

b.n. kirk (natal) cc

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1. PURPOSE/OBJECTIVE

The purpose of this policy sets the standard for suitable protection of personal information as required by The Protection of Personal Information Act 4 of 2013, as well as the purpose for which said information is used.

2. SCOPE

This policy is applicable to BN Kirk (Natal) cc 's Management, all employees and any Person/Entity/Body/Individual/Company ("the client") whose information is supplied or given to BN Kirk (Natal) cc.

2.1 Agreement and Consent declaration:

BN Kirk (Natal) cc must have the consent of both Employee and Supplier before collecting and storing personal information.

2.1.1 Employees need to sign a consent – contract clause

2.1.2 Suppliers - External service providers (Person/Entity/Body/Individual/Company) must sign a separate Agreement and Consent declaration, whereby confirming commitment to this policy and will include assurance that security measures are in place when personal information is processed.

2.2 Control Collection and Processing of Personal Information

BN Kirk is committed to sufficiently protecting and using information in a manner that facilitates transparency by providing answers to relevant questions posed relating to the key POPI requirements:

- What is the reason for collecting the personal information?
- Usage - How and Why it is processed?
- Identify any personal information?
- What is the Sensitivity of the information?
- What is the format of the information?
- Where is the information stored?
- Who the personal information is shared with?
- Who will monitor this information?
- What is the process for archiving of the information?
- How is information disposed of?

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3. REFERENCES

- Protection of Personal Information Act, 2013 (POPI Act)
- QP 8.1: Impartiality and confidentiality policies
- QP 8.4: Control of Records
- QP 7.11 Control of Data and Information Management

4. POLICY

4.1 Core principles

BN Kirk (Natal) cc will maintain and develop reasonable protective measures against risks such as loss, unauthorised access, destruction, use, alteration or revelation of personal information. As Such BN Kirk commits to the following 6 key principles:

4.1.1 Accountability (section 8 of POPI) & Openness (sections 17 - 18 of POPI):

BN Kirk (Natal) cc upholds the requirements of the legislation on POPI and maintains an approach of transparency of operational procedures that controls collection and processing of personal information. BN Kirk (Natal) cc is committed to complying with all applicable regulatory requirements related to the collection and processing of personal information.

4.1.2 Processing Limitation (sections 9 – 12 of POPI) & Further Processing Limitation (section 15 of POPI):

BN Kirk (Natal) cc undertakes to collect personal information in a legal and reasonable way and to process the personal information obtained from clients only for the purpose for which it was obtained in the first place. Processing of personal information obtained from clients will not be undertaken in an insensitive or wrongful way that can intrude on the privacy of the client.

4.1.3 Data Subject Participation (sections 23 - 25 of POPI):

Employees or Suppliers can request certain personal information and may also be required to correct or delete personal information within the specifications of the POPI Act. BN Kirk (Natal) cc undertakes not to request or process information related to race, religion, medical situation, political preference, trade union membership, sexual certitude or criminal record. BN Kirk (Natal) cc will also not process information of juveniles.

4.1.4 Information Quality (section 16 of POPI):

BN Kirk (Natal) cc will ensure that accurate and sufficient information is on record of its clients and will be updated when necessary. BN Kirk (Natal) cc also undertakes not to provide any documentation to a third party or service provider without the consent of the client except where it is necessary for the proper execution of the service as expected by the client.

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4.1.5 Purpose Specific (sections 13 – 14 of POPI):

BN Kirk (Natal) cc is compelled to keep effective record of personal information and undertakes not to retain information for a period longer than specified in the Quality Management System QP 8.4: Control of Records. Information will be disposed at the end of the retention period in such a way that it cannot be reconstructed.

4.1.6 Security Safeguards (sections 19 - 22 of POPI):

BN Kirk (Natal) cc will secure the integrity and confidentiality of personal information in its possession as per Quality Management System QP 8.1: Impartiality and confidentiality policies and QP7.11 Control of Data and Information Management. BN Kirk (Natal) cc will provide the necessary security of data and keep it in accordance with prescribed legislation.

