

## PROTECTION OF PERSONAL INFORMATION ACT

### NCT PROCESSING NOTICE – HUMAN RESOURCES

#### 1. Purpose of this notice and terms

1.1 We, NCT Forestry Agricultural Co-operative Limited (Registration number:1949/000002/24) together with our subsidiaries and trading partners, (collectively referred to as “we”, “us”, or “NCT”) in our capacity as a Responsible Party, in order to engage with you, 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, 4 of 2013 (hereinafter referred to as “POPIA”), which regulates and controls the processing of a legal entity’s and / or an individual’s Personal Information in South Africa, (hereinafter referred to as a “Data Subject”), which processing includes the collection, use, and transfer of a Data Subject’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:

1.2.1 **"consent"**, means the consent which you, in your capacity as a Data Subject, may have to give to us, under certain circumstances, to process your Personal Information, which 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 your consent can be demonstrated by way of your actions;

1.2.2 **"Data Subject"**, means you, the person who owns and who will provide us with your Personal Information for processing;

1.2.3 **"Operator"** is any person who processes your Personal Information on our behalf as a contractor, in terms of a contract or mandate, without coming under our direct authority. These persons for illustration purposes may include verification agencies, advertising and public relations agencies, call centres, service providers, auditors, legal practitioners, and / or organs of state, including government, provincial and municipal entities and bodies;

1.2.4 **"Personal Information"** means Personal Information relating to any identifiable, living, natural person, and an identifiable, existing legal entity, namely the Data Subject, including, but not limited to —

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; vehicle registration; dietary preferences; financial history; information about your next of kin and or dependents; information relating to your education or employment history; personal views and opinions, confidential correspondence; Special Personal Information including race, gender, national, ethnic or social origin, colour, disability, criminal history, including offences committed or alleged to have been committed, and biometric information, such as images and fingerprints; company registration details, B-BBEE score card, description of operations, details about your employees, business partners, customers, tax number, VAT number.

- 1.2.5 **"processing" / "process" or "processed"** means in relation to Personal Information, the collection, receipt, recording, 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 until destruction of such information when no longer required;
- 1.2.6 **"Responsible Party"** means us, the person who is processing your Personal Information;
- 1.3 In terms of POPIA, where a person processes another's Personal Information, such processing must be done in a lawfully and in accordance with the provisions, principles and conditions set out under POPIA.
- 1.4 In order to comply with POPIA, a Responsible Party processing a Data Subject's Personal Information must:
- 1.4.1 provide the Data Subject with a number of details pertaining to the processing of the Data Subject's Personal Information, before such information is processed; and
- 1.4.2 get permission or consent, explicitly or implied, from the Data Subject, to process his / her / its Personal Information, unless such processing:
- is necessary to carry out actions for the conclusion or performance of a contract to which the 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 Data Subject; ii) the Responsible Party; 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.

- 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 process 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:

- 2.1.1 **Applicants:** persons who wish to apply for an employment position, within NCT, or who wish to apply for a learnership, bursary, scholarship, or study assistance;
- 2.1.2 **Employees:** persons who are employed by NCT irrespective of whether it is permanent, temporary, or fixed term contract;
- 2.1.3 **Employee family members and dependents:** insofar as the information relates to benefits and contact details
- 2.1.4 **Students:** persons who have been granted a bursary, learnership, scholarship, or study assistance by NCT;

## 3. Purpose for processing your personal information

- 3.1 Your Personal Information will be processed by us for the following purposes:

- **Assessment and Due diligence purposes - legitimate purpose:** To carry out a due diligence before we decide to engage or interact with you, including obtaining and verifying your credentials and personal information.
- **B-BBEE and Employment Equity- compliance with laws:** To comply with B-BBEE and to monitor or report B-BBEE requirements, opportunities and related diversity issues, including using your details in B-BBEE reports and score cards.
- **Communications- legitimate purpose:** To make contact with you and to communicate with you and your dependents.
- **Employment- potential – legitimate purpose:** To conduct and communicate with you regarding recruiting, potential employment and human resources administration.
- **Employment - actual - to contract with you:** To conclude an employment contract with you, and to manage the employment relationship including managing you, communicating with you regarding your employment, performing human resources administration, operational, financial, and organisational matters,

providing you with training and skills development, providing you with employee benefits such as pension and medical aid benefits, and conducting performance assessments and disciplinary matters.

