

## PROTECTION OF PERSONAL INFORMATION AND PRIVACY POLICY

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Revision 0

ThoroughTec Simulation (Pty) Ltd  
P O Box 1550, Umhlanga Rocks, 4320, Republic of South Africa  
Telephone: +27 (0)31 569 4033  
Fax: +27 (0)31 584 6044  
E-mail: [info@thoroughtec.com](mailto:info@thoroughtec.com)

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DOCUMENT APPROVAL		
ACTION	DESIGNATION	SIGNATURE
Authored By	ThoroughTec VP: Corporate Services	Name: David Waltham Sign:  Date: 30.06.2021
Checked By	ThoroughTec VP: Quality Assurance	Name: Donovan Ramsamy Sign:  Date: 30.06.2021
Approved By	ThoroughTec Chief Executive Officer	Name: Justin Collins Sign:  Date: 30.06.2021

## 1 INTRODUCTION

- 1.1 The enactment of the General Data Privacy Regulations in the European Union has resulted in South Africa introducing its own privacy laws namely, the Protection of Personal Information Act No. 4 of 2013 (“POPIA”).
- 1.2 The purpose of this legislation is to ensure the safeguarding, integrity and proper processing of sensitive, private information. Companies are required to carefully manage the data capture and storage process of Personal Information within the lawful framework as set out in POPIA.
- 1.3 We, ThoroughTec Simulation (Pty) Ltd (“Company”), affirm that we will Process all of our employees’, suppliers’ and clients’ Personal Information in a secure and confidential manner, as contemplated in this document (“Privacy Policy”).
- 1.4 It should be noted that while this policy seeks to address this subject comprehensively, it is not, nor can it be expected to be exhaustive in its scope and detail. As such it should be used as a guideline, albeit a thorough one, establishing the professional principles and standards by which the Company classifies and then Processes Personal Information, regardless of circumstance or context.

## 2 OBJECTIVE OF THE POLICY

- 2.1 This policy establishes the principles and standards by which the Company collects, uses, stores, makes available, destroys, updates, discloses, or otherwise deals with, collectively “Processes”, your Personal Information. Furthermore, it provides principles regarding the rights of individuals and juristic entities (collectively “Person”) to privacy and to reasonable safeguards of their Personal Information.
- 2.2 The Company will only Process Personal Information if it is required to do so by law, government authority, government decree, company management, external audit (subject to a confidentiality undertaking), delivery or offering of a service to our clients (or suppliers), providing a product to our clients, or to carry out a business transaction.
- 2.3 We may combine Personal Information with Personal Information of other Persons and use the combined Personal Information for any of the purposes stated in this Privacy Policy.

- 2.4** We may remove all identification data in Personal Information which links it to a specific Person and use such anonymous information, on its own or aggregated with other such anonymous information, either for, or outside of, the purposes stated in this Privacy Policy.
- 2.5** The Company can change this Privacy Policy from time to time if the law or our business practices requires such change.

### **3 APPLICATION**

- 3.1** All employees, contractors, consultants, temporary and other workers of the company, including all personnel affiliated with any of the above must adhere to this policy.
- 3.2** This policy applies to information assets owned or leased by the company, or to devices that connect to a company network or reside at the company site.

### **4 PROCESSING PERSONAL INFORMATION**

#### **4.1 What is Personal Information?**

POPIA defines Personal Information as follows - “Personal Information” means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to –

- information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the Person;
- information relating to the education or the medical, financial, criminal or employment history of the Person;
- any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the Person;
- the biometric information of the Person;
- the personal opinions, views or preferences of the Person;
- 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;
- the views or opinions of another individual about the Person; and
- the name of the Person if it appears with other Personal Information relating to the Person or if the disclosure of the name itself would reveal information about the Person;

#### **4.2 When do we Process Personal Information?**

The Company will only Process Personal Information for lawful purposes relating to our business if:

- The Personal Information is available in the public domain.

OR,

- A Person has consented thereto.

AND,

- it is required as part of the normal course of our business,

- a legally entitled authority has consented thereto,
- it is necessary to conclude a contract or perform under a contract with the Person,
- it is required to protect or pursue a Person or third party's legitimate interest,
- Processing is for statistical or research purposes and all legal conditions are met; or
- Processing is needed to create, use, or protect a right or obligation in law.

