

PAIA AND POPI MANUAL

for Umicore Africa (Pty) Ltd

22 October 2024



PAIA AND POPI MANUAL



For UMICORE AFRICA (PTY) LTD

MANUAL COMPILED IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT NO. 2 OF 2000 (“PAIA”) AND TO ADDRESS THE REQUIREMENTS OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (“POPI”)



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PART A: PROMOTION OF ACCESS TO INFORMATION

1. COMPANY OVERVIEW:

Umicore Africa (Pty) Ltd is primarily involved in import and market/sell Umicore group and related 3rd party products and services into Sub-Saharan Africa.

2. CONTACT DETAILS – Section 51(1)(a)

- | | | |
|-----|---------------------------------|--|
| 2.1 | Name of body: | Umicore Africa (Pty) Ltd |
| 2.2 | Registration Number: | 2000/004365/07 |
| 2.3 | Registered and street address: | The Point Industrial Park, Unit B3, 23
Sterling Road, Samrand Business Park,
Centurion, Pretoria. |
| 2.4 | Postal address: | PO Box 2965, Halfway House, 1685 |
| 2.5 | Head of Body: | Nathalie Bortels |
| 2.6 | Designated information officer: | Arthur Smal (GM) |
| 2.7 | Phone number: | 011 – 697 0626 |
| 2.8 | E-mail: | nathalie.bortels@umicore.com
arthur.smal@umicore.com |
| 2.9 | Website: | www.umicore.com |

3. THE SECTION 10 GUIDE ON HOW TO USE THE ACT – Section 51(1)(b)(i)

- 3.1 Section 10 of the Act requires the Information Regulator to update and make available the existing guide that has been compiled by the South African Human Rights Commission containing such information, in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in this Act and the Protection of Personal Information Act, 2013.



3.2. Until such updated guide has been made available by the Information Regulator, and pursuant to the provisions of regulation 3(1) of the Regulations Relating to the Promotion of Access to Information No. R 757 published in Government Gazette No. 45057 dated 27 August 2021, a copy of this section 10 guide as still compiled by the South African Human Rights Commission is available for inspection by the public during normal office hours at the Body's address as referred to in paragraph 2.3 above.

4. AUTOMATIC DISCLOSURES: CATEGORIES OF RECORDS OF THE BODY WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS IN TERMS OF THE ACT – Section 51(1)(b)(ii)

The body elects, in terms of section 52(1) of the Act, not to submit to the Minister responsible for the administration of justice on a voluntary basis a description of the categories of records of the body that are available without a person having to request access in terms of the Act. Furthermore, to date no notice in terms of section 52(2) of the Act has been published regarding the categories of Records that are automatically available without having to request access.

5. RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION – Section 51(1)(b)(iii)

Records are kept in accordance with such other legislation as is applicable to the private body which includes but is not limited to, the following legislation:

- 5.1 Arbitration Act 42 of 1965
- 5.2 Basic Conditions of Employment Act 75 of 1997
- 5.3 Broad-Based Black Economic Empowerment Act 53 of 2003
- 5.4 Companies Act 61 of 1973
- 5.5 Compensation for Occupational Injuries and Diseases Act 130 of 1993

- 5.6 Employment Equity Act 55 of 1998
- 5.7 Finance Act 35 of 2000
- 5.8 Financial Intelligence Centre Act 38 of 2001
- 5.9 Income Tax Act 58 of 1962
- 5.10 Intellectual Property Laws Amendment Act 38 of 1997
- 5.11 Labour Relations Act 66 of 1995
- 5.12 Manpower Training Act 56 of 1981
- 5.13 Medical Schemes Act 131 of 1998
- 5.14 National Environment Management Act 107 of 1998
- 5.15 National Environmental Management: Air Quality Act 39 of 2004
- 5.16 National Environmental Management: Waste Act 59 of 2008
- 5.17 Occupational Health and Safety Act 85 of 1993
- 5.18 Pensions Funds Act 24 of 1956
- 5.19 Protection of Personal Information Act 4 of 2013
- 5.20 Protected Disclosures Act 26 of 2000
- 5.21 Regional Services Councils Act 109 of 1985
- 5.22 Skills Development Levies Act 9 of 1999
- 5.23 Skills Development Act 97 of 1998
- 5.24 South African Qualifications Authority Act 58 of 1995
- 5.25 Tax on Retirement Funds Act 38 of 1996



5.26 Unemployment Insurance Act 63 of 2001

5.27 Unemployment Insurance Contributions Act 4 of 2002

5.28 Value Added Tax Act 89 of 1991

Reference to the above-mentioned legislation shall include subsequent amendments and secondary legislation to such legislation.

