

## Privacy Policy and Notification

### **THIS OMNIA GROUP PROPRIETARY LIMITED PRIVACY POLICY ("PRIVACY POLICY") AND NOTIFICATION APPLIES TO HOW WE COLLECT, USE AND PROCESS YOUR PERSONAL INFORMATION.**

In terms of section 18 of POPIA we need to make our Data Subjects aware of certain information and rights in terms of POPIA.

This Privacy Policy and Notification lets you know what happens to any Personal Information that you give to us, or any that we may collect from or about you.

This privacy policy and notice applies to Personal Information processed by, or on behalf of Omnia Holdings Limited and our subsidiaries and trading partners, including all companies as part of the Omnia Group of Companies, where we act as Responsible Party.

In this Privacy Policy and Notification, you will find –

- 1) what information is being collected and where the information is not collected from you, the source from which it is collected;
- 2) our name and address (where we act as the responsible party);
- 3) the purpose for which the information is being collected;
- 4) whether or not the supply of the information by you is voluntary or mandatory;
- 5) the consequences of failure to provide the information;
- 6) any particular law authorising or requiring the collection of the information;
- 7) the fact that, where applicable, we (as the responsible party) intend to transfer the information to a third country or international organisation and the level of protection afforded to the information by that third country or international organisation;
- 8) any further information such as the—
  - i. recipient or category of recipients of the information;
  - ii. nature or category of the information;
  - iii. existence of the right of access to and the right to rectify the information collected;
  - iv. existence of the right to object to the processing of Personal Information; and
  - v. right to lodge a complaint to the Information Regulator and the contact details of the Information Regulator

#### **1. INTRODUCTION AND SCOPE**

- 1.1. Omnia Group Proprietary Limited ("Omnia" or "we" or "us" or "our") conducts its business as a supplier of chemicals and specialised services and solutions for the agricultural, mining and chemical application industries operating in the Republic of South Africa, with our head offices located in Fourways, Johannesburg. Omnia is the responsible party (or controller, in some jurisdictions) of your Personal Information (as defined below).
- 1.2. Omnia strives to ensure that our use of your Personal Information of a data subjects (a person to whom Personal Information relates) is lawful, reasonable, and relevant to our business activities, with the goal of improving our offerings and your experience.
- 1.3. This Privacy Policy and Notice describes how we will treat your Personal Information whether provided by you to us or collected by us through other means in your ordinary use of our products and/or services, which includes access to our website ("**the Website**").
- 1.4. This Privacy Policy and Notice must be read together with any Website terms and conditions and any other documents or agreements that describe the way we, in specific circumstances, collect or process Personal information about you. This will enable you to understand the way Omnia will process your Personal Information. This Privacy Policy supplements such other documents and

agreements but does not supersede them and in the event of any conflict, ambiguity or inconsistency between this Privacy Policy and such other documents and agreements, the terms of the document or agreement will prevail.

## 2. KEY DEFINITIONS

- 2.1. "Consent" means the consent, which you give to us to process your Personal Information. This consent must be voluntary, specific and informed. Following this, once we have explained to you why we need your Personal Information and what we will be doing with it, you are then, in relation to certain uses of the information, required to give us your permission to use it, which permission or consent can be express or implied; implied meaning that consent may be demonstrated by way of your actions;
- 2.2. "Data Subject" means you, the person who owns and who will provide us with your Personal Information for processing;
- 2.3. "Operator" is any person who processes your Personal Information on our behalf or as a sub-contractor, in terms of a contract or mandate, without coming under the direct authority of us. These persons for illustration purposes may include verification agencies, advertising and public relations agencies, call centres, service providers, auditors, legal practitioners, organs of state, government, provincial and municipal bodies;
- 2.4. "Personal Information" means Personal Information relating to any identifiable, living, natural person, and an identifiable, existing juristic person, including, but not limited to:
  - a) Information relating to the race, gender, sex, marital status, national, ethnic or social origin, age, physical or mental health, well-being, disability, language and birth of the person, marital status as well as information about dependants, next of kin and emergency contact information, bank account details, payroll records and tax status information,
  - b) Information relating to images such as CCTV footage, photographs or recordings;
  - c) Information relating to the education or the financial, criminal or employment history of the person;
  - d) Any identifying number, symbol, e-mail address, physical address, telephone number or other particular assignment to the person;
  - e) Biometric information of the person;
  - f) Correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
  - g) 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;
- 2.5. "Processing" / "process" or "processed" means in relation to Personal Information, the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use; dissemination by means of transmission, distribution or making available in any other form; merging, linking, as well as restriction, degradation, erasure or destruction of information; or sharing with, transfer and further processing, including physical, manual and automatic means. This is a wide definition and therefore includes all types of usage of your Personal Information by us including the initial processing when we first collect your Personal Information and any further and ongoing processing;
- 2.6. "Purpose" means the reason why your Personal Information needs to be processed by us;
- 2.7. "Responsible Party" means us, the person who is processing your Personal Information;
- 2.8. "You" means you, known under POPIA, as the Data Subject, who will be providing us, the Responsible Party with your Personal Information, for processing.

