

TRUST PROCESSING NOTICE

1. PURPOSE OF THIS STATEMENT

1.1 We, the Oceana Group Limited (Registration number: 1939/001730/06), referred to as we or us in our capacity as a Responsible Party, in order to engage with you, in your capacity as a beneficiary of the Trust, and in relation to the administration of the Trust, will have to process your Personal Information, and in doing so, will have to comply with a law known as the Protection of Personal Information Act, 2013 ("POPIA"), which regulates and controls the processing of a person's Personal Information in South Africa, which processing includes the collection, use, and transfer of a person's Personal Information.

1.2 For the purpose of this Processing Notice, please take note of the following words and phrases which will be used throughout this Processing Notice:

- **"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 demonstrated by way of your actions;
- **"Data Subject"**, means you, the person who owns and who will provide us with your Personal Information for processing, which reference is found under POPIA;
- **"Operator"** means any person who processes your Personal Information on our behalf 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, duly appointed trust service providers, call centres, the trust auditors, and legal practitioners;
- **"Personal Information"**, means Personal Information relating to you, including your name, address, contact details, date of birth, place of birth, identity number, passport number, bank details, details about your employment, tax number and financial information; financial history; information about your next of kin and or dependants; information relating to your education or employment history; and **Special Personal Information** including race, gender, national, ethnic or social origin, colour, disability, and biometric information, such as images, fingerprints and voiceprints;
- **"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;



- **“Purpose”**, means the reason why your Personal Information needs to be processed by us;
 - **“Responsible Party”**, means the Oceana Group and any trusts owned by the Oceana Group i.e. the person who is processing your Personal Information;
 - **“Trust”**, means any Trust registered with the Master of the High Court of South Africa in terms of the Trust Property Control Act 57 of 1988 which has been founded and originated by the Oceana Group Limited and constituted by a Deed of Trust in terms of which the Oceana Group Limited is the Founder and/or Settlor of such Trust;
 - **“you”**, means you, a beneficiary and / or Trustee who will be providing us, Oceana, the Responsible Party, with your Personal Information, for processing.
- 1.3 In terms of POPIA, where a person processes another’s Personal Information, such processing must be done in a lawful, legitimate and responsible manner and in accordance with the provisions, principles and conditions set out under POPIA.
- 1.4 In order to comply with POPIA, a person processing another’s Personal Information must:
- 1.4.1 provide the Data Subject or owner of the Personal Information with several details pertaining to the processing of the Personal Information, before such information is processed; and
- 1.4.2 get permission or consent, explicitly or implied, from the owner / Data Subject, to process the Personal Information, unless such processing:
- is necessary to carry out actions for the **conclusion or performance of a contract** to which the owner / Data Subject of the Personal Information is a party;
 - is required in order to comply with an **obligation imposed by law**; or
 - is for a **legitimate purpose or is necessary to protect the legitimate interest (s) and / or for pursuing the legitimate interests** of i) the owner / Data Subject of the Personal Information; ii) the person processing the Personal Information ; or iii) that of a third party to whom the Personal Information is supplied; or
- is necessary for the proper performance of a **public law duty** by a public body or on behalf of a public body.
- 1.5 In accordance with the requirements of POPIA, and because your privacy and trust is important to us, we set out below how we and our Operator’s (hereinafter referred to as “we”, “us”, or “our”) collect, use, and share your Personal Information and the reasons why we need to use and process your Personal Information.

2. APPLICATION

- 2.1 This Processing Notice applies to the following persons: the Trust; Trust beneficiaries; and the Trustees.