#### **4.3 How do we collect Personal Information?**

- We collect Personal Information directly from our Employees, clients and suppliers as required by our employment and commercial relationships and activities.
- We collect Personal Information from public sources (such as company registers, online search engines, public posts and social media).
- We collect Personal Information from technology, such as access to and use of the Company's website, software platforms and mobile applications.
- We collect Personal Information from your engagement or interaction with the Company (eg. via our support desk, emails, letters, telephone calls, completed forms and surveys).
- We collect Personal Information based on interest in and/or use of our/your services, goods and/or products.
- We collect Personal Information from third parties who may legitimately disclose this information to us. If required to do so, we will ask for consent before collecting Personal Information from such third parties.

#### **4.4 Why do we Process Personal Information?**

We will Process your Personal Information in order to:

- Carry out payroll and HR services of the Company.
- Market our products, goods, and services to you.
- Conclude and perform a contract of sale for our products, goods, and services with you.
- Conclude and perform a contract of purchase for any of your products, goods, and services from you.
- Respond to your enquiries and/or complaints.
- Comply with legislative, regulatory, risk, and compliance requirements (including directives, sanctions, and rules), voluntary and involuntary codes of conduct and business agreements or to fulfil reporting requirements and information requests.
- Conduct market and behavioural research, including scoring and analysis or to determine your credit or insurance risk.
- Develop, test, and improve products, goods and services for you.
- Satisfy historical, statistical, and research requirements.
- Process payment instruments.
- Create, manufacture, and print payment advice (like a payslip or statements of account).
- Enable us to deliver goods, documents, or notices to you.
- Provide security or identity verification, and to check the accuracy of your Personal Information.
- Communicate with you and carry out your instructions and requests.
- Conduct customer satisfaction surveys.
- Enable you to take part in and make use of value-added products and services.
- Assess our lending and insurance risks; and/or

- For any other related purposes.

#### **4.5 How do we use Personal Information for marketing purposes?**

Subject always to consent and barring any specific request or instruction not to do so, we may use Personal Information to market our technology, and related products, goods, and services.

We will do this in person, by post, telephone, website, or other electronic channel such as SMS, email, and fax.

#### **4.6 When do we share Personal Information?**

We only share Personal Information under the following circumstances:

- If you have consented to this.

AND,

- It is necessary to conclude a contract or perform under a contract,
- the law requires it; or
- it is necessary to protect or pursue a Person or third party's legitimate interest.

#### **4.7 With whom do we share your Personal Information?**

When required to do so, the Company may share Personal Information with the following persons, who in turn have an obligation to keep Personal Information secure and confidential.

- Employees, members and management of the Company, its associates, cessionary, delegates, assigns, affiliates or successors in title and/or appointed third parties (like its authorised agents, partners, contractors, and suppliers) for any of the purposes identified in this Privacy Policy.
- Attorneys, tracing agents, debt collectors and other persons that assist with the enforcement of agreements.
- Payment processing service providers, merchants, banks, and other persons that assist with the processing of payment instructions (eg. monthly salary or invoice payments).
- Law enforcement and fraud prevention agencies and other persons tasked with the prevention and prosecution of crime.
- Regulatory authorities, industry ombudsmen, governmental departments, local and international tax authorities, and other persons as may be required by law.
- Our service providers, agents and subcontractors (eg. freight forwarders, couriers, and other persons) we use to offer and provide or receive products and services.
- Courts of law or tribunals that require the Personal Information to adjudicate referrals, actions, or applications.
- Trustees, Executors, or Curators appointed by a court of law.

#### **4.8 A Person's rights in respect of Personal Information in the Company's possession**

Please refer to the Company's Procedure Manual for Access to Information (as required under Section 51 of the Promotion of Access to Information Act) ("PMAI"), Doc No. 33-00124-TT) for further information on how you can exercise the rights listed below.

A Person has the right, subject to any limitations under law, to request information regarding and access to any of their Personal Information which may be in the Company's possession.