4.2 Appointment and Duties and Responsibilities of Information Officers

BN Kirk (Natal) cc has appointed an Information Officer and Deputy Information Officer in terms of the Act and the duties and responsibilities are as follows:

- The encouragement of compliance, by BN Kirk, with the conditions for the lawful processing of personal information.
- Managing requests made to BN Kirk pursuant to the Protection of Personal Information Act (POPI).
- Working with the Regulator in relation to investigations conducted pursuant to prior authorisation required to process certain information of this Act in relation to the business.
- Ensuring compliance by BN Kirk with the provisions of this Act. This is an ongoing responsibility that will include training of new staff and to update internal policies.

Any deviations from this policy or breach thereof or incidents that may relate to such a possibility must be reported to either the Information Officer or Deputy Information Officer.

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4.3 BN KIRK (NATAL) CC CUSTOMER PRIVACY NOTICE

4.3.1 Introduction

We respect the privacy of everyone who visits this website. As a result, we would like to inform you regarding the way BN Kirk (Natal) cc (hereafter referred to as BN Kirk) would use your Personal Information. We recommend you to read this Customer Privacy Notice and Consent so that you understand our approach towards the use of your Personal Information. By submitting your Personal Information to us, you will be treated as having given your permission – where necessary and appropriate – for disclosures referred to in this policy. By using this web site, you acknowledge that you have reviewed the terms of this Customer Privacy Notice and Consent to Use of Personal Information (the “Customer Privacy Notice and Consent”) and agree that we may collect, use and transfer your Personal Information in accordance therewith.

This Customer Privacy Notice explains how we obtain, use and disclose your personal information, as is required by the Protection of Personal Information Act, 2013 (POPI Act). At BN Kirk we are committed to protecting your privacy and to ensure that your Personal Information is collected and used properly, lawfully and openly.

4.3.2 Who we are:

BN Kirk (Natal) cc is a fully SANAS/ ISO 17025 accredited (T0535) and registered on the Department of Water Affairs Blue and Green Drop Systems as a Testing Laboratory. We undertake various projects for clients needing to comply with the National Water Act for both Potable and Waste Water.

Our Laboratory uses numerous registered analytical methods, of which several form part of our accreditation schedule. These parameters vary for bacteriological, physical, organic, inorganic, and heavy metal analysis. We offer a variety of additional services including monitoring of treatment processes, sample abstraction and delivery to our laboratory, interpretation of analysed samples, and reporting of findings to clients and authorities.

4.3.3 The information we collect:

4.3.3.1 Collection of Personal Information

We collect and process your Personal Information mainly to provide you with access to our services and products, to help us improve our offerings to you and for certain other purposes explained below. The type of information we collect will depend on the purpose for which it is collected and used. We will only collect information that we need for that purpose.

We collect information directly from you where you provide us with your personal details, for example when you purchase a product or services from us or when you submit enquiries to us or contact us.

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Where possible, we will inform you what information you are required to provide to us and what information is optional.

Examples of information we collect from you are:

- name
- address
- email address
- telephone/cell number
- user-generated content, posts and other content you submit to our web site
- data required for sampling and sample testing purposes such as:
 - Sample site details
 - Sample details
 - Contact information for persons on site
- Data used for reporting including:
 - Test results and test reports (Certificates of Analysis)
 - Communication details for reporting purposes
 - Report notification details

We also collect information about you from other sources as explained below.

With your consent, we may also supplement the information that you provide to us with information we receive from other companies in our industry in order to offer you a more consistent and personalized experience in your interactions with BN Kirk.

4.3.3.2 Collection of Non-Personal Information

We may automatically collect non-Personal Information about you such as the type of internet browsers you use or the website from which you linked to our website. We may also aggregate details which you have submitted to the site (for example, the products or services you are interested in). You cannot be identified from this information and it is only used to assist us in providing an effective service on this web site. We may from time-to-time supply third parties with this non-personal or aggregated data for uses in connection with our website.

4.3.4 Cookies policy

We use the term “cookies” to refer to cookies and other similar technologies covered by the POPI Act on privacy in electronic communications.

4.3.4.1 What is a cookie?

Cookies are small data files that your browser places on your computer or device. Cookies help your browser navigate a website and the cookies themselves cannot collect any information stored on your computer or your files. When a server uses a web browser to read cookies, they can help a website deliver a

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more user-friendly service. To protect your privacy, your browser only gives a website access to the cookies it has already sent to you.

