SPIRIT INVEST GROUP ("THE GROUP")

ALL SUBSIDIARY ENTITIES

PROTECTION OF PERSONAL INFORMATION ACT (POPIA) MANUAL

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1. INTRODUCTION

The Protection of Personal Information Act, 4 of 2013 ("POPIA") provides for protection principles that the Group and all its subsidiary companies must comply with to protect the Personal Information of all Data Subjects. Should a person require access to their Personal Information, then access is allowed in terms of the Promotion of Access to Information Act, 2 of 2000 ("PAIA").

PAIA gives effect to section 32 of the Constitution, that provides for access to these Personal Information if a person wants to exercise a right or to protect a right, subject to the procedural requirements laid down by PAIA.

Section 10 of POPIA provides that the Group must implement a Manual that must comply with section 14 and 51 of PAIA that should be made available to persons who want to access associated companies in the Group's Personal Information.

This POPIA Manual is available for inspection by contacting the Group and/or it's relevant subsidiaries, where applicable.

2. PURPOSE

This purpose of the Manual is to:

- provide details on records and information of the Group that are available and accessible once the requirements for access have been met; and
- sets out the procedures to be followed by a person that wants access to the Personal Information that are subject to protection and non-disclosure in terms of POPIA, if such person wants to exercise or to protect a right.

The Manual is available for inspection at the Group 's offices at no cost and also on the respective subsidiary companies websites, as noted below.

3. AVAILABLE INFORMATON

The information provided below is regarded as available information, however currently no notice has been published in terms of section 52(2) on the categories of records that will automatically been available without following the required processes as provided for in terms of this POPIA Manual.

Please note that the inclusion of any subject or category of records in this POPIA Manual does not mean that information or records falling withing those subjects and/or categories will automatically be made available. Certain grounds of refusal may apply to a request for such record.

4. PROCEDURES TO FOLLOW TO ACCESS INFORMATION

4.1. REQUESTER

4.1.1. Personal Requester:

A Personal Requester is a requester who is seeking access to a record containing Personal Information about the Requester itself. Access will be granted by the the Group subject to applicable legislation.

4.1.2. Other Requester:

If a person other than the Personal Requester is seeking access to a record containing Personal Information, then the the Group is not obliged to grant access to such record, unless such person fulfils the requirements for access as provided for in terms of PAIA.

4.2. FEES PAYABLE

Refer to Appendix 2 for applicable fee structure.

4.3. REQUEST PROCEDURES

4.3.1. Access to records with Personal Information is subject to the procedural requirements contained in PAIA.

4.3.2. A Requester must complete the prescribed form enclosed herewith in Appendix 1 and payment of the required fee (only if it is an Other Requester) must be made.

4.3.3. The completed and signed Appendix 1 form together with proof of payment must either posted, submitted per hand or be emailed to the Information Officer at the email address stated above.

4.3.4. If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally to the Information Officer.

4.3.5. If a request is made on behalf of another person, the Requester must then submit proof of the capacity in which the Requester is making the request on behalf of the other person to the satisfaction of the Information Officer.

4.3.6. All required information must be provided on the Appendix 1 form and the information must be true complete and correct with enough particularity to enable the Information Officer to identify:

4.3.6.1. the Requester's identity;

4.3.6.2. contact details of the Requester;

4.3.6.3. the requested record/s, and

4.3.6.4. the form of access required by the Requester.

4.3.7. A Requester may only request access to a record in order to exercise or protect a right, and must clearly state what the nature of the right is so to be exercised or protected. The requester is further required to provide an explanation of why the requested record is required for the exercise or protection of that right.

4.3.8. The Group will process a request to access a record within 30 (thirty) days of receipt of the completed Appendix 1 form together with proof of payment, if applicable, unless the Requestor has stated exceptional reasons and circumstances together with proof, if applicable, that would satisfy the Information Officer that the time period not be complied with.

4.3.9. The Group shall inform the Requester in writing whether access has been granted or denied together with reasons thereof.

4.3.10. If the Requester requires access to the records in another manner, the Requester must state the manner and the particulars so required.

4.4. GROUNDS FOR REFUSAL

PAIA provides several grounds on which a request for access to information must be refused and a complete list of the grounds for refusal is available in Chapter 4 of PAIA.

These grounds mainly concern instances that may include where:

4.4.1. the privacy and interests of other individuals are protected;

4.4.2. such records are already otherwise publicly available;

4.4.3. public interests are not served;

4.4.4. the mandatory protection of commercial information of a third party;

4.4.5. the mandatory protection of certain confidential information of a third party.