6. ACCESS TO THE RECORDS HELD BY THE PRIVATE BODY: SUBJECTS AND CATEGORIES OF RECORDS HELD BY THE PRIVATE BODY – Section 51(1)(b)(iv)

Records are held by the private body on the following subjects, which are classed in the categories set out below –

6.1 STATUTORY COMPANY INFORMATION

6.1.1 Certificate of Incorporation;

6.1.2 Certificate of Change of Name (if any);

6.1.3 Memorandum of Incorporation;

6.1.4 Certificate to Commence Business;

6.1.5 Minute Book as well as Resolutions passed at general/class meetings;

6.1.6 Proxy Forms;

6.1.7 Proxy Forms used at Court convened meetings;

6.1.8 A Register of Allotments – after a person ceased to be a member;

6.1.9 Register of Members;

6.1.10 Index of Members;

6.1.11 Register of Mortgages and Debentures and Fixed Assets;

6.1.12 Register of shareholdings;

6.1.13 Register of Directors and Certain Officers;

6.1.14 Directors' Attendance Register;

6.1.15 A Branch Register;

6.1.16 Annual Financial Statements including:

6.1.16.1 Annual accounts;

6.1.16.2 Directors' reports;

6.1.16.3 Auditor's report.

6.1.17 Books of Account regarding information required by the Companies Act, 1973;

6.1.18 Supporting schedules to books of account and ancillary books of account

6.2 FINANCIAL AND ACCOUNTING RECORDS

6.2.1 Books of Account including journals and ledgers;

6.2.2 Delivery notes, orders, invoices, statements, receipts, vouchers and bills of exchange;

6.2.3 Financial statements;

6.2.4 Budgets and forecasts;

6.2.5 Bank account records.

6.3 HUMAN RESOURCES: STATUTORY EMPLOYEE RECORDS

6.3.1 Employees' names and occupations;

6.3.2 Time worked by each employee;

- 6.3.3 Remuneration paid to each employee;
- 6.3.4 Date of birth of each employee;
- 6.3.5 Wages register;
- 6.3.6 Attendance register;
- 6.3.7 Employment equity plan;
- 6.3.8 Salary and wages register;
- 6.3.9 Records of foreign employees;
- 6.3.10 Collective agreements;
- 6.3.11 Arbitration awards;
- 6.3.12 Determinations made in terms of the Wage Act;
- 6.3.13 Records of strikes, lockouts or protest action.
- 6.3.14 Industrial training records;
- 6.3.15 Staff records (after date of employment ceases);
- 6.3.16 Expense accounts;
- 6.3.17 Tax returns of employees;

6.4 HUMAN RESOURCES: OTHER EMPLOYEE RECORDS

- 6.4.1 Employee contracts;
- 6.4.2 Incentive schemes;
- 6.4.3 Staff loan schemes;
- 6.4.4 Study assistance schemes;



- 6.4.5 Maternity leave policy;
- 6.4.6 Disability scheme;
- 6.4.7 Funeral insurance scheme;
- 6.4.8 Code of conduct.

6.5 PENSION AND RETIREMENT FUNDING RECORDS

- 6.5.1 Provident Fund Rules;
- 6.5.2 Umbrella Fund Momentum Funds@Work Provident Fund, Umbrella Fund Alexander Forbes Provident Fund, Chemical Industry National Provident Fund;
- 6.5.3 Contribution Reports;
- 6.5.4 Annual accounts.