4.3.4.2 Why do we use cookies?

We use cookies to learn more about the way you interact with our content and help us to improve your experience when visiting our website. Cookies remember the type of browser you use and which additional browser software you have installed. They also remember your preferences, such as language and region, which remain as your default settings when you revisit the website. Cookies also allow you to rate pages and fill in comment forms. Some of the cookies we use are session cookies and only last until you close your browser, others are persistent cookies which are stored on your computer for longer. For further details on the various types of cookies that we use, please read our cookie policy.

4.3.4.3 How are third party cookies used?

For some of the functions within our websites we use third party suppliers, for example, when you visit a page with videos embedded from or links to YouTube. These videos or links (and any other content from third party suppliers) may contain third party cookies and you may wish to consult the policies of these third-party websites for information regarding their use of cookies. For further details on the third-party cookies that we use, please read our page on cookie types.

4.3.4.4 How do I reject and delete cookies?

We will not use cookies to collect personally identifiable information about you. However, should you wish to do so, you can choose to reject or block the cookies set by the websites of any third-party suppliers by changing your browser settings – see the Help function within your browser for further details. Please note that most browsers automatically accept cookies so if you do not wish cookies to be used you may need to actively delete or block the cookies.

You can also visit www.allaboutcookies.org for details on how to delete or reject cookies and for further information on cookies generally. For information on the use of cookies in mobile phone browsers and for details on how to reject or delete such cookies, please refer to your handset manual. Note, however, that if you reject the use of cookies you will still be able to visit our websites but some of the functions may not work correctly.

4.3.5 How we use your information?

We will use your Personal and Non-Personal Information only for the purposes for which it was collected or agreed with you, for example:

- Analyse the effectiveness of our advertisements, competitions and promotions
- Collect information about the device you are using to view the site, such as your IP address or the type of Internet browser or operating system you are using, and link this to your Personal Information so as to ensure that the site presents the best web experience for you

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- Evaluate the use of the site, products and services
- For audit and record keeping purposes
- For market research purposes
- For monitoring and auditing site usage
- Help speed up your future activities and experience on the site. For example, a site can recognise that you have provided your Personal Information and will not request the same information a second time.
- In connection with legal proceedings
- Make the site easier to use and to better tailor the site and our products to your interests and Needs.
- Offer you the opportunity to take part in competitions or promotions
- Personalise your website experience, as well as to evaluate (anonymously and in the aggregate) statistics on website activity, such as what time you visited it, whether you've visited it before and what site referred you to it
- Suggest products or services (including those of relevant third parties) which we think may be of interest to you
- To assist with business development
- To carry out our obligations arising from any contracts entered into between you and us
- To conduct market or customer satisfaction research or for statistical analysis
- To confirm and verify your identity or to verify that you are an authorised customer for security purposes
- To contact you regarding products and services which may be of interest to you, provided you have given us consent to do so or you have previously requested a product or service from us and the communication is relevant or related to that prior request and made within any timeframes established by applicable laws.
- To notify you about changes to our service
- To respond to your queries or comments
- We will also use your Personal Information to comply with legal and regulatory requirements or industry codes to which we subscribe or which apply to us, or when it is otherwise allowed by law.
- Where we collect Personal Information for a specific purpose, we will not keep it for longer than is necessary to fulfil that purpose, unless we have to keep it for legitimate business or legal reasons. In order to protect information from accidental or malicious destruction, when we delete information from our services, we may not immediately delete residual copies from our servers or remove information from our backup systems.
- You can opt out of receiving communications from us at any time. Any direct marketing communications that we send to you will provide you with the information and means necessary to opt out.

4.3.6 Disclosure of Personal Information

We may disclose your Personal Information to our business partners who are involved in the delivery of products or services to you. We have agreements in place to ensure that they comply with these privacy terms.

We may share your Personal Information with, and obtain information about you from:

- Third parties for the purposes listed above;
- Other companies in our industry when we believe it will enhance the services and products, we can offer to you, but only where you have not objected to such sharing;
- Other third parties from whom you have chosen to receive marketing information.

We may also disclose your information:

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- Where we have a duty or a right to disclose in terms of law or industry codes;
- Where we believe it is necessary to protect our rights.

4.3.7 Personal Information Security

We are legally obliged to provide adequate protection for the Personal Information we hold and to stop unauthorised access and use of personal information. We will, on an on-going basis, continue to review our security controls and related processes to ensure that your Personal Information is secure.

