

**EXTERNAL PRIVACY NOTICE****1. Introduction**

1.1. For purposes of this Notice:

1.1.1. **"Applicable Laws"** means all laws, regulations of whatever nature that the Company is required to comply with;

1.1.2. **"you"** and **"your"** means any prospective, new or existing client, vendor or supplier of the Company including a third party accessing the Company's premises; and

1.1.3. **"the Company"** or **"we"** or **"us"** means the South African subsidiaries of Tharisa plc including Arxo Metals (Pty) Ltd, Arxo Logistics (Pty) Ltd, MetQ (Pty) Ltd, Braeston (Pty) Ltd, Ubhova Security (Pty) Ltd and Minerals (Pty) Ltd, respectively.

1.2. This Notice sets out how your personal information will be used by the Company and applies to any information, including personal and special personal information as defined in the Protection of Personal Information Act, you give to the Company or which the Company may collect from third parties.

1.3. It is important that you read this Notice carefully before submitting any personal information to the Company.

1.4. By submitting any personal information to the Company you provide consent to the processing of your personal information as set out in this Notice.

1.5. Please do not submit any personal information to the Company if you do not agree to any of the provisions of this Notice. If you do not consent to the provisions of this Notice, or parts of the Notice, the Company may not be able to provide its products and services to you or make use of your services and or products.

**2. How to contact us**

If you have any comments or questions about this Notice please contact the Information Officer or Deputy Information Officer of the Company by using the details set out in the Company's PAIA manual published on [www.tharisa.com](http://www.tharisa.com). This includes the Company's registered address and all relevant contact details.

### 3. **Legal Effect of this Notice and any Amendments**

- 3.1. This Notice becomes part of any agreement between you and the Company and as such contains legally binding rights and obligations.
- 3.2. We may amend this Notice from time to time for any reason which the Company, in its sole discretion, may deem reasonable or necessary.
- 3.3. Any such amendment will come into effect and become part of any agreement you have with the Company when notice is given to you of the change by publication on our website as set out in 2 above. It is your responsibility to check the website often.

### 4. **Privacy and indemnity**

- 4.1. The Company takes your privacy and the protection of your personal information very seriously. It is important that you take all necessary and appropriate steps to protect your personal information yourself (for example, by ensuring that all passwords and access codes are kept secure).
- 4.2. We have implemented reasonable technical and operational measures to keep your personal information secure.
- 4.3. **You hereby indemnify and hold the Company harmless from any loss, damages or injury that you may incur as a result of any unintentional disclosures or processing of your personal information to unauthorised persons or the provision of incorrect or incomplete personal information to the Company.**

### 5. **Information of children**

- 5.1. We do not intend to collect and/or process any personal information of minors, unless we make this clear. If you do provide any personal information to us of children then you warrant that this is done with the consent of the child's parent or guardian to use this information as set out in this Statement.

### 6. **Notification**

- 6.1. If you provide any personal information of other persons to us, such as employees or your directors, you warrant that you are authorised to share their personal information with us for purposes set out in this Notice and hereby indemnify us against any claims that may arise as a result of your breach of this provision.

## 7. Information which we may collect about you

- 7.1. We may collect information about you for a number of reasons or purposes that include but are not limited to:
- 7.1.1. your personal contact detail such as your name, title, addresses, telephone numbers and personal email addresses;
  - 7.1.2. date of birth, place of birth, identity number, passport number;
  - 7.1.3. bank account details;
  - 7.1.4. details about your employment and empowerment status where relevant, tax number and financial information
  - 7.1.5. records of correspondence or enquiries from you or anyone acting on your behalf;
  - 7.1.6. details of transactions you carry out with us;
  - 7.1.7. details of contracts, sales or leases you carry out with us;
  - 7.1.8. sensitive or special categories of personal information, including biometric information, such as images, fingerprints and voiceprints;
  - 7.1.7 CCTV footage and other information obtained through electronic means;
  - 7.1.8 information about alleged criminal behaviour and offences; and
  - 7.1.9 any other information which the Company may deem necessary to execute any of the purposes set out below.
- 7.2. Where you provide us with the personal information of third parties you should take steps to inform the third party that you need to disclose their details to us, identifying us. We will process their personal information in accordance with this Statement.

## 8. How we collect information

- 8.1. You may provide personal information to us either directly or indirectly (through an agent acting on your behalf, or an introducer), by completing documentation submitted to you for completion, whether in writing, over the telephone or any other means.
- 8.2. We may also collect your personal information from your appointed agent, any regulator, or other third party that may hold such information.