6.6 ENVIRONMENTAL HEALTH AND SAFETY

- 6.6.1 Records of investigations and tests in respect to hazardous chemicals and substances;
- 6.6.2 Records of risk assessments in respect to hazardous biological agents;
- 6.6.3 Safety management systems, data and audits;
- 6.6.4 Industrial hygiene programs, data and audits;
- 6.6.5 Employee public health emergency action plans;
- 6.6.6 Permits, licenses, approvals and registrations for operations of sites and business;
- 6.6.7 Emergency response plans;
- 6.6.8 Environmental impact assessments;



6.6.9 Environmental management programs and systems;

6.6.10 Details of aqueous discharges;

6.6.11 Details of solid waste discharges;

6.6.12 Details of air emission discharges.

6.7 FIXED PROPERTY

6.7.1 Leases;

6.7.2 Building plans;

6.8 MOVABLE PROPERTY

6.8.1 Asset register;

6.8.2 Finance and Lease Agreements;

6.8.3 Notarial Bonds;

6.8.4 Deeds of Pledge.

6.9 INTELLECTUAL PROPERTY

6.9.1 Agreements relating to intellectual property such as license agreements, secrecy agreements, research and development agreements, consulting agreements, use agreements, joint venture agreements and joint development agreements;

6.9.2 Litigation and other disputes involving intellectual property.

6.10 AGREEMENTS AND CONTRACTS

6.10.1 Material agreements concerning provision of services or materials;

6.10.2 Agreements with shareholders, officers or directors;

6.10.3 Acquisition or disposal documentation;



6.10.4 Agreements with contractors and suppliers;

6.10.5 Agreements with customers;

6.10.6 Warranty agreements;

6.10.7 Sale agreements;

6.10.8 Restraint agreements;

6.10.9 Agreements with governmental agencies;

6.10.10 Purchase or lease agreements.

6.11 TAXATION

6.11.1 Copies of all Income Tax Returns and other tax returns and documents;

6.11.2 VAT records.

6.12 LEGAL

6.12.1 Complaints, pleadings, briefs and other documents pertaining to any actual, pending or threatened litigation, arbitration or investigation;

6.12.2 Settlement agreements;

6.12.3 Material licenses, permits and authorisations;

6.13 INSURANCE

6.13.1 Insurance policies;

6.13.2 Claim records;

6.13.3 Details of insurance coverages, limits and insurers.



6.14 INFORMATION TECHNOLOGY

- 6.14.1 Hardware;
- 6.14.2 Operating Systems;
- 6.14.3 Telephone Exchange Equipment;
- 6.14.4 Telephone Lines, Leased Lines and Data Lines;
- 6.14.5 Software Packages;
- 6.14.6 Disaster Recovery;
- 6.14.7 Capacity and Utilization of Current Systems;
- 6.14.8 Development or Investment Plans;
- 6.14.9 Agreements;
- 6.14.10 Licenses;
- 6.14.11 Audits

6.15 SALES AND MARKETING

- 6.15.1 Products;
- 6.15.2 Markets;
- 6.15.3 Customers;
- 6.15.4 Brochures, Newsletters and Advertising Materials;
- 6.15.5 Sales;
- 6.15.6 Domestic and Export Orders



6.16. **COMMUNICATIONS**

Correspondence with internal and external parties.

7. THE PURPOSE OF PROCESSING IN TERMS OF THE PROTECTION OF PERSONAL INFORMATION ACT NO. 4 OF 2013 – Section 51(1)(c)(i)

The body processes personal information as defined in Act 4 of 2013 in order to comply with all legislative requirements applicable to performing its legal and contractual duties. The purpose is dealt with in more detail in terms of Part B of this Manual.

8. THE DESCRIPTION OF CATEGORIES OF DATA SUBJECTS AND OF THE INFORMATION OR CATEGORIES OF INFORMATION RELATING THERETO – Section 51(1)(c)(ii)

CATEGORIES OF DATA SUBJECTS	PERSONAL INFORMATION THAT MAY BE PROCESSED, WHICH INCLUDES, BUT IS NOT LIMITED TO THE FOLLOWING
Customers / Clients	Full name, physical address, registration numbers or identity numbers, intellectual property, bank details, contact details, company name, company VAT number, email address, trade classification, trade classification code, postal address
Service Providers	Full names, registration number, VAT numbers, physical address, bank details, contact number, company name, email address
Employees	Full name, physical address, qualifications, gender, race, pregnancy, age, medical information, criminal history, disability, biometric information, ID numbers, physical or mental health, telephone numbers, employment status/history, marital status, nationality, language, email address, blood type, driver’s license, next of kin, banking details, PAYE information, UIF information, tax number, dependents information