- **Attending to financial matters pertaining to your employment- contract and legitimate purpose :** To administer payroll including payment of statutory levies, deductions, fees owed to third parties, registrations, subscriptions, or payment of refunds.
- **IR and Labour relations - compliance with laws:** To manage membership to trade unions and collective agreements for administering collective employee arrangements where these are in place.
- **Legal obligations, litigation, insurance and public duties:** To comply with the law and legal obligations, including the requirement to register with regulators, obtain and hold permits and certificates, register for VAT, Tax, PAYE, SDL, COIDA and UIF, customs and excise, etc. and to pay levies and fees due in respect thereof, by NCT or others, to submit legal or statutory reports or provide various regulatory or statutory notices or returns, to litigate and / or to pursue or defend legal claims or collections, to attend to insurance claims and related procedures, to respond to a request or order from a SAPS official, investigator or court official, regulator, or public authority.
- **Occupational health - compliance with laws:** To manage occupational health and absence and fitness for work and notifying family members in emergencies.
- **Operational issues - compliance with laws and manage the contract:** To communicate, enforce and ensure you comply with our policies, including in relation to legal obligations, claims or actions or legal requirements and conducting investigations and incident responses, including reviewing your communications in these situations in accordance with relevant internal policies and applicable law.
- **Research and development purposes - consent required:** To conduct internal research and development for new content, products, and services, and to improve, test, and enhance the features and functions of our current goods and services.
- **Risk assessment and anti-bribery and corruption matters-legitimate purpose:** To carry out vendor, organisational and enterprise wide risk assessments, and due diligences, in order to detect and prevent bribery, corruption, fraud and abuse, to comply with laws, as well as to identify and authenticate your access to and to provide you with access to our goods, services or premises and generally to ensure the security and protection of all persons including employees, and persons when entering or leaving our sites and operations or facilities 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, services, customers or employees and / or other third parties where applicable.

- **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).
- **Scholarships, bursaries, study assistance, and learnership recipients – to contract with you:** To investigate whether we are able or willing to conclude a contract with you based on the findings of any due diligence, and if in order to conclude a scholarship, bursary, study assistance, or CSI contract and to manage the relationship.
- **Security purposes: legitimate purpose and to comply with laws:** to permit you access to our offices, facilities, manufacturing or parking areas, as well as to controlled 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.
- **Time and Attendance assessment:** to monitor your reporting for duties and to calculate your remuneration.
- **Travel:** To facilitate business travel, travel-related support including conference attendance, bookings, and emergency support services.

#### 4. What information do we collect from you?

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

- **Account Information,** including banking details, security-related information (including user names and passwords, authentication methods, and roles), and similar data, all which are required to perform contractual matters.
- **Career, Education, and Employment Related Information,** such as work performance and history, nationality and immigration status, demographic data, disability-related information, professional licensure information and related compliance activities, accreditations and other accolades, education history (including schools attended, academic degrees or areas of study, academic performance, and rankings), and similar data, which are required for contractual or consultancy related matters or which are required to comply with laws and public duties.
- **Children, family and dependents**– only in so far as it is necessary to provide employee benefits which extend to the employee's family and to keep as emergency contacts.

- **Contact information**, such as name, alias, address, identity number, passport number, security number, phone number, cell phone number, vehicle make and registration number, social media user ID, email address, and similar contact data, serial numbers of equipment, details regarding the possession of dangerous weapons, and other contact information including details of your previous employer, memberships or affiliations, are required for various legitimate interest, contractual and / or lawful reasons.
- **Demographic Information:** such as country, preferred language, age and date of birth, marriage status, gender, physical characteristics, personal or household / familial financial status and metrics, and similar data, which are required for various legitimate interests, as well as contractual and / or other legal reasons.
- **Device & Browser Information**, such as network and connection information (including Internet Service Provider (ISP) and Internet Protocol (IP) addresses), device and browser identifiers and information (including device, application, or browser type, version, plug-in type and version, operating system, user agent, language and time zone settings, and other technical information), advertising identifiers, cookie identifiers and information, and similar data, which are required to perform contractual matters and / or to ensure that security safeguards are in place.
- **Financial Information and Tax**, such as 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 services or attend to queries or to ensure that security safeguards are in place and / or which are required to comply with laws and public duties.
- **Health records** such as medical status and history, examinations, blood type, medical aid history, disability-related information, biometrics, medicals, psychometrics and similar data, which are required for contractual related matters or which are required to comply with laws and public duties and offer fair employment benefits.
- **Images and Biometric information** such as still pictures, video, voice, finger prints, retina details and other similar data, which are required to perform contractual matters and / or in order to provide you access to services and facilities or attend to queries or to ensure that security safeguards are in place.
- **Location Data**, such as the location of your device, your household, and similar location data, which are required to perform contractual matters and / or in order to provide you access to services or attend to queries or to ensure that security safeguards are in place.
- **Public issued Identity Information**, such as government-issued identification information, tax identifiers, social security numbers, other government-issued identifiers, and similar data, which are required to comply with laws and public duties.