### 3. PURPOSE OF COLLECTION

- 3.1. Omnia may collect, acquire, receive, record, organise, collate, store, update, change, retrieve, read, process, analyse, use and share your Personal Information in the manner as set out in this Privacy Policy and Notice. When we perform one or more of these actions, we are "**Processing**" your Personal Information.
- 3.2. We will only use your personal information when the law allows us to.
- 3.3. Most commonly, we will use your personal information in the following circumstances:
  - a) **Identity Information**, which includes information concerning your name, username or similar identifier, marital status, title, date of birth, gender, race and legal status, as well as copies of your identity documents, photographs, identity number, registration number and your qualifications;
  - b) **Contact Information**, which includes your billing addresses, delivery addresses, e-mail addresses and telephone numbers, as well as company secretarial information that has been disclosed in relation to you;
  - c) **Financial Information**, which includes bank account and payment card details, insurance information, financial statements and VAT registration numbers and credit ratings;
  - d) **Transaction Information**, which includes details about payments made to or received from you and company information, which may consist of financial activity and regulatory disclosures;
  - e) **Technical Information**, which includes your internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access the Website;
  - f) **Profile Information**, which includes your username and password, purchases or orders made by you, your interests, preference and feedback;
  - g) **Usage Information**, which includes information as to your access to and use of the Website, products and services;
  - h) **Location Information**, which includes geographical information from your Access Device (which is usually based on the GPS or IP location); and
  - i) **Marketing and Communications Information**, which includes your preferences in respect of receiving marketing information from us and our third parties, and your communication preferences.
- 3.4. Omnia may also process, collect, store and/or use aggregated data, which may include historical or statistical data ("**Aggregated Data**") for any purpose. Aggregated Data may be derived from your Personal Information but is not considered Personal Information, as this data does **not** directly or indirectly reveal your identity. However, if we combine or connect Aggregated Data with your Personal Information in a manner that has the result that it can directly or indirectly identify you, we will treat the combined data as Personal Information, which will be managed in accordance with this Privacy Policy and notice.
- 3.5. We may also use your personal information in the following situations:
  - a) Where we need to protect your interests (or someone else's interests).
  - b) Where it is needed in the public interest or for official purposes.
  - c) Where it is used for marketing purposes.
- 3.6. There are several situations in which we may process your Personal Information. These include:
  - a) for purposes of providing and facilitating training;
  - b) administering a contract that we have entered into with you;
  - c) business management and planning, including accounting and auditing;
  - d) education, training and development requirements;
  - e) dealing with legal disputes involving you, or other employees, workers and contractors, including accidents at work;

- f) to prevent fraud;
- g) to monitor the use of our information and communication systems and to ensure your compliance with our policies;
- h) to ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution.

3.7. We only collect Personal Information for the specific, explicitly defined and lawful purpose of conducting our business.

#### 4. THE INFORMATION WE COLLECT, METHOD AND HOW WE WILL USE IT

4.1. We will use your Personal Information for the Purpose as described above.

4.2. Personal Information is collected either by voluntarily action, automatic process or via third party processors. We collect your Personal Information in the following ways, namely:

- a) through direct or active interactions with you; and through automated or passive interactions with you (voluntarily/automatic); and
- b) from third parties, including third party service providers.