Our security policies and procedures cover:

- Acceptable usage of personal information;
- Access to personal information;
- Computer and network security;
- Governance and regulatory issues;
- Investigating and reacting to security incidents.
- Monitoring access and usage of personal information;
- Physical security;
- Retention and disposal of information;
- Secure communications;
- Security in contracting out activities or functions;

When we contract with third parties, we impose appropriate security, privacy and confidentiality obligations on them to ensure that Personal Information that we remain responsible for, is kept secure.

We will ensure that anyone to whom we pass your Personal Information agrees to treat your information with the same level of protection as we are obliged to.

4.3.8 Access to your Personal Information

You have the right to request a copy of the Personal Information we hold about you. To do this, simply contact us at the numbers/addresses listed on our home page and specify what information you would like. We will take all reasonable steps to confirm your identity before providing details of your personal information.

Please note that any such access request may be subject to a payment of a legally allowable fee, as laid down in our POPI Act Policy.

4.3.9 Correction of your Personal Information

You have the right to ask us to update, correct or delete your personal information. We will take all reasonable steps to confirm your identity before making changes to Personal Information we may hold about you. We would appreciate it if you would take the necessary steps to keep your Personal

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Information accurate and up-to-date by notifying us of any changes we need to be aware of.

4.3.10 Definition of Personal Information

According to the POPI Act "Personal Information" means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person. The POPI Act, which has more specific examples if you need them, can be found at the following link:

www.gov.za/documents/download.php?f=204368

4.3.11 Changes to this notice

Please note that we may amend this notice from time to time. Please check our website periodically to inform yourself of any changes.

4.3.12 How to contact us

If you have any queries about this notice or believe we have not adhered to it, or need further information about our privacy practices or wish to give or withdraw consent, exercise preferences or access or correct your personal information, please contact us at the numbers/addresses listed on our website

www.bnkirk.co.za

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4.4 BN KIRK (NATAL)CC POLICY FOR OBTAINING CONSENT FROM CUSTOMERS / MEMBERS

BN Kirk (Natal) cc (hereafter referred to as BN Kirk) collects personal information from when you register with us for business purposes. We will only use this information to carry out the processes for the purpose for which you registered with us.

We will protect your personal information in accordance with our Customer Privacy Notice and the provisions of the Protection of Personal Information Act, 2013 (South Africa). If you agree, we will use your information to send marketing information to you.

BN Kirk will not share your personal information with external companies. Personal information will be protected in accordance with the conditions contained in Protection of Personal Information Act, No 4 2013 (South Africa).

For more information explaining how we use your personal information, please see our Customer Privacy Notice available at www.bnkirk.co.za

4.5 BN KIRK (NATAL) CC POLICY FOR CONDITION FOR SPECIFIC PURPOSE

BN Kirk (Natal) cc will only collect personal information from you when the purpose for collection been explicitly defined and agreed. We undertake to ensure that as the data subject, you are aware of the purpose for collecting your personal information.

Where reasons for processing for further purposes arise, these will be explicitly defined and agreed. For more information explaining how we use your personal information, please see our Customer Privacy Notice.

4.6 BN KIRK (NATAL) CC POLICY FOR ENSURING INFORMATION QUALITY

BN Kirk (Natal) cc will take reasonable steps to ensure that information is complete, accurate, not misleading and, where necessary, updated.

BN Kirk will ensure that appropriate information security measures are established to ensure that personal information is protected in line with industry practices and standards. For more information explaining how we use your personal information, please see our Customer Privacy Notice available at www.bnkirk.co.za

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4.7 BN KIRK (NATAL) CC POLICY FOR CONSENT NOTICE FOR NOTIFICATION TO DATA SUBJECT

BN Kirk (Natal) cc will ensure that you, as the data subject, are made aware of information being collected. If the data has not been collected directly from the data subject, the source of collection will be provided together with name and address of the party. The purpose of collection will be provided.

Information relating to the following will also be provided where relevant:

- Whether the supply of information by the data subject is voluntary or mandatory;
- The consequences of failing to provide information
- The legislation requiring the collection of information
- If information is to be transferred to another country, information relating to the laws that will protect the information.

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| Approved by: D. Bester | Sign:  | Date: 29 June 2021 |
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