Auditors	Full Name, physical address, banking details, contact number, company name, company registration number, company VAT number, physical address, email address
Suppliers	Full name, physical address, banking details, contact number, company name, company registration number, company VAT number, email address
Directors / Shareholders	Full Name, ID number, physical address, banking details, Income Tax Number, contact number, gender, race

9. THE RECIPIENTS OR CATEGORIES OF RECIPIENTS TO WHOM THE PERSONAL INFORMATION MAY BE SUPPLIED – Section 51(1)(c)(iii)

- Department of Labour
- Payroll administrators
- Training providers
- Clock in system administrators
- Verification agencies
- Provident fund administrators
- Auditing
- Credit Bureaus
- Criminal checks agencies
- South African Police Services
- South African Revenue Services
- Information Security service providers

10. PLANNED TRANSBORDER FLOWS OF PERSONAL INFORMATION – Section 51(1)(c)(iv)

The body will transfer information to the following countries:

- Netherlands
- Ireland

- Germany

The following category of information is transferred outside the borders of South Africa:

- Employee records
- Client and/or supplier details
- Transporter details

11. GENERAL DESCRIPTION OF INFORMATION SECURITY MEASURES TO BE IMPLEMENTED BY THE RESPONSIBLE PARTY TO ENSURE THE CONFIDENTIALITY, INTEGRITY AND AVAILABILITY OF THE INFORMATION – Section 51(1)(c)(v)

The body has implemented the following Information Security Measures to ensure the confidentiality, integrity and availability of all information residing on its IT Systems and physical documents and copies in a locked office:

- Confidentiality of all information is accomplished by limiting authorised access on all information to specified personnel only. This is done by means of secure logins by employees only from the body managed devices. All backups of data are encrypted. The server physical access is limited to IT personnel only.
- Integrity is maintained with user access controls to limit all actions with data. The body has local and cloud backups that is fully encrypted. The backups can only be accessed by authorised personnel.
- The body operates a risk driven Information Security Management System (ISMS) consisting of policies, procedures, instruction and associated processes that are designed to maintain, review and continuously improve Information Security and compliance.
- Office access to physical documents is limited to authorised personnel only.



12. ACCESS TO THE RECORDS HELD BY THE PRIVATE BODY: THE REQUEST PROCEDURES

12.1 Form of request:

12.1.1 The requester must be given access to a record of a private body if the requester complies with the following:

12.1.1.1 that record is required for the exercise of protection of any rights;

12.1.1.2 the requester complies with the procedural requirements in the Act relating to a request for access to that record; and

12.1.1.3 access to that record is not refused in terms of any ground for refusal contemplated in the Act.

12.1.2 The requester must use the prescribed form that has been printed in the Government Gazette [Govt. Notice R757 – 27 August 2021 Form 2 to this Regulation] to make the request for access to a record. This must be made to the head of the private body or the other person designated for this purpose, details of which are stated in paragraph 2 above. This request must be made to the address, fax number or electronic mail address of the private body **[section 53(1)]**.

12.1.3 The requester must provide sufficient details on the request form to enable the head of the private body to identify the record in respect of which access is requested and the requester. The requester should also indicate which form of access is required and if any other manner is to be used to inform the requester, in which event the necessary particulars to be so informed, must be provided **[section 53(2)(a) and (b) and (c)]**.

12.1.4 If, in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, to state that manner and the necessary particulars to be so informed **[section 53(2)(e)]**.

12.1.5 The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right **[section 53(2)(d)]**.

12.1.6 If a request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the private body **[section 53(2)(f)]**.

12.2. **Fees:**

12.2.1. A requester who seeks access to a record containing personal information about the requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee:

12.2.1.1 The head of the private body must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request **[section 54(1)]**.

12.2.1.2 The fee that the requester must pay to a private body is R 100,00 plus VAT (if VAT is applicable). The requester may lodge a complaint to the Information Regulator or an application against the tender or payment of the request fee **[section 54(3)(b)]**.

