

PRIVACY POLICY

1. INTRODUCTION

- 1.1 Defined terms used in this Policy are explained in **Annexure A**.
- 1.2 Railway Furnishers Pty Ltd ("**Railway Furnishers**") is sensitive to the personal nature of the information you provide to Railway Furnishers.
- 1.3 This privacy policy ("**this Policy**") explains how Railway Furnishers protects and uses your Personal Information.
- 1.4 By providing Railway Furnishers with your Personal Information, you –
 - 1.4.1 agree to this Policy and authorise Railway Furnishers to process such information as set out herein; and
 - 1.4.2 authorise Railway Furnishers, its Associates, Railway Furnishers' Service Providers and other third parties to Process your Personal Information for the purposes stated in this Policy.
- 1.5 Railway Furnishers will not use your Personal Information for any purpose other than that set out in this Policy and will endeavour to protect your Personal Information that is in Railway Furnishers' possession from unauthorised alteration, loss, disclosure or access.
- 1.6 Please note that Railway Furnishers may review and update this Policy from time to time. The latest version of this Policy is available on request.
- 1.7 This Policy applies to all external parties with whom Railway Furnishers interact, including but not limited to, individual clients, representatives of client organisations, visitors to Railway offices, and other users of Railway Furnishers' services ("**you**").

2. COLLECTION OF PERSONAL INFORMATION

2.1 Railway Furnishers may collect or obtain Personal Information about you -

2.1.1 directly from you;

2.1.2 in the course of Railway Furnishers' relationship with you;

2.1.3 in the course of providing services to you;

2.1.4 when you make your Personal Information public;

2.1.5 when you visit and/or interact with Railway Furnishers' Website or Railway Furnishers' various social media platforms;

2.1.6 when you register to use any of Railway Furnishers' services including, but not limited to, newsletters;

2.1.7 when Railway Furnishers performs any background check on you for the purpose of Railway Furnishers complying with its obligations in terms of the Financial Intelligence Centre Act 38 of 2001;

2.1.8 when you interact with any third party content or advertising on Railway Furnishers' Website; or

2.1.9 when you visit Railway Furnishers' offices.

2.2 Railway Furnishers may also receive Personal Information about you from third parties (e.g. law enforcement authorities).

2.3 In addition to the above, Railway Furnishers may create Personal Information about you such as records of your communications and interactions with Railway Furnishers, including, but not limited to, your attendance at events or at interviews in the course of applying

for a job with Railway Furnishers, subscription to Railway Furnishers' newsletters and other mailings and interactions with you during the course of Railways Furnishers' digital marketing campaigns.

3. CATEGORIES OF PERSONAL INFORMATION RAILWAY FURNISHERS MAY PROCESS

Railway Furnishers may process the following categories of Personal Information about you -

- 3.1 personal details such as your name and photograph;
- 3.2 demographic information such as your gender, date of birth/age, nationality, salutation, title and/or language preferences;
- 3.3 identifier information such as your passport or national identity number, utility provider details, bank statements and/or tenancy agreements;
- 3.4 contact details such as your correspondence address, telephone number, email address, and/or details of your public social media profile(s);
- 3.5 instruction details such as the details of individuals instructing Railway Furnishers, Personal Information included in correspondence, documents, or other materials that Railway Furnishers Processes in the course of providing services;
- 3.6 attendance records such as the details of meetings and other events organised by or on behalf of Railway Furnishers that you have attended;
- 3.7 consent records such as records of any consents you may have given, together with the date and time, means of consent and any related information;

- 3.8 payment details such as your billing address, payment method, bank account number or credit card number, invoice records, payment records, SWIFT details, IBAN details, payment amount, payment date and/or records of cheques;
- 3.9 data relating to your visits to Railway Furnishers' Website: your device type; operating system; browser type; browser settings; IP address; language settings; dates and times of connecting to a Website; and other technical communications information;
- 3.10 employer details such as where you interact with Railway Furnishers in your capacity as an employee of an organisation, the name, address, telephone number and/or email address of your employer (to the extent relevant); and/or
- 3.11 content and advertising data such as records of your interactions with Railway Furnishers' online advertising and content, records of advertising and content displayed on pages displayed to you and/or any interaction you may have had with such content and/or advertising (including, but not limited to, mouse hover, mouse clicks and/or any forms you complete).