4.3. **Voluntarily:** We have access to/collect personal information that you voluntarily give us via email or other direct contact from you. Typically, we may collect, use and store the following categories of personal information about you: (but not limited to):

- a) Identifying particulars – for example names, identification numbers, employment details including images or photographs;
- b) Contact information – for example addresses, telephone numbers, e-mail address, etc;
- c) Personal Information you choose to provide to us;
- d) Personal Information when you contact us directly;
- e) Personal Information you provide through our websites including service providers of Omnia's service platforms;
- f) Personal Information from former, current and prospective clients, our suppliers and their employees, as well as contractors and others.

4.4. **Automatic:** We may also have access / collect Personal information that we collect automatically when you visit our website or service platforms. This includes the use of Personal Information already in our possession.

- a) We may passively collect certain of your Personal Information from the Access Device that you use to access and navigate the Website (each an "Access Device"), by way of various technological applications, for instance, using server logs to collect and maintain log information.
- b) We also use cookies and anonymous identifiers which enable our computer system to recognise you when you next visit the Website to distinguish you from other users and to improve our service to you, and which can be used to enhance the content of the Website and make it more user-friendly, as well as to give you a more personalised experience. A cookie is a small piece of data (an alphanumeric identifier) which our computer system transfers to your Access Device through your web browser when you visit the Website, and which is stored in your web browser. When you visit the Website again, the cookie allows the site to recognise your browser. Cookies may store user preferences and other information. You may disable the use of cookies by configuring your browser to refuse all cookies or to indicate when a cookie is being sent. However, if you do so, you may not be able to enjoy all the features and functionality of the Website.
- c) The Personal Information that we passively collect from your Access Device may include your Identity Information, your Contact Information, your Technical Information, your Profile

Information, your Usage Information, your Location Information and your Marketing and Communications Information, or any other Personal Information which you permit us, from time to time, to passively collect from your Access Device.

- 4.5. **Third Parties:** We may also collect information about you through our trusted third-party sources to assist us in services and marketing. Omnia receives Personal Information about you from various third parties and public sources, including:
- a) third party service providers, such as credit vetting agencies
  - b) third parties who provide Personal Information to data controllers, and who in turn provide this Personal Information to Omnia; and
  - c) our information technology suppliers.
- 4.6. We may require that you submit certain information to enable you to access portion of the Website, to make use of our services, to purchase our goods or services, to facilitate the conclusion of an agreement with us, or that is necessary for our fulfilment of our statutory or regulatory obligations. We also collect Personal Information directly from you when you communicate directly with us, for example via e-mail, telephone calls, feedback forms, site comments or forums.
- 4.7. If you contact us, we reserve the right to retain a record of that correspondence, which may include Personal Information.
- 4.8. In terms of the POPI Act we must have accurate and up to date information about you. Please check that your personal details are correct and inform us of any changes.
- 4.9. Personal Information is collected directly from our Data Subjects. We may also use other sources, subject to restrictions under applicable law, to assist in obtaining relevant Personal Information about you.

## **5. DISCLOSURE, SHARING AND USE OF INFORMATION**

- 5.1. We will share your Personal Information with our employees, internal and external business partners, third party service providers, Operators, advertisers, and other third parties if we reasonably believe that disclosure of such information is helpful or reasonably necessary to enforce our terms and conditions or other rights (including investigations of potential violations of our rights), to detect, prevent, or address fraud or security issues, or to protect against harm to the rights, property, or safety of the group, our employees, any users, or the public, or to promote our business interest through marketing.
- 5.2. We use the Personal Information we collect from you to maintain and improve the Website and to improve the experience of our users, to facilitate the sale of our products and the provision of our services and to fulfil our statutory and regulatory obligations.
- 5.3. We may also use your Personal Information to:
- a) retain and make information available to you on the Website;
  - b) create your user account and allow use of the Website;
  - c) maintain and update our customer, or potential customer, databases;
  - d) establish and verify your identity on the Website;
  - e) operate, administer, secure and develop the Website and the performance and functionality of the Website;
  - f) detect, prevent or manage actual or alleged fraud, security breaches or the abuse, misuse or unauthorised use of the Website and contraventions of this Privacy Policy or any of the terms and conditions that apply to your use of the Website;
  - g) inform you about any changes to the Website, this Privacy Policy or other changes that are relevant to you;