12.2.2 After the head of the private body has made a decision on the request, the requester must be notified in the required form.

12.2.3 If the request is granted, an access fee must be paid for the search, reproduction, preparation and for any time that has exceeded 6 (six) hours to search and prepare the record for disclosure **[section 54(6)]**.

12.3 **Prescribed forms and prescribed fees:**

12.3.1 The prescribed forms and fee structure are available on the Information Regulator's website www.justice.gov.za

13 AVAILABILITY OF MANUAL- Section 51(3)

The Manual is available for inspection:

- 13.1 at the offices of the body;
- 13.2 on the website of the body;
- 13.3 to any person upon request and upon payment of a reasonable amount.

PART B: PROTECTION OF PERSONAL INFORMATION

14 INTRODUCTION

- 14.1 Words such as "we", "us" or "our" must be construed to mean Umicore Catalyst South Africa (Pty) Ltd.
- 14.2 We are committed to protecting personal information that is provided to us and respecting the right to privacy.
- 14.3 In accordance with the provisions of the Protection of Personal Information Act 4 of 2013 ("POPI"), we recognise the importance of transparency in how it intends utilising personal information.
- 14.4 This Privacy Policy applies to all information collected through our website and/or any related services, sales, marketing or events, employment advertisements, employment processes and improving business services.

15 DEFINITIONS

- 15.1 "Competent person" means a person who is legally competent to consent to any action.



- 15.2 "Consent" means the voluntary, specific and informed expression of will in terms of which permission is given for the processing of personal information.
- 15.3 "Data subject" means a person to whom personal information relates.
- 15.4 "De-identify" means deleting any information that can be used to identify a data subject.
- 15.5 "Person" means a juristic or natural person.
- 15.6 "Processing" means any operation or activity or any set of operations, whether by automatic means, concerning personal information, including:
- 15.6.1 Collection, receipt, recording, organization, collation, storage, updating or modification, retrieval, alteration, consultation or use;
 - 15.6.2 Dissemination by means of transmission, distribution or making available in any other form;
 - 15.6.3 Merging, linking, as well as restriction, degradation, erasure and destruction of information.
- 15.7 "Public body" means any department of state or administration in the national, provincial or local spheres of government and any other functionary exercising a power or exercising a duty in terms of the Constitution.
- 15.8 "Public record" means a record that is accessible in the public domain and it is in the possession of a public body.
- 15.9 "Responsible party" means a public or private person who, alone or in conjunction with others, determines the purpose of and means for processing personal information.

16 PURPOSE OF THE POLICY

16.1 POPI requires that personal information be collected for a specific, explicitly defined and lawful purpose to a function or activity of the responsible person.

16.2 This policy explains:

- (a) The purpose of collecting personal information.
- (b) What personal information is and how it will be collected.
- (c) Retaining and safeguarding processed personal information.
- (d) Disclosure of personal information to third parties.
- (e) What rights the data subject has which are associated with the information.
- (f) Storage of personal information.
- (g) Destruction of personal information.
- (h) Consenting to the processing of personal information.
- (i) Updates to this policy.
- (j) The name and address of the responsible party.
- (k) Where applicable, the responsible party intends to transfer the information to a third country or international organization and the level of protection afforded to the information by that third country or organization.

- (l) The necessary steps taken to make the data subject aware that collecting information is directly from the data subject.
- (m) Where reasonably possible, the steps taken after the information has already been collected to make the data subject aware of the collection.

16.3 This policy is not intended to supersede POPI, nor replace the provisions of POPI. Any provision in POPI not specifically referred to in this policy, will be considered incorporated in the policy.

17 PURPOSE OF COLLECTING INFORMATION

- 17.1 All personal information that is processed will be treated with the utmost confidentiality. Information will only be shared where such sharing is necessary.
- 17.2 Any further processing of personal information is done in accordance with the provisions of this policy.
- 17.3 Information may be used for the following reasons:
 - (a) To develop, provide and improve our products and services.
 - (b) To establish general demographics, statistics, or market information of website users.
 - (c) To identify an individual/employee, verification of such identity, create a user account and/or enter a contract with an individual.
 - (d) To provide a catalogue of new products and services from time to time.
 - (e) To obtain feedback from you on products.
 - (f) To recover any debt consumers may owe.