4.5. THE PROTECTION OF PERSONAL INFORMATION ACT (POPIA) GUIDE

4.5.1. Definitions

The following definitions has the meanings as defined in terms of section 1 of POPIA and are detailed below:

Data Subject: means the person to whom the personal information relates.

Responsible Party: The entity which determines the purpose of and means for processing personal information.

Operator: The company or a person who processes personal information for a responsible party in terms of a contract or mandate, without coming under the direct authority of the responsible party.

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.
- Special Personal Information includes:
- religious or political beliefs
- race or ethnic origin
- trade union membership
- political opinions
- health, sexual life
- criminal behaviour.

Processing: means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including:

- 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; or
- merging, linking, as well as restriction, degradation, erasure or destruction of information.

Direct Marketing: means the use of personal information for the purposes of direct marketing by means ofany form of electronic communication.

4.5.2. Exclusions

POPIA protection does not apply to the following information:

The processing of personal information:

- in the course of a purely personal or household activity;
- that has been de-identified to the extent that it cannot be re-identified again;
- by or on behalf of a public body —

- which involves national security, including activities that are aimed at assisting in the identification of the financing of terrorist and related activities, defense or public safety; or
- the purpose of which is the prevention, detection, including assistance in the identification of the proceeds of unlawful activities and the combating of money laundering activities, investigation or proof of offences, the prosecution of offenders or the execution of sentences or security measures, to the extent that adequate safeguards have been established in legislation for the protection of such personal information;
- by the Cabinet and its committees or the Executive Council of a province; or
- relating to the judicial functions of a court referred to in section 166 of the Constitution of the Republic of South Africa, 1996.

- ''Terrorist and related activities'', for purposes of subsection (1)(c), means those activities referred to in section 4 of the Protection of Constitutional Democracy against Terrorist and Related Activities Act, 2004 (Act No. 33 of 2004).

The Data subject consent is required, but not if it would prejudice a lawful purpose, or the information is publicly available.

4.5.3. Processing of Personal Information within the Group

The Group is processing the Personal Information of its Data Subjects where applicable for the purposes of data processing in line with relevant data subject categories and types of relevant information. Personal information is only shared with those third parties where there is a legal agreement and/or obligation to do so.

4.5.4. Personal Information protection Principles for Responsible Parties

The Group have comprehensive Data Protection Policies and procedures in place in order to comply with principles of POPIA and ensure that the best efforts are employed to ensure the protection of Personal Information. The Group implemented the required controls and employs up to date technology to ensure the protection, confidentiality, integrity and availability of the Personal Information that it processes.

4.5.4.1. Accountability:

The Responsible Party must ensure compliance. The Responsible Party is required to audit the processes used to collect, record, store, disseminate and destroy personal information: in particular, ensure the integrity and safekeeping of personal information in your possession or underyour control. The Responsible Party must take steps to prevent the information being lost or damaged, orunlawfully accessed.

4.5.4.2. Purpose Specification:

The Responsible Party must define the purpose of the information gathering and processing: personal information must be collected for a specific, explicitly defined and lawful purpose that isrelated to a function or activity of the company concerned.

4.5.4.3. Processing Limitation:

The Responsible Party must ensure processing is lawful and:

- done in a reasonable manner that does not infringe the privacy of the Data Subject.
- adequate, relevant and not excessive given the purpose.

- must have obtained consent or it must be necessary. If consent obtained then it must be voluntary, specific and informed.

4.5.4.4. Take steps to notify the Data Subject:

The individual whose information is being processed has the right to know this is being done andwhy. The Data Subject must be informed about:

- the name and address of the company processing their information,
- he or she must be informed as to whether the provision of the information is voluntary or mandatory.

4.5.4.5. Further Processing limitation:

Assess whether further processing is permitted, one must ask the following questions:

- Is there a valid relationship between the purposes?
- What is the nature of information?
- What are the consequences for data subject?
- The manner in which information was collected?
- Are there any contractual rights between the parties?

Review the rationale for any further processing, asking the following:

- If information is received via a third party for further processing, this further processing must be compatible with the purpose for which the data was *initially* collected.

4.5.4.6. Information quality:

The Responsible Party must take reasonably practicable steps to ensure that the information is complete, accurate, not misleading; and updated where necessary.

The Responsible Party must notify Information Regulator once POPIA is enacted and Register with the Information Regulator.

The Responsible Party must take reasonable steps to notify the Data Subject of:

- Information being collected
- Purpose for which information is collected
- Whether the supply of information is voluntary or mandatory
- The consequences of failure to provide information
- Any particular law that applies

4.5.4.7. Accommodating Data Subject requests:

POPIA allows for Data Subjects to make certain requests, *free of charge*, to organisations that holds their Personal Information. An example is where the Data Subject has the right to know the identity of all third parties that have had access to their information. A Data Subject may also ask for a record of the Personal Information concerned.

