

# POPI PRIVACY NOTIFICATION

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## POPI PRIVACY NOTIFICATION

### **FUCHS Southern Africa (Pty) Limited and related parties, including FUCHS Lubricants South Africa (Pty) Limited and FUCHS Foundation Trust**

(hereinafter "the Company")

As changes to the law or to our internal procedures may make it necessary to modify this Privacy Notice, we would ask you to read through this notice regularly.

**"Personal Information"** means information relating to an identifiable, living, natural person, and (where applicable) an identifiable, existing juristic person in particular by reference to an identification number or to one or more factors specific to physical, physiological, mental, economic, cultural or social identity, including the name, race, gender, marital status, address and identifying number of a person, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person, recruitment details, financial history and the like. It also includes opinions about individuals as well as facts and also applies to corporate contacts;

**"POPI Act"** means the Protection of Personal Information Act, 2013, including any regulations and/or code of conduct made under that Act;

### **Privacy Notification to data subjects when collecting personal information**

#### **1. Security of information**

Your privacy is important to us. To better protect your privacy, we provide this notice explaining our information practices and the choices you can make about how your information is collected and used at this Company.

Confidentiality affects everyone: We collect, store, and use large amounts of personal information every day, which may be paper-based or computer-based.

We take precautions to keep the personal information disclosed to us secure, and we will not intentionally disclose such information to third parties for commercial purposes. To prevent unauthorised access, maintain personal information accuracy, and ensure the appropriate use of information, we have put in place electronic safeguards and internal organisational procedures to safeguard and secure the information you provide.

#### **2. Collection, Use, and Disclosure of Personal Information**

##### **2.1 What personal information do we collect?**

We collect and hold information such as (but not limited to) names, addresses, contact information, occupations, dates of birth, and other information that assists us in conducting our business and complying with our legal obligations. For example, we

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collect personal information when a purchase is made via business cards, telephone conversations, emails, responding to surveys or marketing communications, registering, and transacting on our website and from third parties. In addition, we may collect and hold information from former, current, and prospective customers, our suppliers, their employees, contractors, and others.

It is essential that we have accurate and up-to-date information about you so that we can give you the best possible care. Therefore, please check that your personal details are correct whenever you visit us and inform us of any changes. This minimises the risk of you not receiving important correspondence.

## **2.2 Purpose for which the information is being collected**

The cardinal purpose for which we process your Personal Information is to ensure that we can provide you with exemplary service, whether it be buying, selling, leasing, hiring, or developing, efficiently and hassle-free.

Further to the above, we may process your Personal Information, for among other things, the following:

- to conduct market research;
- to compile statistical and/or data analyses;
- to give effect to any communication received from you, which may include instructions, requests, queries, complaints, and questions;
- to update our records and/or your contact details;
- for the administrative, marketing (including direct marketing), planning, product or service development, quality control, survey, and research purposes, contractors, and employees or service provider; and
- generally to render our services.

For the avoidance of doubt, the Personal Information shall be exclusively collected for the specific, explicitly defined, and lawful purpose of conducting our business.

The Company may also disclose your personal information for law enforcement and other legitimate reasons, although we shall do our best to assure its continued confidentiality to the extent possible.

## **2.3 Is the supply of the information voluntary or mandatory?**

Supplying certain types of information is mandatory.

- If you,
  - refuse to provide your personal information, which we request;
  - do not consent to us handling your personal information in accordance with this Privacy Notice; or
  - revoke any consent regarding the handling of your personal information by us which you have previously given,

then such refusal or revocation of previously given consent might prevent us from performing our services, which might adversely affect you, depending on your circumstances.

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## **2.4 Transfer the information to a third country**

We may transfer your information to a Cloud database outside your country of domicile, potentially including countries that may not require an adequate level of protection for your Personal Information compared with that provided in your country.

## **2.5 Limits on collection**

We collect only the information that is required to provide our service, administrate the service that is provided, and communicate with you. We do not collect any other information or allow information to be used for other purposes without your express (i.e., verbal or written) consent - except where authorised to do so by law.

## **3. When and to whom do we disclose personal information?**

### **3.1 Disclosure to our agents and sub-contractors**

Your personal information may be shared with our agents, sub-contractors, and selected third parties who process the information on our behalf.

### **3.2 Disclosure to third parties**

We may also disclose your personal information to third parties under certain circumstances. If you do not wish us to disclose this information to third parties, please contact us at the contact details set out above. We may, however, not be able to provide products or services to you if such disclosure is necessary.

### **3.3 Disclosures authorised by law**

There are limited situations where we are legally required to disclose your personal information without your consent. These situations include (but are not limited to) reporting infectious diseases and fitness to drive or by court order.

### **3.4 Disclosures to all other parties**

Your express consent is required before we will disclose your information to third parties for any purpose other than to provide you with care or unless we are authorised to do so by law. Examples of disclosures to other parties requiring your express consent include (but are not limited to) third-party medical examinations and enrolment in clinical (research) trials.

### **3.5 Can you withdraw consent?**

You can withdraw your consent to have your information shared with other third parties at any time, except where the disclosure is authorised by law.

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## 4. Client Rights

### 4.1 How do you access the personal information held by this office?

You have the right to access your record in a timely manner. If you request a copy of your record, one will be provided to you at a reasonable cost. If you wish to view the original record, one of our staff must be present to maintain the integrity of the record, and a reasonable fee may be charged for this access. Client requests for access to their record can be made in writing to our Information Officer in terms of our Promotion of Access to Information Act, Section 51 Manual.

### 4.2 Limitations on access

In minimal circumstances, you may be denied access to your records, but only if providing access would create a significant risk to you or another person.

### 4.3 What if you feel your record is not accurate?

We make every effort to ensure that all your information is recorded accurately. However, if an inaccuracy is identified, you can request that a note be made to reflect this on your file or that the records be updated.

## 5. Office Safeguards

### 5.1 How secure is your information?

Safeguards are in place to protect the security of your information. These safeguards include a combination of physical, technological, and administrative security measures appropriate to the information's sensitivity. These safeguards are aimed at protecting personal information against loss or theft, as well as unauthorised access, disclosure, copying, use, or modification.

### 5.2 What is our communications policy?

We protect personal information regardless of the format. Specific procedures are in place for communicating by phone, email, fax, and post/courier.

### 5.3 How long do we keep information?

We retain records as required by law and professional guidelines.

### 5.4 How do we dispose of information when it is no longer required?

When information is no longer required, it is destroyed securely, according to set procedures that govern the storage and destruction of personal information.

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## 6. Complaints process

If you believe that this office has not replied to your access request or has not handled your personal information in a reasonable manner, please address your concerns first with our Information Officer. You may also choose to make a complaint to the Information Regulator.

### Information Officer

**Name:** Information Officer  
**Tel No:** +27 (0) 11 565 9600  
**Email:** SM\_ZA20\_InformationOfficer@fuchs.com

### Information Regulator

**Address:** 33 Hoofd Street; Forum III, 3rd Floor Braampark  
**Tel No:** +27 (0) 10 023 5200  
**Email:** complaints.IR@justice.gov.za  
**Web Address:** <https://www.justice.gov.za/inforeg/contact.html>