- h) create user profiles and to analyse and compare how you and other users make use of the Website, including your browsing habits, click-patterns, preferences, frequency and times of use, trends and demographic information;
- i) provide you with marketing material that is relevant to you;
- j) diagnose and deal with technical issues and customer support queries and other user queries;
- k) protect our rights in any litigation that may involve you;
- l) for security, administrative and legal purposes;
- m) comply with our statutory obligations, including submissions to the Companies and Intellectual Property Commission ("**CIPC**"), as well as engaging with regulatory authorities;
- n) facilitate publication on the Stock Exchange News Services ("**SENS**") and to enable users to access SENS announcements;
- o) for customer relations purposes;
- p) conduct Omnia's recruitment and hiring processes, which includes the conducting of criminal record and credit checks, referrals, the capturing of job applicant's details and the providing of status updates to job applicants;
- q) to fulfil any contractual obligations that we may have to you or any third party;
- r) communicate with you and retain a record of our communications with you and your communications with us;
- s) analyse and compare the types of Access Devices that you and other users make use of and your physical location; and
- t) for other lawful purposes that are relevant to our business activities or regulatory functions.

5.4. If your Personal Information is transferred outside the Republic of South Africa to third party service providers, we will take steps to ensure that your Personal Information receives the same level of protection as if it remained within the Republic.

## **6. COMPULSORY PERSONAL INFORMATION AND CONSEQUENCES OF NOT SHARING WITH US**

Where Omnia is required to process certain Personal Information by law, or in terms of a contract that we have with you, and you fail to provide such Personal Information when requested to do so, Omnia may be unable to perform in terms of the contract we have in place or are trying to enter into with you. In this case, Omnia may be required to terminate the contract and/or relationship, upon notification to you, which termination will be done in accordance with the terms of the contract and all applicable legislation.

**In the clause above, you agree and accept that there is certain compulsory Personal Information you must provide us with if you want to enjoy all the features and functionality on the Website. If you decide not to provide us with such compulsory Personal Information, you agree that we may limit certain features and functionality on the Website.**

## **7. SHARING OF YOUR PERSONAL INFORMATION**

7.1. We will not intentionally disclose your Personal Information, whether for commercial gain or otherwise, other than with your permission, as permitted by applicable law or in the manner as set out in this Privacy Policy and Notice.

7.2. Omnia may share your Personal Information under the following circumstances:

- a) with our agents, advisers, service providers and suppliers that have agreed to be bound by this Privacy Policy or similar terms, which offer the same level of protection as this Privacy Policy;
- b) with our employees, suppliers, service providers, contractors and agents if and to the extent that they require such Personal Information in the provision of services for or to us, which include hosting, development and administration, technical support and other support services relating to the Website or the operation of Omnia's business. We will authorise any Personal Information processing done by a third party on our behalf, amongst other things by entering into written

agreements with those third parties governing our relationship with them and containing confidentiality and non-disclosure provisions;

- c) to enable us to enforce or apply any other contract between you and us;
- d) to protect our rights, property or safety or that of our customers, employees, contractors, suppliers, service providers, agents and any other third party;
- e) to mitigate any actual or reasonably perceived risk to us, our customers, employees, contractors, agents or any other third party;
- f) with governmental agencies and other regulatory or self-regulatory bodies, if required to do so by law or we reasonably believe that such action is necessary to:
  - a. comply with the law or with any legal process;
  - b. protect and defend the rights, property or safety of Omnia, or our customers, employees, contractors, suppliers, service providers, agents or any third party;
  - c. detect, prevent or manage actual or alleged fraud, security breaches, technical issues, or the abuse, misuse or unauthorised use of the Website and contraventions of this Privacy Policy; and
  - d. protect the rights, property or safety of members of the public (if you provide false or deceptive information or misrepresent yourself, we may proactively disclose such information to the appropriate regulatory bodies and/or commercial entities).

