to the Processing of their Personal Information and the Company shall retain and store the Data Subject's Personal Information/Personal Data for the purposes of dealing with such an objection or enquiry as soon and as swiftly as possible.



7 SECURING PERSONAL INFORMATION/PERSONAL DATA

- 7.1 The Company will always implement appropriate, reasonable, physical, organisational, contractual and technological security measures to secure the integrity and confidentiality of Personal Information/Personal Data, including measures to protect against the loss or theft, unauthorised access, disclosure, copying, use or modification of Personal Information/Personal Data in compliance with Applicable Laws.
- 7.2 The Company will take the necessary steps to notify the Regulator and/or any affected Data Subjects in the event of a security breach and will provide such notification as soon as reasonably possible after becoming aware of any such breach.
- 7.3 Notwithstanding any other provisions of this Policy, it should be acknowledged that the transmission of Personal Information/Personal Data, whether it be physically in person, via the internet or any other digital data transferring technology, is not completely secure. Whilst the Company has taken all appropriate, reasonable measures contemplated in clause 7.1 above to secure the integrity and confidentiality of the Personal Information/Personal Data its Processes, in order to guard against the loss of, damage to or unauthorized destruction of Personal Information/Personal Data and unlawful access to or processing of Personal Information/Personal Data, the Company in no way guarantees that its security systems are 100% secure or error-free. Therefore, the Company does not guarantee the security or accuracy of the information (whether it be Personal Information/Personal Data or not) which it collects from any Data Subject.
- 7.4 Any transmission of Personal Information/Personal Data will be solely at the own risk of a Data Subject. Once the Company has received the Personal Information/Personal Data, it will deploy and use strict procedures and security features to try to prevent unauthorised access to it. As indicated above, the Company reiterates that it restricts access to Personal Information/Personal Data to parties who have a legitimate operational reason for having access to such Personal Information/Personal Data. the Company also maintains electronic and procedural safeguards that comply with Applicable Laws to protect your Personal Information from any unauthorized access.



- 7.5 The Company shall not be held responsible and by accepting any terms and conditions to which this Policy relates, any Data Subject agrees to indemnify and hold the Company harmless for any security breaches which may potentially expose the Personal Information/Personal Data in the Company's possession to unauthorized access and or the unlawful processing of such Personal Information/Personal Data by any third party.

8 PROVISION OF PERSONAL INFORMATION/PERSONAL DATA TO THIRD PARTIES

The Company may disclose Personal Information/Personal Data to a third party service provider and an Affiliate of the Company where necessary and to achieve the purpose(s) for which the Personal Information/Personal Data was originally collected and Processed. The Company will enter into written agreements with such third party service providers where necessary to ensure that they comply with Applicable Laws pursuant to the Processing of Personal Information/Personal Data provided to it by the Company from time to time.

9 TRANSFER OF PERSONAL INFORMATION/PERSONAL DATA OUTSIDE OF SOUTH AFRICA

- 9.1 The Company may, under certain circumstances, transfer Personal Information/Personal Data to a jurisdiction outside of the Republic of South Africa in order to achieve the purpose(s) for which the Personal Information/Data was collected and Processed, including for Processing and storage by third party service providers.
- 9.2 If it is required, the Company will obtain the Data Subject's Consent to transfer the Personal Information/Personal Data to such foreign jurisdiction.
- 9.3 The Data Subject should also take note that, where the Personal Information/Personal Data is transferred to a foreign jurisdiction, the Processing of Personal Information/Personal Data in the foreign jurisdiction may be subject to the laws of that foreign jurisdiction.



10 ACCESS TO PERSONAL INFORMATION/PERSONAL DATA

- 10.1 A Data Subject has the right to a copy of the Personal Information/Personal Data which is held by the Company (subject to a few limited exemptions as provided for under Applicable Law).
- 10.2 The Data Subject must make a written request (which can be by way of e-mail) to the Information Officer of the Company from time to time and whose contact details can be sourced in the Company's PAIA Manual.
- 10.3 The Company will provide the Data Subject with any such Personal Information/Personal Data to the extent required by Applicable Law and subject to and in accordance with the provisions of the Company's PAIA Manual, which PAIA Manual can be sourced either at the Company's premises upon request.
- 10.4 The Data Subject can challenge the accuracy or completeness of its Personal Information/Personal Data in the Company's records at any time in accordance with the process set out in the Company's PAIA Manual.

11 KEEPING PERSONAL INFORMATION/PERSONAL DATA ACCURATE

- 11.1 The Company will take reasonable steps to ensure that Personal Information/Personal Data that it Processes is kept updated where reasonably possible. For this purpose, the Company shall provide Data Subjects with the opportunity to update their information at appropriate times.
- 11.2 The Company may not always expressly request the Data Subject to verify and update its Personal Information/Personal Data and expects that the Data Subject will notify the Company from time to time in writing -
 - 11.2.1 of any updates or amendments required in respect of its Personal Information/Personal Data;
 - 11.2.2 where the Data Subject requires the Company to delete its Personal Information/Personal Data; or
 - 11.2.3 where the Data Subject wishes to restrict the Processing of its Personal Information/Personal Data.



12 COSTS TO ACCESS PERSONAL INFORMATION/PERSONAL DATA

- 12.1 In the event that a cost is applicable, the prescribed fees to be paid for copies of the Data Subject's Personal Information/Personal Data are listed in the Company's PAIA Manual.
- 12.2 The Company reserves the right to make amendments to this Policy from time to time.

13 COMPLAINTS TO THE INFORMATION REGULATOR

- 13.1 If any Data Subject is of the view or belief that the Company has Processed their Personal Information/Personal Data in a manner or for a purpose which is contrary to the provisions of this Policy, the Data Subject is requested to first attempt to resolve the matter directly with the Company, failing which the Data Subject shall have the right to lodge a complaint with the Information Regulator, under the provisions of POPIA.
- 13.2 The current contact particulars of the Information Regulator are -

The Information Regulator (South Africa)
Website: <https://www.justice.gov.za/infoereg/index.html>
JD House 27 Stiemens Street Braamfontein Johannesburg, 2001
PO Box 31533
Braamfontein, Johannesburg, 2107

14 CONTACTING US

All comments, questions, concerns or complaints regarding Personal Information/Personal Data or this Policy, should be forwarded to the Information Officer of the Company at the following email address: liamh@dninvest.co.za.