- **Social Media and Online Content**, such as information placed or posted in social media and online profiles, online posts, and similar data, which are required to perform contractual matters and / or in order to provide you access to services or attend to queries.
- **Specific identifiers**, which are required in order to protect legitimate interests, comply with legal obligations or public legal duties, such as your race (B-BBEE related), sexual and medical history including any medical conditions (to comply with laws and related to correct and fair treatment issues), trade union matters ( to comply with laws and related to correct and fair treatment issues), and financial, credit, deviant and criminal history (to protect our legitimate interests and to perform risk assessments).
- **Usage Information and Browsing History**, such as usage metrics (including usage rates, occurrences of technical errors, diagnostic reports, settings preferences, backup information, API calls, and other logs), content interactions (including searches, views, downloads, prints, shares, streams, and display or playback details), and user journey history (including clickstreams and page navigation, URLs, timestamps, content viewed or searched for, page response times, page interaction information (such as scrolling, clicks, and mouse-overs), and download errors), advertising interactions (including when and how you interact with marketing and advertising materials, click rates, purchases or next steps you may make after seeing an advertisement, and marketing preferences), and similar data which are required to perform contractual matters and / or in order to provide you access to services or attend to queries or to ensure that security safeguards are in place.
- **User Content**, such as content of communications, suggestions, questions, comments, feedback, and other information you send to us, that you provide to us when you contact us, or that you post on our websites, applications, mobile applications, or social media portals or platforms including information in alerts, folders, notes, and shares of content), and similar data which are required to perform contractual matters and / or in order to provide you access to services or attend to queries.

## 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;

- Enquire about, or apply for a position with NCT, including requesting or signing up for information;
- Express an interest in working with us or apply for a job or position or bursary, learnership or scholarship with us;
- Take up a job or position with us;
- Conclude a contract with us;
- Communicate with us electronically, verbally, in writing, or in person;
- Complete a questionnaire, or other information request form.

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

- Search for, visit, interact with, or use our websites, applications, mobile applications, or social media portals or platforms.
- Use our goods or services (including through a device).
- Access, use, or download content from us.
- Open emails or click on links in emails or advertisements from us.
- Otherwise interact or communicate with us.

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

- Recruitment or employment agencies, previous employees and colleagues;
- Your previous employer;
- Regulators, professional or industry organisations and certification / licensing 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 utilise to deliver services;
- SAPS, Home Affairs, Credit bureaus and other similar agencies;
- 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

When we share information, we share what is necessary or required by law. We share Personal Information for the purposes set out in this Privacy Notice with the following categories of recipients:

- **Advertisers.** We may share your Personal Information with advertisers, advertising exchanges, and marketing agencies that we engage for advertising services, to deliver advertising, and to assist us in advertising our brand and products and services. Those advertising services may also target advertisements on third party websites based on cookies or other information indicating previous interaction with us and/or ourselves.
- **Business Partners.** We may share your Personal Information with our business partners to jointly offer, provide, deliver, analyse, administer, improve, and personalise products or services or to host events. We may also pass certain requests from you or your organisation to these business providers.
- **Cyber Third Party Service Providers** -We may share your Personal Information with our cyber service providers to perform tasks on our behalf and which are related to our relationship with you, including those who provide technical and/or customer support on our behalf, who provide application or software development and quality assurance, who provide tracking and reporting functions, research on user demographics, interests, and behaviour, and other products or services. These service providers may also collect Personal Information about or from you in performing their services and/or functions. We may also pass certain requests from you or your organisation to these service providers.
- **Employees and our affiliates.** We may share your Personal Information amongst our employees, affiliates and the companies within our Group for business and operational purposes.
- **Trade Unions, Employer Organisations, Bargaining Councils and SETAS.** Where you have become a member of a trade union, we are obligated to share certain personal information with the union and in some instances with Employer Organisations Bargaining Councils and SETAS.
- **Training Providers.** We will share the necessary information with training providers when you participate in any NCT subsidised training program.
- **Merger, Sale, or Change of Control.** We may transfer this Privacy Statement 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.
- **NCT members** – in so far as it may be required for reporting purposes.
- **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.