- (g) To tailor products and services, including marketing solutions, based on the information received.
- (h) We use the information that we collect about you to effectively run our business and to help us provide a pleasant, safe, and productive work environment for you.
- (i) Performing duties in terms of any agreement with you and other consumers.
- (j) Communicating with you by email, SMS, letter, telephone or in any other way about our products and services.
- (k) Process your personal information for ordinary business purposes (this includes opening and maintain your account, give effect to transactions, administer claims where applicable, manage our risks and maintain our overall relationship with you).
- (l) Carry out statistical and other analyses to identify potential markets and trends, evaluate and improve our business (this includes improving existing and developing new products and services).
- (m) Inform you about services and products available.
- (n) Payment of invoices.
- (o) Verifying information and performing checks.
- (p) Make sure our business suits your needs.
- (q) Comply with applicable [regulations](#), and
- (r) Any other reasonably required purpose relating to our business.



17.4 We also use Personal Information to:

- a) Accurately process payroll
- b) Manage and plan our business
- c) Send out business mailings
- d) Conduct Employee reviews
- e) Handle disputes or grievances
- f) Manage Employee stocks
- g) Process any claims you bring
- h) For internal accounting
- i) Responding to queries received from the website, via email or social media platforms.

18 WHAT IS PERSONAL INFORMATION AND HOW IS IT COLLECTED

18.1 What is personal information? [section 1]

- (a) It is any information that can be used to identify an individual. Such information may include name; address, contact number; email address including information pertaining to race; gender; sex; pregnancy; marital status; nationality; ethnic or social origin; colour; sexual orientation; age; physical or mental health; wellbeing; disability; religion; conscience; belief; culture; language and birth; education; criminal history; history of employment; personal views and opinions; other persons views and opinions.



18.2 How is personal information collected?

- (a) By visiting our website, our servers will automatically pick up, and provide us with the domain and IP address of the visitor.
- (b) If you decide not to provide us with your personal information, you may choose to deny the submission of personal information. Please note that denying submission of personal information may result in you not being able to use some services that may require submission of personal information.
- (c) Through engagement via social media platforms.
- (d) Through application for employment or while employed by us, as and when a need arises to update or obtain additional information.
- (e) When visiting our premises, all visitors are required to provide certain personal information before they enter our premises.
- (f) Any other personal information voluntarily provided through business dealings.
- (g) We also use certain monitoring and tracking technologies (such as cookies, beacons, pixels, tags and scripts). These technologies are used in order to maintain, provide and improve our services on an ongoing basis, and in order to provide our customers with a better experience.
- (h) Please note that third party services placing cookies or utilising other tracking technologies through our services may have their own policies regarding how they collect and store information. Such practices are not covered by our Privacy Notice and we do not have any control over them.



- (i) Our website uses cookies, web beacons and similar technologies to track information provided to us by your browser when you use our website. Cookies are small text files containing small amounts of information which are downloaded and may be stored on any of your devices that enable internet usage.

19 WHAT PERSONAL INFORMATION IS COLLECTED

- 19.1 Gender, ethnic group, nationality, marital status, identity or passport number.
- 19.2 Date of birth.
- 19.3 General contact information, such as address, telephone number, and email.
- 19.4 Social Media profile information.
- 19.5 Details of payments to third parties.
- 19.6 Professional or personal references.
- 19.7 Company documents and forms completed by you.
- 19.8 Assessments, evaluations, performance reviews, training completion rates, and training scores.
- 19.9 Banking and financial information.
- 19.10 Browsing habits and click patterns on our websites.
- 19.11 Company information and directors' information.
- 19.12 Other personal details you voluntarily provide to us.



20 RETENTION OF PERSONAL INFORMATION

20.1 Personal information will be retained for a period reasonably necessary to fulfil the purposes of this Policy unless:

- (a) A longer retention period is required or authorised by law.
- (b) The responsible party requires the record for lawful purposes related to its functions or activities.
- (c) The data subject consents to the retention.