## **8. STORAGE AND TRANSFER OF YOUR PERSONAL INFORMATION**

- 8.1. We store your Personal Information on our servers or those of our service providers and in hard copy format at our offices and at the storage facilities of our third-party record storage and management providers.
- 8.2. We reserve the right to transfer to and/or store your Personal Information on servers in a jurisdiction other than where it was collected, or outside of South Africa in a jurisdiction that may not have comparable data protection legislation.
- 8.3. If the location to which Personal Information is transferred and/or is stored does not have substantially similar laws to those of South Africa, which provide for the protection of Personal Information, we will take reasonably practicable steps, including the imposition of appropriate contractual terms to ensure that your Personal Information is adequately protected in that jurisdiction.
- 8.4. Please contact us if you require further information as to the specific mechanisms used by us when transferring your Personal Information outside of South Africa or to a jurisdiction that is different to the one in which we collected your Personal Information.

## **9. DIRECT MARKETING**

- 9.1. When you register to use the Website, you will be required to provide your consent to agree to receive marketing communication from us.
- 9.2. You may refuse to accept, require us to discontinue, or pre-emptively block any approach or communication from us if that approach or communication is primarily for the purpose of direct marketing ("direct marketing communications").
- 9.3. You may opt out of receiving direct marketing communication from us at any time by requesting us (in the manner set out in the communication or by contacting us at the contact details set out in clause 18) to stop providing any direct marketing communication to you.
- 9.4. If you have chosen to opt out, we may send you written confirmation of receipt of your opt out request (which may be in electronic form), and will thereafter not send any further direct marketing

communication to you. Please note that you may continue to receive communication from Omnia that is not marketing related.

## **10. THIRD PARTY SITES**

- 10.1. This Privacy Policy does not apply to the websites of any other parties, or the applications, products or services, such websites advertise, and which may be linked to this Website, or websites that link to or advertise this Website. Omnia is not responsible for the privacy practices of such third-party websites.
- 10.2. We advise you to read the privacy policy of each third-party website and decide whether you agree to their privacy practices and policies, as these third-party websites may also be collecting or sharing your Personal Information.

**We are not liable if you suffer losses or damages when visiting third party websites by following a link to that website from this Website. You accept that there may be risks when you use such third-party websites, and you do so at your own risk.**

## **11. CONSUMER PROTECTION ACT, PROTECTION OF PERSONAL INFORMATION ACT AND OTHER LAWS**

- 11.1. If this Privacy Policy or any provision in this Privacy Policy is regulated by or subject to the Consumer Protection Act, the Protection of Personal Information Act, 2013 ("**POPIA**") or other laws, it is not intended that any provision of this Privacy Policy contravenes any provision of the Consumer Protection Act, POPIA or such other laws. Therefore, all provisions of this Privacy Policy must be treated as being qualified, to the extent necessary, to ensure that the provisions of the Consumer Protection Act, POPIA and such other laws are complied with.
- 11.2. No provision of this Privacy Policy:
  - a) does or purports to limit or exempt us from any liability (including, without limitation, for any loss directly or indirectly attributable to our gross negligence or wilful default or that of any other person acting for or controlled by us) to the extent that the law does not allow such a limitation or exemption;
  - b) requires you to assume risk or liability for the kind of liability or loss, to the extent that the law does not allow such an assumption of risk or liability; or
  - c) limits or excludes any warranties or obligations which are implied into this Privacy Policy by the Consumer Protection Act (to the extent applicable), POPIA (to the extent applicable), or other applicable laws or which we give under the Consumer Protection Act (to the extent applicable), POPIA (to the extent applicable), or other applicable laws, to the extent that the law does not allow them to be limited or excluded.

## **12. SECURITY**

- 12.1. The security of your Personal Information is important to us. Considering the nature, scope, context, and purposes of processing Personal Information, as well as the risks to individuals of varying likelihood and severity, we have implemented technical and organizational measures designed to protect the security of personal information.
- 12.2. We take reasonable technical and organisational measures to secure the integrity of retained information, using accepted technological standards to prevent unauthorised access to or disclosure of your Personal Information, and protect your Personal Information from misuse, loss, alteration or destruction. Details of these measures are available upon request.
- 12.3. We have put in place appropriate security measures to prevent your Personal Information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition,



we limit access to your Personal Information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your Personal Information on our instructions, and they are subject to a duty of confidentiality. Details of these measures may be obtained from the Omnia Information Officer.