3. PURPOSE FOR PROCESSING YOUR PERSONAL INFORMATION

- 3.1 Your Personal Information will be processed by us and or the Trust Operators for the following purposes:



- **Due diligence purposes - legitimate purpose:** To carry out a due diligence before we decide to engage or interact with you in relation to becoming a trustee / or beneficiary of the Trust, including obtaining and verifying your credentials, including your identity, contact details, business details, employment history and related records, tax details, gender and B-BBEE status.
- **Contract purposes -assessment and conclusion of a contract:** To investigate whether we are able or willing to conclude a contract with you in respect of the appointment of you as trustee, or as a beneficiary, including in the case of a beneficiary, granting to you, certain benefits, including any options or rights to shares which are available under any scheme, which will be based on the findings of any due diligence detailed above, and if the assessment is in order, to conclude a contract with you as described herein and in relation to the Trust, either in your capacity as a trustee or a beneficiary, as the case may be.
- **To perform the contractual duties under the Trust and extend to you any rights which you may have in your capacity as either a trustee or a beneficiary of the Trust:** To give effect to the rights extended to you, in you capacity as either a trustee or a beneficiary, or allow you to carry out any duties which you are required to discharge in you capacity as either a trustee or a beneficiary; including submitting or answering any queries or complaints, engaging with you in your capacity as a trustee or in your capacity as a beneficiary, in relation to any vesting process as well as facilitating any election which you have made in this regard, including retaining certain shares which you are entitled to as a beneficiary Trust scheme on your behalf and administering same, or giving effect to any decision to divest or sell shares which you are entitled to and hold as a beneficiary, which you have made and paying to you the proceeds of any such sale in cash, or otherwise, and generally engaging with you in relation to this process.
- **Communications- legitimate purpose:** To contact you and to communicate with you generally or in respect of our or your obligations, rights, requirements, or instructions.
- **Risk assessment and anti- bribery and corruption matters-legitimate purpose:** To carry out organisational and enterprise wide risk assessments, and due diligences, in order to detect and prevent bribery, corruption, fraud and abuse, to comply with ABC laws and / or to exercise our rights and to protect our and others' rights and / or property, including to take action against those that seek to violate or abuse our systems.
- **Legal obligation and public duties:** To comply with the law and our legal obligations, including B-BBEE, Trust, Company, and Tax laws and to submit reports or provide various notices or returns, in relation thereto and / or to litigate and / or to respond to a request or order from a SARS official, SAP official, the Master's Office, investigator or court official, regulator, or other public authority.
- **Security purposes: legitimate purpose and to comply with laws:** to permit you access to our offices, facilities, manufacturing or parking areas, for the purposes of monitoring via CCTV, your interaction and access in and from our facilities described above, and for general risk management, security and emergency incident control purposes as well as for data and cybersecurity purposes.
- **Sale, merger, acquisition, or other disposition of our business - our Legitimate interest-** To proceed with any proposed or actual **sale, merger, acquisition, or other disposition** of our business (including in connection with any bankruptcy or similar proceedings).



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4. WHAT PERSONAL INFORMATION OR INFORMATION DO WE COLLECT FROM YOU?

In order to engage and / or interact with you, for the purposes described above, we will have to process certain types of your Personal Information, as described below:

- **Your or your employer or organisation's contact information**, such as name, alias, address, identity number, passport number, security number, phone number, cell phone number, email address, employment history, educational records, expertise and credentials, and related data, which are required for various legitimate interest, contractual and / or lawful reasons.
- **Specific identifiers**, which are required in order to protect legitimate interests, to comply with legal obligations or public legal duties, such as your race (B-BBEE related).
- **Your Image**, such as still pictures, video, voice, and other similar data, which are required to perform contractual matters.
- **Financial Information**, such as bank account details, billing address, billing contact details, and similar data, tax numbers and VAT numbers, which are required to perform contractual matters and / or in order to provide you access to the Trust benefits and related services, to pay any amounts due to you, or attend to tax matters on your behalf which are required to comply with tax laws.

5. SOURCES OF INFORMATION - HOW AND WHERE DO WE COLLECT YOUR PERSONAL INFORMATION FROM

5.1 Depending on your requirements, we will collect and obtain Personal Information about you either directly from you, from certain third parties, or from other sources which are described below:

5.1.1. **Direct collection:** You provide Personal Information to us when you:

- Interact with us in your capacity as a potential or actual trustee or beneficiary and / or when you become a trustee or beneficiary.
- Complete any documents which may be required by the Trust administrators, trustees, or beneficiaries.
- Communicate with us by phone, email, chat, in person, or otherwise.
- Complete a questionnaire, survey, support ticket, or other information request form.