21 DISCLOSURE OF PERSONAL INFORMATION

21.1 We will not share your information without consent, whether with internal stakeholders or outside third parties. **[section 20 (b)]**

21.2 Save for 17.1 above, personal information may be shared without your consent only in the following circumstances:

- (a) If legally required to do so to comply with applicable laws, judicial proceedings, court order or legal proceedings. **[section 18(4)(c)]**
- (b) If necessary, to take any legal action regarding potential or actual violations of our policies or the protection of our legal rights.
- (c) In cases of buying and selling of assets, or merger's, acquisition, or a similar transaction.
- (d) When such information is processed into non-personally identifiable information such as statistical data. **[section 18 (4)(f)]**
- (e) Where it is necessary to protect people's life, body, or property.

21.3 In certain cases, we may have to disclose your Personal Information to third parties without your consent or prior knowledge. We limit that disclosure to the following circumstances:

- (a) To satisfy any laws or regulations.
- (b) To respond to requests, such as discovery, criminal, civil, or administrative process, subpoenas, court orders, or writs from law enforcement or other governmental or legal bodies.
- (c) To bring legal action against an employee who has violated the law or policy.
- (d) In the case of any business transfer, sale, or transfer of assets of the Company.
- (e) If we suspect any fraudulent activity within or in relation to the Company, or if we have noticed any activity which may violate our ethics, guidelines, or other applicable rules.

22 YOUR RIGHTS

You have the right to:

- 22.1 Be informed that personal information is being collected. **[section 18(1)(a)]**
- 22.2 Be informed of the purpose for which the information is collected. **[section 18(1)(c)]**
- 22.3 Be informed of any law authorising the collection of information. **[section 18(1)(f)]**



- 22.4 Be informed whether the supply of personal information is voluntary or mandatory. **[section 18(1)(d)]**
- 22.5 Be informed of the consequences of the failure to provide the information. **[section 18(1)(e)]**
- 22.6 Withdraw consent given to collect Information. **[section 11 (2)(b)]**
- 22.7 Request the erasing of data or information. **[section 5(c)]**
- 22.8 Request access to your personal information stored by us. **[section 5(b)]**
- 22.9 Request the responsible person to confirm whether your information is held by us. **[section 23(1)(a)]**
- 22.10 Request from the responsible person to record or describe the nature of the personal information held by us.
- 22.11 To establish whether a responsible person holds personal information and to request that we transfer your personal information to yourself or a third party.
- 22.12 Request that we correct any information stored. **[section 23(2)]**
- 22.13 Object to the method we use to collect your personal information. **[section 11(3)(a)]**
- 22.14 Request that information collected is restricted. **[section 14(6)(c)]**
- 22.15 Request that your personal information not be processed for the purposes of direct marketing. **[section 5(e)(i)]**
- 22.16 Not be subjected to decisions solely based on automatic processing of personal information. **[section 5(g)]**

- 22.17 Submit or lodge a complaint to the Regulator regarding the alleged interference with the protection of the personal information of any person who supplied us with their personal information. **[section 5(h)]**
- 22.18 Institute civil proceedings regarding the alleged interference with the protection of personal information. **[section 5(i)]**
- 22.19 Request that we delete or erase any information about yourself. We will ensure that this request is complied with timeously. **[section 24]**

23 INFORMATION STORAGE AND SECURITY OF INFORMATION

- 23.1 We ensure to secure the integrity and confidentiality of personal information in its possession or under its control to prevent:
- (a) Loss of or damage to or unauthorised destruction of personal information. **[section 19 (1)(a)]**
 - (b) Unlawful access to or processing of personal information. **[section 19 (1)(b)]**
 - (c) We only store your Personal Information for as long as it is necessary unless you request deletion of your Information.
 - (d) We may also store your Personal Information for any applicable legal record-keeping (e.g., maintaining our accountancy records or otherwise maintaining the safety and security of our Company, for a time period permitted by applicable law).



- (e) We employ organisational and technical security measures to protect your Personal Information, such as limiting access to your Personal Information, secured networks, and encryption.
- (f) We ensure that your Personal Information is protected against unauthorised access, disclosure, or destruction by utilising practices that are consistent with standards in the industry to protect your privacy.
- (g) Please note, however, that no system involving the transmission of information via the Internet or the electronic storage of Information is completely secure, no matter what reasonable security measures are taken.
- (h) Although we take the protection and storage of your Personal Information very seriously, and we take all reasonable steps to protect your Personal Information, we cannot be responsible for data breaches that occur outside of our reasonable control.
- (i) We will, however, follow all applicable laws in the event a data breach occurs, including taking reasonable measures to mitigate any harm, as well as notifying you of such breaches as soon as possible.