- **Third Party Content Providers.** We may share your Personal Information with our third party content providers to perform tasks on our behalf and to assist us in providing, delivering, analysing, administering, improving, and personalising content related to our relationship with you, including financial benefits etc. and may to this end pass certain requests from you to these providers.
- **Third Party Service Providers.** We may share your Personal Information with our third party service providers to perform 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 personalising such services or products. This also includes service providers who offer physical warehouse and cloud storage solutions.
- **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 our terms and conditions or other rights (including investigations of potential violations of our rights), to detect, prevent, or address fraud or security issues, or to protect against harm to the rights, property, or safety of the group, our employees, any users, or the public.

## 7. Security of information

- 7.1 The security of your Personal Information is important to us. Taking into account 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 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 and in some cases in hard copy in files and records, which information, for operational reasons, will be accessible to and / or provided to persons employed or contracted by us on a need to know basis.
- 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 our 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 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 not mentioned above. Where necessary such disclosure will 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 have certain rights, which are detailed below and which may be exercise by using the relevant forms housed on our website. You have the right:
- To have personal information processed in accordance with the POPIA which includes the right to withdraw consent;
  - To be notified about why personal information is being collected;
  - To be notified when personal information was accessed and/or acquired by an unauthorised party;
  - To know that NCT holds your personal information and to request access to it;
  - To request the correction, destruction or deletion of personal information, it being understood that such destruction may result in a termination of any business relationship with NCT;
  - To object, on reasonable ground, to processing of personal information, it being understood that processing may be necessary for the business relationship with NCT;

- Not to have data processed for direct marketing through unsolicited electronic communications;
- Not to be subjected to a decision based on profiling through automated processing of data;
- To submit a complaint to the Regulator;
- To institute civil proceedings for damages against a party who has contravened the Act.

## **10. Changes to this privacy statement**

- 10.1 As the laws change or our business needs change over time, this Processing Notice is expected to change as well.
- 10.2 NCT reserves 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 the NCT Website.
- 10.3 We therefore request that you to visit our Website frequently in order to keep abreast with any changes.

## **11. Processing other person's personal information**

- 11.1 If you process another's Personal Information on NCT's 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 authorised 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.

## **12. Acceptance and binding nature of this document**

- 12.1 By providing NCT 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 particular Personal Information.
- 12.2 Where you provide us with another person's Personal Information for processing, you confirm that you have obtained the required permission from such person (s) to provide us with their Personal Information for processing.
- 12.3 The rights and obligations of the parties under this Processing Notice will be binding on, and will be of benefit to, each of the parties' successors in title and / or assigns where applicable.

### **13. Complaints or queries – contact us**

- 13.1 Any comments, questions or suggestions about this Processing Notice or our handling of your Personal Information should be emailed to our Information Officer, or Deputy Information Officer.

**Executive Head of the NCT Group**

General Manager

**Information Officer**

Manager: Administration Services

**Deputy Information Officer**

Manager: Information Technology Services

**Contact Details**

**Telephone Number**

(033) 897 8500

**Fax Number**

(033) 897 8501

**Email**

[informationofficer@nctforest.com](mailto:informationofficer@nctforest.com)

**Postal Address**

P.O. Box 13363

Cascades

Pietermaritzburg, 3202

**Registered Business Address**

37 McCarthy Drive

Montrose

Pietermaritzburg, 3201

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

- 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:

**Information Regulator**

General enquiries email [infoereg@justice.gov.za](mailto:infoereg@justice.gov.za)

Complaints email [complaints.IR@justice.gov.za](mailto:complaints.IR@justice.gov.za)