4.5.4.8. Security:

The Responsible Party is required to *secure the integrity of personal information* by taking appropriate, reasonable technical and organisational measures to prevent:

- Loss, damage or unauthorised access
- Unlawful access to or processing of personal information

The Responsible Party must take all reasonable measures to:

- Identify all reasonably foreseeable internal and external risks
- Establish and maintain appropriate safeguards against the risks
- Regularly verify that the safeguards are adequately implemented
- Ensure the safeguards are continually updated in response to new risks or deficiencies inpreviously implemented safeguards

The Responsible Party must oversee an Operator who processes data on his/her behalf. Responsible Party must be aware of the following:

- The Operator must treat information confidentially
- The Responsible Party must ensure that the operator establishes and maintains appropriate security safeguards
- ALL processing by an operator must be governed by a written contract
- In the event of security breaches, the Responsible Party must notify the Regulator and the data subject

4.5.4.9. Retain records for required periods:

Personal information must be destroyed, deleted or 'de-identified' as soon as the purpose for collecting the information has been achieved.

However, a record of the information must be retained if an organisation has used it to make a decision about the data subject. The record must be kept for a period long enough for the data subject to request access to it.

This requirement is subject to other legislation e.g. FAIS and FICA which provide for a period of 5 years to keep records.

4.5.4.10. Cross Border Data Transfer:

There are restrictions on the sending of personal information out of South Africa as well as on the transfer of personal information back into South Africa.

The applicable restrictions will depend on the laws of the country to whom the data is transferred or from where the data is returned, as the case may be.

The Responsible Party must assess the applicable laws and institute a written protocol to cover these requirements.

4.5.5. Roles and Responsibilities of the Operator

Duties of an Operator:

All Information processed by an operator must be treated in the following manner:

- The Responsible party must be aware of the Operators processing.
- The Operator must treat information confidentially.
- The Responsible party must ensure that the Operator establishes and maintains appropriate security safeguards.
- In the event of security breaches, the Operator via the Responsible party must notify the Regulator and the data subject.
- The processing by an operator must be governed by a written contract between the Responsible party and the Operator.

Contents of the Contract:

The Contract between Operator and Responsible Party must detail at least the following:

- the legitimate grounds for collecting and using personal data collected,
- the lawful purpose for which data are being collected,
- the limit of processing and prohibiting of further processing,
- the extent of information that is required to prevent any excessive information collection,
- the information retention periods and requirements applicable together with destruction processes and procedures,
- The right of individuals to request such information and query the use thereof,
- The security measures required to prevent the unauthorised or unlawful processing of personal data or access to personal data, including accidental loss or destruction or damage to personal data.

4.5.6. Dealing with Special Personal Information

Note: If an objection is received from a Data Subject to process the Special Information, then this information may not be supplied to 3rd parties without the Data Subject's consent.

Religious or Philosophical Beliefs processing may take place by Spiritual or religious organisations & institutions, provided that the information concerns data subjects belonging to such organisations; if it is necessary to achieve their aims and principles; or to protect the spiritual welfare of the data subjects.

Race processing may be carried out to Identify data subjects when this is essential and to Comply with laws or measures designed to protect or advance persons disadvantaged by unfair discrimination

Trade Union Membership processing may take place by a trade union to which the data subject belongs, or the trade union federation to which the trade union belongs, if the processing is necessary to achieve the aims of thetrade union/trade union federation.

Political Persuasion processing may take place by an institution founded on political principles if such processing isnecessary to achieve the aims or principles of the institution.

Health or Sexual Life processing must be confidential and may take place by:

- Medical practitioners, healthcare institutions
- Insurance companies, medical aid scheme providers
- Schools
- Institutions of probation, child protection or guardianship
- Pension funds and employers if processing is necessary for:
- Implementation of laws/pension regulations
- Re-integration/support for workers or persons entitled to benefit in connection with sickness/work incapacity

Criminal behaviour processing may take place by:

- Bodies charged by law with applying criminal law
- Responsible parties who have obtained the information in accordance with the law
- Responsible parties who process the information for their own lawful purposes to; o assess an application by a data subject in order to take a decision about or provide a service to that data subject to protect their legitimate interests in relation to criminal offences.

General Exemptions

The Regulator may authorise processing of any information, which will not be in breach of POPIA, if the public interest includes:

- the legitimate interests of State security
- the prevention, detection and prosecution of offences
- important economic and financial interests of the State or a public body
- historical, statistical or research activity.

4.5.7. Direct Marketing By Means of Unsolicited Electronic Communications

Direct marketing is prohibited unless you have consent, or the target is already a customer.