4. SENSITIVE PERSONAL INFORMATION

Where Railway Furnishers needs to Process your Sensitive Personal Information, Railway Furnishers will do so in the ordinary course of Railway Furnishers' business, for a legitimate purpose, and in accordance with applicable law.

5. PURPOSES OF PROCESSING AND LEGAL BASES FOR PROCESSING

- 5.1 Railway Furnishers will Process your Personal Information in the ordinary course of the business of providing services. Railway Furnishers will primarily use your Personal Information only for the purpose for which

it was originally or primarily collected. Railway Furnishers will use your Personal Information for a secondary purpose should such purpose constitute a legitimate interest and is closely related to the original or primary purpose for which the Personal Information was collected. Railway Furnishers may subject your Personal Information to Processing during the course of various activities, including, without limitation, the following -

- 5.1.1 operating Railway Furnishers' business;
 - 5.1.2 compliance with applicable law and fraud prevention;
 - 5.1.3 transfer of information to Railway Furnishers' Service Providers and/or other third parties; and/or
 - 5.1.4 recruitment.
- 5.2 Railway Furnishers may process your Personal Information for relationship management and marketing purposes in relation to Railways Furnishers' services (including, but not limited to, Processing that is necessary for the development and improvement of Railway Furnishers' services), for accounts management, and for marketing activities in order to establish, maintain and/or improve Railway Furnishers' relationship with you and with Railway Furnishers' Service Providers. Railway Furnishers may also analyse your Personal Information for statistical purposes.
- 5.3 Railways Furnishers may process your Personal Information for internal management and management reporting purposes, including but not limited to, conducting internal audits, conducting internal investigations, implementing internal business controls, providing central processing facilities, for insurance purposes and/or for management reporting analysis.
- 5.4 Railway Furnishers may Process your Personal Information for safety and security purposes.

6. DISCLOSURE OF PERSONAL INFORMATION TO THIRD PARTIES

- 6.1 Railway Furnishers may disclose your Personal Information to Railway Furnishers' Associates and Service Providers, for legitimate business purposes, in accordance with applicable law and subject to applicable professional and regulatory requirements regarding confidentiality. In addition, Railway Furnishers may disclose your Personal Information -
- 6.1.1 if required by law;
 - 6.1.2 legal and regulatory authorities, upon request, or for the purposes of reporting any actual or suspected breach of applicable law or regulation;
 - 6.1.3 third party Operators (including, but not limited to, data processors such as providers of data hosting services and document review technology and services), located anywhere in the world, subject to 6.2;
 - 6.1.4 where it is necessary for the purposes of, or in connection with, actual or threatened legal proceedings or establishment, exercise or defence of legal rights;
 - 6.1.5 to any relevant party for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including but not limited to, safeguarding against, and the prevention of threats to public security;
 - 6.1.6 to any relevant third party acquirer(s), should Railway Furnishers sell or transfer all or any portion of Railway Furnishers' business or assets (including, but not limited to, in the event of a reorganization, dissolution or liquidation); and/or

6.1.7 to any relevant third party provider, where Railway Furnishers' Website uses third party advertising, plugins or content.

6.2 Should Railway Furnishers engage a third party Operator to Process any of your Personal Information, Railway Furnishers recognises that any Operator who is in a foreign country must be subject to a law, binding corporate rules or binding agreements which provide an adequate level of protection similar to POPIA. Railway Furnishers will review its relationships with Operators it engages and, should any applicable law require, Railway Furnishers will require such Operators to be bound by contractual obligations to -

6.2.1 only Process such Personal Information in accordance with Railway Furnishers' prior written instructions; and

6.2.2 use appropriate measures to protect the confidentiality and security of such Personal Information.

7. **INTERNATIONAL TRANSFER OF PERSONAL INFORMATION**

7.1 Railway Furnishers may transfer your Personal Information to recipients outside of the Republic of South Africa.

7.2 Subject to 6.2, Personal Information may be transferred outside of the Republic of South Africa provided that the country to which the data is transferred has adopted a law that provides for an adequate level of protection substantially similar to POPIA, the Operator/third party undertakes to protect the Personal Information in line with applicable data protection legislation and the transfer is necessary in order to provide the services that are required by Railway Furnishers' clients.