## 9. Use of information collected

- 9.1. We may use, transfer and disclose your personal information for purposes including but not limited to:
- 9.1.1. managing your account or relationship and complying with your instructions or requests where relevant;

- 9.1.2. administering a contract we have entered with you;
  - 9.1.3. detecting and preventing fraud, theft, racketeering and money laundering and/or in the interest of security and crime prevention;
  - 9.1.4. permitting access to our premises;
  - 9.1.5. complying with legal obligations imposed on us;
  - 9.1.6. assessing and dealing with complaints and requests;
  - 9.1.7. operational, marketing, auditing, legal and record keeping requirements;
  - 9.1.8. verifying your identity or the identify of your beneficial owner;
  - 9.1.9. complying with Applicable Laws, including lawful requests for information;
  - 9.1.10. recording and/or monitoring your electronic communications to/with the Company in order to accurately carry out your instructions and requests, to use as evidence and in the interests of crime prevention;
  - 9.1.11. conducting market research and providing you with information about the Company' products or services from time to time via email, telephone or other means (for example, events);
  - 9.1.12. where you have unsubscribed from certain direct marketing communications, ensuring that we do not sent such direct marketing to you again;
  - 9.1.13. disclosing your personal information to third parties for reasons set out in this Notice or where it is not unlawful to do so, which may include the transfer of your information to countries outside of South Africa not having the same level of data protection as in the Republic of South Africa;
  - 9.1.14. to conduct investigations in relation to criminal or alleged criminal or unlawful behaviour;
  - 9.1.15. to share with third parties like investigators internal and external auditors, other entities within the group or the South African Police Service and SARS or similar authorities;
  - 9.1.16. prevention and control of any disease.
- 9.2. We may from time to time (and at any time) contact you about services, products and offerings available from the Company or specific subsidiaries which we believe may be of interest to you, by email, phone, text or other electronic means, unless you have unsubscribed from receiving such communications. You can unsubscribe from receiving such communications by informing the Information Officer or the deputy information officer of the Company thereof in writing.
- 9.3. Information about criminal convictions
- 9.3.1. We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our internal privacy policy or data protection legislation.

- 9.3.2. We envisage that we may hold information about criminal convictions.
- 9.3.3. We will only collect information about criminal convictions if it is appropriate given the nature of the role and circumstances and where we are legally able to do so. Where appropriate, we will collect information about criminal convictions as part of the verification process or we may be notified of such information directly by you in the course of you rendering services or supplying products to us.

## 10. **Disclosure of your information**

- 10.1. Your personal information may be shared with the Company' subsidiaries, our agents and sub-contractors, and selected third parties who process the information on our behalf or services providers that requires such information to give effect to a contract concluded between the Company and such service provider. Third parties may also include any regulator or supervisory authority, including those in foreign jurisdictions, if the Company is required to do so in terms of Applicable Laws.
- 10.2. We may transfer your information to other subsidiaries within the Tharisa plc group, an agent, sub-contractor or third party who carries on business in another country, including one which may not have data privacy laws similar to those of the Republic. If this happens, we will ensure that anyone to whom we pass your information agrees to treat your information with the same level of protection as if we were dealing with it.
- 10.3. If you do not wish us to disclose this information to third parties, please contact us at the contact details set out below. We may, however, not be able to provide products or services to you or to accept any products or services from you, if such disclosure is necessary.

## 11. **Retention of your information**

We may retain your personal information indefinitely, unless you object, in which case we will only retain it if we are permitted or required to do so in terms of Applicable Laws. However, as a general rule, we will retain your information in accordance with retention periods set out in applicable laws, unless we need to retain it for longer for a lawful purpose.

## 12. **Access to, correction and deletion of your personal information**

- 12.1. You may request details of personal information which we hold about you under the Promotion of Access to Information Act, 2000 ("**PAIA**"). Fees to obtain a copy or a description of personal information held about you are prescribed in terms of PAIA. Confirmation of whether or not we hold personal information about you may be requested free of charge. If you would like to

obtain a copy of your personal information held by the Company, please review our PAIA Manual located at [www.tharisa.com](http://www.tharisa.com).

- 12.2. You may request the correction of personal information the Company holds about you. Please ensure that the information we hold about you is complete, accurate and up to date.
- 12.3. You have a right in certain circumstances to request the destruction or deletion of and, where applicable, to obtain restriction on the processing of personal information held about you. If you wish to exercise this right, please contact us using the contact details set out below.
- 12.4. You have a right to object on reasonable grounds to the processing of your personal information where the processing is carried out in order to protect our legitimate interests or your legitimate interests unless the law provides for such processing.

### 13. **Complaints**

- 13.1. Should you believe that the Company has utilised your personal information contrary to Applicable Laws, you undertake to first attempt to resolve any concerns with the Company.
- 13.2. If you are not satisfied with such process, you may have the right to lodge a complaint with the Information Regulator, using the contact details listed below:
  - 13.2.1. Tel: 012 406 4818
  - 13.2.2. Fax: 086 500 3351
  - 13.2.3. Email: [infoereg@justice.gov.za](mailto:infoereg@justice.gov.za).

**If you have any questions about this notice, please contact the Company's Information Officer or Deputy Information Officer detailed in the Company's PAIA Manual, published on [www.tharisa.com](http://www.tharisa.com).**