You may only approach a person for consent once and if they have not previously withheld such consent.

You may only use the information for the purpose it was obtained, for a customer.

Any communication for the purpose of direct marketing must contain:

- Details of the identity of the sender,
- The address or other contact details to which the recipient may send a request to opt-out.

Document Control

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Distribution

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Tiaan Meyer	Group CFO	Approved.

FORM 2

REQUEST FOR ACCESS TO RECORD

[Regulation 7]

NOTE:

1. *Proof of identity must be attached by the requester.*
2. *If requests made on behalf of another person, proof of such authorisation, must be attached to this form.*

TO: The Information Officer

_____
_____
_____
_____
(Address)

E-mail address: _____

Fax number: _____

*Mark with an **"X"***

☐ Request is made in my own name ☐ Request is made on behalf of another person.

PERSONAL INFORMATION				
Full Names				
Identity Number				
Capacity in which request is made *(when made on behalf of another person)*				
Postal Address				
Street Address				
E-mail Address				
Contact Numbers	Tel. (B):		Facsimile:	
	Cellular:			
Full names of person on whose behalf request is made *(if applicable):*				
Identity Number				
Postal Address				

Street Address				
E-mail Address				
Contact Numbers	Tel. (B)		Facsimile	
	Cellular			

PARTICULARS OF RECORD REQUESTED

Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located. (*If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)*

Description of record or relevant part of the record:	
Reference number, if available	
Any further particulars of record	

TYPE OF RECORD
*(Mark the applicable box with an "**X**")*

Record is in written or printed form	
Record comprises virtual images *(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)*	
Record consists of recorded words or information which can be reproduced in sound	
Record is held on a computer or in an electronic, or machine-readable form	

FORM OF ACCESS *(Mark the applicable box with an "**X**")*	
Printed copy of record *(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)*	
Written or printed transcription of virtual images *(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)*	
Transcription of soundtrack *(written or printed document)*	
Copy of record on flash drive *(including virtual images and soundtracks)*	
Copy of record on compact disc drive*(including virtual images and soundtracks)*	
Copy of record saved on cloud storage server	

MANNER OF ACCESS *(Mark the applicable box with an "**X**")*	
Personal inspection of record at registered address of public/private body *(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)*	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format *(including transcriptions)*	
E-mail of information *(including soundtracks if possible)*	
Cloud share/file transfer	
Preferred language *(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)*	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED *If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.*	
Indicate which right is to be exercised or protected	

Explain why the record requested is required for the exercise or protection of the aforementioned right:	

FEES	
a) A request fee must be paid before the request will be considered. *b) You will be notified of the amount of the access fee to be paid.* *c) The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.* *d) If you qualify for exemption of the payment of any fee, please state the reason for exemption*	
Reason	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	**Facsimile**	**Electronic communication** ***(Please specify)***

Signed at _____ this _____ day of _____ 20 _____

_____

Signature of Requester / person on whose behalf request is made

---

FOR OFFICIAL USE

Reference number:	
Request received by: (State Rank, Name And Surname of Information Officer)	
Date received:	
Access fees:	
Deposit (if any):	

_____

Signature of Information Officer

Appendix 2

Private Body" means- (a) a natural person who carries or has carried on any trade, business or profession, but only in such capacity. (b) a partnership which carries or has carried on any trade, business or profession; or (c) any former or existing juristic person, but excludes a public body.

FEES IN RESPECT OF PRIVATE BODIES		
1.	**The request fee payable by every requester**	R140.00
2.	**Photocopy/ printed black & white copy of A4-size page**	R2.00 per page or part thereof
3.	**Printed copy of A4-size page**	R2.00 per page or part thereof
4.	**For a copy in a computer-readable form on:** 3. **Flash drive (to be provided by requestor)** 4. **Compact disc** • **If provided by requestor** • **If provided to requestor**	 R40.00 R40.00 R60.00
5.	**For a transcription on visual images per A4-size page**	Service to be outsourced.
6.	**Copy of visual images**	Will depend on quotation from Service Provider.
7.	**Transcription of an audio record, per A4-size page**	R24.00
8.	**Copy of an audio record on:** 3. **Flash drive (to be provided by requestor)** 4. **Compact disc** • **If provided by requestor** • **If provided to requestor**	 R40.00 R40.00 R60.00
9.	**To search for and prepare the record for disclosure for each hour or part of an hour, excluding the 1st hour, reasonably required for such search and preparation. To not exceed a total cost of**	R145.00 R435.00
10.	**Deposit: If search exceeds 6 hours**	1/3rd of amount per request calculated in terms of items 2 to 8.
11.	**Postage, e-mail or any other electronic transfer**	Actual expense, if any.