5.1.2 **Automatic collection:** We collect Personal Information automatically from you when you:

- Open emails or click on links in emails or notices from us.
- Otherwise interact or communicate with us, such as when you attend one of our events or locations, when you request support or send us information or attend any Trust meetings or events.

5.1.3 **Collection from third parties:** We collect Personal Information about you from third parties, such as:

- Employers or organisations who you have an employment or other relationship with.



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- Regulators, professional or industry organisations and certification / licensure agencies that provide or publish Personal Information related to you.
- Third parties and affiliates who deal with or interact with us or you.
- Service providers and business partners who work with us and that we may utilize to deliver certain content, products, or services.
- SARS, SAP, Home Affairs, Credit bureaus and other similar agencies.
- Other government agencies, regulators and others who release or publish public records.
- Other publicly or generally available sources, such as social media sites, public and online websites, open databases, and data in the public domain.

6. HOW WE SHARE INFORMATION

We share Personal Information for the purposes set out in this Processing Notice with the following categories of recipients:

- **The trustees or beneficiaries.** We may share your Personal Information amongst the trustees, beneficiaries, or any persons carrying out duties on behalf of the Trust.
- **The Oceana Companies, and its employees.** We may share your Personal Information amongst the Oceana Companies, their employees, and other Oceana affiliates for business and operational purposes.
- **Business Partners.** We may share your Personal Information with our business partners to jointly offer, provide, deliver, analyse, administer, improve, and personalize the Trust benefits including any products or services or for the purposes of hosting events.
- **Operators and other Third-Party Service Providers.** We may share your Personal Information with our Operators and / or other third party service providers who have been tasked contractually to perform certain Trust tasks on our behalf and which are related to our relationship with you, and to assist us in offering, providing, delivering, analysing, administering, improving, and personalizing such benefits, services or products.
- **In the Event of Merger, Sale, or Change of Control.** We may transfer this Processing Notice and your Personal Information to a third-party entity that acquires or is merged with us as part of a merger, acquisition, sale, or other change of control.
- **Regulators and law enforcement agencies.** We may disclose your Personal Information to regulators and other bodies in order to comply with any applicable law or regulation, to comply with or respond to a legal process or law enforcement or governmental request.
- **Other Disclosures.** We may disclose your Personal Information to third parties if we reasonably believe that disclosure of such information is helpful or reasonably necessary to enforce the terms and conditions or other rights (including investigations of potential violations of our rights), set out under the Trust deed and related documents, to detect, prevent, or address fraud or security issues, or to protect against harm to the rights, property, or safety of the Trust, the Oceana Companies, its employees, any Trust beneficiaries, or the public.

7. SECURITY OF INFORMATION

- 7.1 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 organisational



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measures designed to protect the security of Personal Information. In this regard we will conduct regular audits regarding the safety and the security of your Personal Information.

- 7.2 Your Personal Information will be stored electronically which information, for operational reasons, will be accessible to persons employed or contracted by us on a need to know basis, save that where appropriate, some of your Personal Information may be retained in hard copy.
- 7.3 Once your Personal Information is no longer required due to the fact that the purpose for which the Personal Information was held has come to an end, such Personal Information will be retained in accordance with the Trust records retention schedule, which varies depending on the type of processing, the purpose for such processing, the business function, record classes, and record types. We calculate retention periods based upon and reserve the right to retain Personal Information for the periods that the Personal Information is needed to: (a) fulfil the purposes described in this Processing Notice, (b) meet the timelines determined or recommended by regulators, professional bodies, or associations, (c) comply with applicable laws, legal holds, and other legal obligations (including contractual obligations), and (d) comply with your requests.
- 7.4 Notwithstanding the provisions of clauses 7 and 8, please note that no method of transmission over the Internet or method of electronic storage is 100% secure. Therefore, while we strive to use commercially acceptable measures designed to protect Personal Information, we cannot guarantee its absolute security.