- 12.4. From time to time, we review our information collection, storage and processing practices, including physical security measures, to keep up to date with good practice.
- 12.5. Omnia has implemented procedures to address any suspected data breaches and will notify you and any applicable regulator of a breach where Omnia is legally required to do so within the period in which Omnia is required to issue such a notification.
- 12.6. We may from time to time have to disclose and/or transfer your Personal Information to other parties, including our holding company or subsidiaries, trading partners, agents, auditors, organs of state, regulatory bodies and / or national governmental, provincial, or local government municipal officials, or overseas trading parties or agents. Such disclosure and/or transfer will always be subject to an agreement which will be concluded between ourselves and the party to whom we are disclosing and/or transferring your Personal Information, which contractually obliges the recipient of your Personal Information to comply with strict confidentiality and data security conditions
- 12.7. Despite the above measures being taken when Processing Personal Information, we do not guarantee that your Personal Information is 100% secure.
- 12.8. Omnia has implemented procedures to address actual and suspected data breaches and undertakes to notify you and the relevant regulatory authorities of breaches in instances in which Omnia is legally required to do so and within the period in which such notification is necessary.

**In this clause, you acknowledge that you know, and you accept that technology is not absolutely secure and there is a risk that your Personal Information will not be secure when processed by means of technology. We do not promise that we can keep your Personal Information completely secure. You will not be able to act against us if you suffer losses or damages in these circumstances.**

### **13. RETENTION OF YOUR PERSONAL INFORMATION [AND SPECIAL PERSONAL INFORMATION]**

- 13.1. We may retain and Process some or all of your Personal Information if and for as long as:
  - a) we are required or permitted by law, a code of conduct or a contract with you to do so;
  - b) we reasonably need it for lawful purposes related to the performance of our functions and activities;
  - c) we reasonably require it for evidentiary purposes; or
  - d) you agree to us retaining it for a specified further period.
- 13.2. To determine the appropriate retention period for Personal Information, Omnia will consider, among other things, the nature and sensitivity of the Personal Information, the potential risks or harm that may result from its unauthorised use or disclosure, the purposes for which we process it and whether those purposes may be achieved through other means. Omnia will always comply with applicable legal, regulatory, tax, accounting or other requirements as they pertain to the retention of Personal Information.

### **14. MAINTENANCE OF YOUR PERSONAL INFORMATION**

- 14.1. In accordance with applicable legislation and the rules of Omnia, Omnia will take all necessary steps to ensure that the persons responsible for the maintenance of your Personal Information do so in a manner that ensures that it is accurate, complete, not misleading and is up to date.

- 14.2. It is your responsibility to advise Omnia or the persons responsible for the maintenance of your Personal Information should any of Personal Information we have about you be incorrect, incomplete, misleading or out of date, by notifying us at the contact details set out in clause below.