8. **DATA SECURITY**

- 8.1 Railway Furnishers implements appropriate technical and organisational security measures to protect your Personal Information that is in Railway Furnishers' possession against accidental or unlawful destruction, loss, alteration, unauthorised disclosure and/or unauthorised access, in accordance with applicable law.
- 8.2 Where there are reasonable grounds to believe that your Personal Information that is in Railway Furnishers possession has been accessed or acquired by any unauthorised person, Railway Furnishers will notify the relevant regulator and you, unless a public body responsible for detection, prevention or investigation of offences or the relevant regulator informs Railway Furnishers that notifying you will impede a criminal investigation.
- 8.3 Because the internet is an open system, the transmission of information via the internet is not completely secure. Although Railway Furnishers will implement all reasonable measures to protect your Personal Information that is in Railway Furnishers' possession, Railway Furnishers cannot guarantee the security of any information transmitted using the internet and Railway Furnishers cannot be held liable for any loss of privacy occurring during the course of such transmission.

9. **DATA ACCURACY**

The Personal Information provided to Railway Furnishers should be accurate, complete and up to date. Should Personal Information change, the onus is on the provider of such data to notify Railway Furnishers of the change and provide Railway Furnishers with the accurate data.

10. **DATA MINIMISATION**

Railway Furnishers will restrict its processing of Personal Information to data which is sufficient for the fulfilment of the primary purpose and applicable legitimate purpose for which it was collected.

11. **DATA RETENTION**

Railway Furnishers shall only retain and store Personal Information for the period for which the data is required to serve its primary purpose or a legitimate interest or for the period required to comply with an applicable legal requirement, whichever is longer.

12. **YOUR LEGAL RIGHTS**

You may have rights under the South African and other laws to have access to your Personal Information and to request Railway Furnishers to rectify, erase and restrict use of your Personal Information. You also have the right to object to your Personal Information being used, to request the transfer of Personal Information you have made available to Railway Furnishers and to withdraw consent to the use of your Personal Information.

13. **DIRECT MARKETING**

13.1 Railway Furnishers may Process your Personal Information for the purposes of providing you with information regarding services that may be of interest to you. You may unsubscribe for free at any time.

13.2 Should you currently receive marketing information from Railway Furnishers which you would prefer not to receive in the future please email Railway Furnishers at popi@railfurn.co.za.

14. **CONTACT DETAILS**

14.1 You may contact Railway Furnishers at –

The Data Protection Officer - Railway Furnishers

Attention: Antoinette Joubert

Telephone: +27 12 327 3530

Email: popi@railfurn.co.za

Date: 23/6/2021

ANNEXURE A - DEFINITIONS

"**Associates**" means Railway Furnishers' shareholders, Railway Furnishers subsidiaries and/or the directors, employees and consultants of Railway Furnishers or of any of its subsidiaries.

"**Operator**" means any person or entity that Processes Personal Information on behalf of the Responsible Party.

"**Person**" means "a natural person or a juristic person;

"**Personal Information**" means information that is about any Person, or from which any Person is directly or indirectly identifiable, in particular by reference to an identifier such as a name, an identification number, a registration number (where it is applicable), location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that Person (where it is applicable).

"**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 -

- 14.2 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;
- 14.3 information relating to the education or the medical, financial, criminal or employment history of the person;
- 14.4 any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
- 14.5 the biometric information of the person;

- 14.6 the personal opinions, views or preferences of the person;
- 14.7 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;
- 14.8 the views or opinions of another individual about the person; and
- 14.9 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;

"**POPIA**" means the Protection of Personal Information Act 4 of 2013, as amended.

"**Process**", "**Processes**", "**Processing**" or "**Processed**" means anything that is done with any Personal Information, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

"**Responsible Party**" means the entity that decides how and why Personal Information is Processed.

"**Sensitive Personal Information**" means Personal Information about race or ethnicity, political opinions, religious or philosophical beliefs, trade union membership, physical or mental health, sexual life, any actual or alleged criminal offences or penalties, national identification number, or any other information that may be deemed to be under applicable law.

"**Service Provider**" means third party providers of various services whom Railway Furnishers engage, including, but not limited to, providers of information technology, communication, file storage, data storage, copying, printing, accounting or auditing services, counsel, experts, investigators,

correspondent attorneys, translators, taxation consultants and/or Railway Furnishers' insurers and professional advisors.

"Website" means any website operated, or maintained, by Railway Furnishers or on Railway Furnishers' behalf.