24 INFORMATION OFFICER

- 24.1 The person responsible for collection and storage of information may be contacted on arthur.smal@umicore.com.
- 24.2 He ensures that there is compliance with any and all applicable legislation.
- 24.3 We undertake to:



- (a) Identify all reasonably foreseeable internal and external risks to personal information in its possession or under its control. **[section 19 (2)(a)]**
- (b) Ensure all personal information processed is secured against identified risks. **[section 19 (2)(b)]**
- (c) Regularly verify that safeguards are effectively implemented. **[section 19 (2)(c)]**
- (d) Ensure safeguards are continually updated. **[section 19 (2)(d)]**

25 **DATA BREACHES**

- 25.1 We will notify you and the Regulator as soon as we become aware of any data breach that may result in a risk to your rights and freedoms.

26 **DESTRUCTION OF DOCUMENTS**

- 26.1 All documents containing personal information may be destroyed after the effluxion time as per required or authorised law.
- 26.2 All personal information will be destroyed, deleted or de-identified as soon as reasonably practicable, after there is no authorisation to retain the personal information. **[section 14 (4)]**
- 26.3 Destruction of the personal information will be in a manner which prevents reconstruction thereof in an intelligible form. **[section 14 (5)]**

27 **CONSENT**

- 27.1 All personal information processed is done in a lawful and reasonable manner which does not infringe the privacy of the data subject. **[section 9]**



- 27.2 The information that is processed, given the purpose for which it is processed, must be relevant, adequate, and not excessive. **[section 10]**
- 27.3 All information processed is directly collected from the data subject unless: **[section 12 (1)]**
- (a) The information is collected from a public record or source. **[section 12 (2)(a)]**
 - (b) The data subject consents to collecting the information from another source. **[section 12 (2)(b)]**
 - (c) Collecting the information from another source does not prejudice the interests of the data subject. **[section 12 (2)(c)]**
 - (d) Collection from another source is necessary. **[section 12 (2)(d)]**
 - (e) Compliance would prejudice a lawful purpose for collection. **[section 12 2(e)]**
 - (f) Compliance is not reasonably practical. **[section 12 (2)(f)]**
- 27.4 We will only process personal information if:
- (a) A data subject consents to the processing of information. **[section 11 (1)(a)]**
 - (b) Processing is necessary to carry out actions to conclude or perform in terms of a contract to which the data subject is a party. **[section 11 (1)(b)]**



(c) Processing protects a legitimate interest of the data subject. **[section 11 (1)(d)]**

(d) Processing is necessary for the proper performance of a public law duty. **[section 11 (1)(e)]**

(e) Processing is necessary for pursuing the legitimate interests. **[section 11 (1)(f)]**

27.5 By accessing our website, entering our premises, applying for employment or accepting a contract of employment, you consent to the use and collection of your personal information by us.

27.6 This policy may be amended from time to time. If there are major changes to this Policy, and such changes materially affect personal information stored, we will notify any person affected by the amendment, of such changes.

27.8 The continued use of the website after the updates or amendments have been made to this Policy has the effect of you agreeing to be bound by the new terms of the Privacy Policy.

28 UPDATES

28.1 The Company may update, change, remove, or add any portions to the policy from time to time.

28.2 When this occurs, an amended or updated version of this policy will be made available.

29 CONTACT

29.1 Questions or concerns related to this Privacy Policy, including requests for deletion of personal information, contact:



Address: The Point Industrial Park, Unit B3, 23 Sterling Road, Samrand
Business Park, Centurion, Pretoria.

Email: arthur.smal@umicore.com or data_protection@umicore.com

Tel: 011 – 697 0626/ 011 – 697 0620

- Annexure A : Prescribed Form (request for access to a record)
- Annexure B : Prescribed fees
- Annexure C : Objection to processing of personal information Form
- Annexure D : Request for correction or deletion of personal information Form



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