## 15. YOUR RIGHTS

- 15.1. Data protection laws confer certain rights on you in respect of your Personal Information, which include the right to:
- a) **Block all cookies**, by setting your browser to do so, including cookies associated with our products and services or to indicate when a cookie is being sent by us.
  - b) **Request access to your Personal Information** (commonly known as a “data subject access request”), thereby enabling you to receive a copy of the Personal Information retained about you.
  - c) **Request the correction of your Personal Information**, in order to ensure that any incomplete or inaccurate Personal Information is corrected.
  - d) **Request erasure of your Personal Information**, where there is no lawful basis for the retention or continued processing of it.
  - e) **Object to the processing of your Personal Information** for legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms.
  - f) **Request restriction of processing of your Personal Information**. This enables you to ask Omnia to suspend the processing of your Personal Information in limited circumstances, which may differ by jurisdiction.
  - g) **Withdraw consent previously given in respect of the processing of your Personal Information at any time** which withdrawal of consent will not affect the lawfulness of any processing carried out prior to your notice of withdrawal. Withdrawal of consent may limit the ability of Omnia or a third party to provide certain products or services to you, but will not affect the continued processing of your Personal Information in instances in which your consent is not required.
- 15.2. As far as the law allows, we may charge a fee for attending to any of the above requests, and may also refuse to carry out any of your requests in whole or in part.
- 15.3. Your rights in respect of your Personal Information, which are:
- a) **Right to be Notified:** The right to be notified that –
    - a. Personal Information about you is being collected – our Section 18 Privacy Notification; and
    - b. your Personal Information has been accessed or acquired by an unauthorised person;
  - b) **Right of access** - The right to establish whether we hold Personal Information of you and to request access to your Personal Information. You may ask us free of charge to confirm that we hold your personal information, or ask us to provide you with details, at a fee, how we have processed your personal information.
  - c) **Right to Correction, Destruction or Deletion** The right to request, where necessary, the correction, destruction or deletion of your Personal Information Correction of your information. You have the right to ask us to update or rectify any inaccurate personal information. Where any overriding legal basis or legitimate reason to process your Personal Information no longer exists, and the legal retention period has expired, you may request that we delete the personal information. Where you have provided us with consent to process your personal information, you have to right to subsequently withdraw your consent.
  - d) **Right to Objection:** The right to object on reasonable grounds relating to your particular situation to the processing of your Personal Information;
  - e) **Right with regards to Automated Processing:** The right not to be subject, under certain circumstances, to a decision which is based solely on the basis of the automated processing of

your Personal Information intended to provide a profile of you.

- f) **Right to Complain:** The right to –
- a. submit a complaint to the Regulator regarding the alleged interference with the protection of the Personal Information of any Data Subject or to submit a complaint to the Regulator in respect of a determination of an adjudicator as; and
  - b. to institute civil proceedings regarding the alleged interference with the protection of your Personal Information. Complaint's 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

## 16. CHANGES TO THIS PRIVACY POLICY AND GENERAL

- 16.1. This Privacy Policy may be amended from time to time, and we will take reasonably practicable steps to inform you when changes are made. Without limiting the way we may inform you, it could be that such notification may be by way of e-mail (if you provide your e-mail address when you register to use the Website), a "pop-up" notification on the Website, or a notification when you access the Website.
- 16.2. You agree that this Privacy Policy our relationship and any dispute of whatsoever nature relating to or arising out of this Privacy Policy whether directly or indirectly is governed by South African law, without giving effect to any principle of conflict of laws.
- 16.3. Our failure to exercise or enforce any right or provision of this Privacy Policy shall not constitute a waiver of such right or provision.
- 16.4. Each provision of this Privacy Policy, and each part of any provision, is removable and detachable from the others. As far as the law allows, if any provision (or part of a provision) of this Privacy Policy is found by a court or authority of competent jurisdiction to be illegal, invalid or unenforceable (including without limitation, because it is not consistent with the law of another jurisdiction), it must be treated as if it was not included in this Privacy Policy and the rest of this Privacy Policy will still be valid and enforceable.

## 17. HOW TO CONTACT US

- 16.5. Should you feel that your rights in respect of your Personal Information have been infringed, please address your concerns to the Information Officer detailed below:

Information Officer	Mr Simphiwe Mdluli
Business Address:	Omnia House, Building H, Monte Circle Office Park, 178 Montecasino Boulevard, Fourways, Sandton, 2191
Postal Address:	PO Box 69888, Bryanston, 2021
Email Address:	<a href="mailto:info@omnia.co.za">info@omnia.co.za</a>
Telephone:	011 709 8888

- 16.6. If you feel that the attempts by Omnia to resolve the matter have been inadequate, you may lodge a complaint with the South African Information Regulator. If you are located outside of South Africa, you may contact the appropriate regulator in your country of domicile.

Information Regulator	
Postal Address:	PO Box 3153, Braamfontein, Johannesburg, 2017
Physical Address:	JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001
E-Mail Address:	<a href="mailto:complaints.IR@justice.gov.za">complaints.IR@justice.gov.za</a>
Telephone:	010 023 5200
Website:	<a href="http://www.inforegulator.org.za">www.inforegulator.org.za</a>