8. ACCESS BY OTHERS AND CROSS BORDER TRANSFER

- 8.1 We may from time to time have to disclose your Personal Information to other parties, including the Oceana Companies, its employees, business partners, agents, auditors, organs of state, regulatory bodies and / or national governmental, provincial, or local government municipal officials, or overseas trading parties or agents, but such disclosure will always be subject to an agreement which will be concluded as between ourselves and the party to whom we are disclosing your Personal Information to, which contractually obliges the recipient of your Personal Information to comply with strict confidentiality and data security conditions.
- 8.2 Where Personal Information and related data is transferred to a country which is situated outside South Africa, your Personal Information will only be transferred to those countries which have similar data privacy laws in place or where the recipient of the Personal Information concludes an agreement which contractually obliges the recipient to comply with strict confidentiality and data security conditions and which in particular will be to a no lesser set of standards than those imposed by POPIA.

9. YOUR RIGHTS

- 9.1 You as a Data Subject you have certain rights, which are detailed below:
- **The right of access-** 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, which can be done by following the process set out under our PAIA Manual which can be found on the Oceana website.
 - **The right to rectification-** you have the right to ask us to update or rectify any inaccurate Personal Information, which can be done by contacting the Oceana Information Officer at the following email address: informationofficer@oceana.co.za.



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- **The right to erasure (the 'right to be forgotten')** - 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, which can be done by contacting the Oceana Information Officer at the following email address: informationofficer@oceana.co.za.
- **The right to object to and restrict further processing-** where we do not need your consent to process your Personal Information, but you are not in agreement with such processing, you object to us processing such Personal Information which can be done by contacting the Oceana Information Officer at the following email address: informationofficer@oceana.co.za
- **The right to withdraw consent** - where you have provided us with consent to process your Personal Information, you have to right to subsequently withdraw your consent, which can be done by contacting the Oceana Information Officer at the following email address: informationofficer@oceana.co.za.

10. CHANGES TO THIS PROCESSING NOTICE

This Processing Notice is expected to change from time to time. We reserve the right to amend the Processing Notice at any time, for any reason, and without notice to you, other than the posting of the updated Processing Notice on our Website and in this regard encourage you to visit our Website frequently in order to keep abreast with any changes.

11. CONTACT US

Any comments, questions or suggestions about this Processing Notice or our handling of your Personal Information should be emailed to informationofficer@oceana.co.za.

Alternatively, you can contact us at the following postal address or telephone numbers:

Oceana Group Limited

Address: Oceana House, 9th Floor, 25 Jan Smuts Street, Foreshore, Cape Town. 8001

Switchboard: 021 410 1453

International: +27 21 410 1453

Our telephone switchboard is open 09:00 am – 05:30 pm GMT, Monday to Friday. Our switchboard team will take a message and ensure the appropriate person responds as soon as possible.

12. PROCESSING PERSONAL INFORMATION

If you process another's Personal Information on our behalf, or which we provide to you in order to perform your contractual or legal obligations or to protect any legitimate interest, you will keep such information confidential and will not, unless authorized to do so, process, publish, make accessible, or use in any other way such Personal Information unless in the course and scope of your duties, and only for the purpose for which the information has been received and granted to you, and related to the duties assigned to you.

13. COMPLAINTS

- 13.1 Should you wish to discuss a complaint, please feel free to contact us using the details provided above.
- 13.2 All complaints will be treated in a confidential manner.



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- 13.3 Should you feel unsatisfied with our handling of your Personal Information, or about any complaint that you have made to us, you are entitled to escalate your complaint to the South African, Information Regulator who can be contacted at <https://www.justice.gov.za/inforeg/>.

14. ACCEPTANCE AND BINDING NATURE OF THIS DOCUMENT

- 14.1 By providing us with the Personal Information which we require from you as listed under this Processing Notice:

- You acknowledge that you understand why your Personal Information needs to be processed;
- You accept the terms which will apply to such processing, including the terms applicable to the transfer of such Personal Information cross border;
- Where consent is required for any processing as reflected in this Processing notice, you agree that we may process this Personal Information.

- 14.2 Furthermore you confirm that where you provide us with another person's Personal Information for processing that you have obtained the required permission from such person (s) to provide us with their Personal Information for processing.