A Person has the right to request that the Company correct or delete any of their Personal Information if it is inaccurate, irrelevant, excessive, out of date, incomplete, misleading, obtained unlawfully, or if the Company no longer authorised to keep it.

A Person may object, on reasonable grounds to the Processing of their Personal Information, however, the Company may not be able to give effect to the objection if the Processing of the Personal Information was and is permitted by law; you have provided consent to the Processing and our Processing is done according to your consent, or the Processing is necessary to conclude or perform under a contract.

A Person may withdraw consent for the Processing of Personal Information by the Company at any time, however the Company may proceed to Process your Personal Information even if you have withdrawn your consent, if the law permits or requires it.

The Company will attend to all written requests in respect of Personal Information within a reasonable time. You may be required to pay a reasonable fee to receive copies or descriptions of records, or information about third parties. The Company shall advise of any such fee before attending to a request.

A Person has the right to file a complaint with the Company or any Regulator with jurisdiction, about an alleged contravention of POPIA.

#### **4.9 How we securely Process your Personal Information?**

The Company will take appropriate and reasonable technological, organisational and procedural security measures to securely store and protect Personal Information, irrespective of format. These security measures include the following:

- Education and training of relevant Company employees regarding their duties, responsibilities and obligations under this Privacy Policy, as well as the correct procedures for the secure Processing of Personal Information.
- Physical security of all Company facilities.
- Physical access control at all Company facilities.
- Secure storage of all physical Personal Information held within Company facilities.
- Restricted access to physical Personal Information held within Company facilities.
- Controlled and secure destruction or deletion of physical Personal Information when required.
- Digital security of all Company devices and networks.
- Digital access control to all Company devices and networks.
- Secure, encrypted storage of all digital Personal Information.
- Restricted access to digital Personal Information stored on Company devices and networks.
- Controlled and secure deletion of digital Personal Information, including backups thereof, when required.

Please refer to the Company's Information Security Policy (30-00015-TT-PR) for more details.

#### **4.10 How long do we keep Personal Information?**

We will keep Personal Information for as long as:

- The law requires us to keep it,
- A contract requires us to keep it,
- We have consent to do so,
- We are required to keep it to achieve the purposes listed in this Privacy Policy,
- A code of conduct requires us to keep it, or
- We require it for our lawful business purposes.

Note: We may keep your Personal Information even if you no longer have a relationship with us and use it for any purpose listed in this Privacy Policy for so long as such historical data may be required.

#### **4.11 Transfer of Personal Information to other countries**

We will only transfer Personal Information to third parties in another country in any one or more of the following circumstances:

- Where you have consented to the transfer, or if it is not reasonably practical to obtain your consent, the transfer is in your interest.

AND,

- where your Personal Information will be adequately protected under that country's laws or an agreement with the third-party recipient; or
- where the transfer is necessary to enter into or perform under a contract with you, or a contract with a third-party that is in your interest.

Any such transfer will happen within the requirements and safeguards of the law. Where possible, the party Processing your Personal Information in the other country will agree to apply the same level of protection as available by law in our country or, if the other country's laws provide better protection, the other country's laws would apply.

#### **4.12 Internet cookie policy**

A 'cookie' is a small piece of data sent from a website or application to your computer or device's hard drive or Internet browser where it is saved. A cookie contains information to personalise your experience on websites or applications and may improve your experience on the website or application. A cookie may also identify your device, such as your computer or smart phone.

By using any of the Company's websites or our applications you agree that cookies may be forwarded from the relevant website or application to your computer or device. The cookie will enable our website or application to know that you have visited or used it previously and will identify you. We may also use the cookie to prevent fraud and for analytics.

#### **4.13 How the company Processes the Personal Information of Persons related to a juristic Person**

The company may collect and use Personal Information relating to a juristic Person's directors, officers, employees, beneficial owners, partners, shareholders, members, authorised signatories, representatives, agents, payers, payees, customers, guarantors, and other persons related to the juristic Person (individually "Related Person").

If Personal Information of a Related Person is provided to the Company by a representative of a juristic Person, the juristic Person warrants that the Related Person is aware that their Personal Information is being shared with the Company and that the Related Person consents thereto.