PROTECTION OF PERSONAL INFORMATION ACT ("POPIA")

POPIA promotes the protection of personal information. All Public and Private Bodies must be compliant with POPIA by 1 July 2021.

Please read our Privacy Policy carefully as it describes our collection, use, disclosure, retention and protection of your personal information.

This Policy applies to any website, application or service which references this Privacy Policy.

Where you provide us with, or we collect your personal information in any of the ways described in section 10 below, you agree that we may collect, store and use it:

(a) in order to perform our contractual obligations to you;

(b) based on our legitimate interests for processing (i.e. for internal administrative purposes, data analytics (see section 5 below for more information), direct marketing, maintaining automated back-up systems or for the detection or prevention of crime); or

(c) based on your consent, which you may withdraw at any time, as described in this Policy.

This Policy may be relevant to you even if you are not a customer of ours, and have never used a website, application or service of ours. We may have your personal information because we have received it from a user of a website, application or service of ours.

This Policy applies to all products, applications and services offered by **Cretemix Mixed Concrete (Pty) Ltd** (a company incorporated in South Africa with company registration number **2013/053051/07** and whose registered office address is **4 Foundry Lane, New Germany, 3610**), and its affiliates, but excludes any products applications or services that have separate Privacy Policies which do not incorporate this Privacy Policy.

1. INTRODUCTION

1.1. For purposes of this Policy:

1.1.1. **"Applicable Laws"** means all laws, regulations that Cretemix Mixed Concrete is required to comply with;

1.1.2. **"Client", "Supplier"** or **"you"** or **"yours"** or **"your"** means any prospective, new or existing client or supplier or vendor of Cretemix Mixed Concrete and its subsidiaries; and

1.1.3. **"Cretemix Mixed Concrete"** or **"we"** or **"us"** or **"ours"** or **"our"** means Cretemix Mixed Concrete (Pty) Ltd, its direct and indirect subsidiaries and business units

1.1.4. **"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 name, gender, marital status, age, (mostly as required by labour and credit laws); postal address and an identifying number of a person, e-mail address, physical address, telephone number, VAT number, registration number, location information, online identifier or other particular assignment to the person, correspondence of a private or confidential nature; and a name if it appears with other personal information relating to you or if disclosing your name itself will reveal information about you.

1.2. This Policy sets out how your personal information will be used by Cretemix Mixed Concrete and applies to any information, including personal and special personal information, you give to Cretemix Mixed Concrete or which Cretemix Mixed Concrete may collect from third parties.

1.3. It is important that you read this Policy carefully before submitting any personal information to Cretemix Mixed Concrete.

1.4. By submitting any personal information to Cretemix Mixed Concrete you provide consent to the processing of your personal information as set out in this Policy.

1.5. The provisions of this Policy are subject to mandatory, unalterable provisions of Applicable Laws;

1.6. Please do not submit any personal information to Cretemix Mixed Concrete if you do not agree to any of the provisions of this Policy. If you do not consent to the provisions of this Policy, or parts of the Policy, Cretemix Mixed Concrete may not be able to provide its products and services to you.

2. HOW TO CONTACT US

If you have any comments or questions about this Policy please contact the Information Officer at infopopia@cretemix.co.za**.**

3. AMENDMENT OF THIS POLICY

3.1. We may amend this Policy from time to time for any of the following reasons:

3.1.1. to provide for the introduction of new systems, methods of operation, services, products, property offerings or facilities;

3.1.2. to comply with changes to any legal or regulatory requirement;

3.1.3. to ensure that our Policy is clearer and more favourable to you;

3.1.4. to rectify any mistake that may be discovered from time to time; and/or

3.1.5. for any other reason which Cretemix Mixed Concrete, in its sole discretion, may deem reasonable or necessary.

3.2. Cretemix Mixed Concrete will take reasonable steps to notify you of such an amendment, including publication on our website.

It is your responsibility to check the website often - www.cretemix.co.za

4. PRIVACY AND INEMNITY

4.1. Cretemix Mixed Concrete takes your privacy and the protection of your personal information very seriously, and we will only use your personal information in accordance with this Policy and applicable data protection legislation. It is important that you take all necessary and appropriate steps to protect your personal information yourself.

4.2. We have implemented reasonable technical and operational measures to keep your personal information secure.

4.3. You hereby indemnify and hold Cretemix Mixed Concrete harmless from any loss, damages or injury that you may incur as a result of incorrect or incomplete personal information to Cretemix Mixed Concrete.

5. INFORMATION WHICH WE MAY COLLECT ABOUT YOU

5.1. You, as the data subject, consent to the collection of the following information about you:

5.1.1. personal and special personal information that may include your name, contact information including e-mail address, postal address, physical address, primary and secondary telephone numbers, date of birth; employment history, criminal history, ethnic origin, language, tax number (these specifically relate to employment applications); gender, age, financial information, VAT number, company registration number, (as required by law, relating to financial services and credit products and services), billing information, additional information which we are required or permitted by applicable legislation to collect and process, as well as information you elect to share publicly, including on social media and customer forums.

5.1.2. records of correspondence or enquiries from you or anyone acting on your behalf;

5.1.3. details of transactions you carry out with us;

5.1.4. details of contracts, sales or leases you carry out with us;

5.1.5. consumer credit information at any credit bureau or third party, subject to clauses 10.1.16. to 10.1.18. below.

5.2. Personal Information excludes:

5.2.1. information that has been made anonymous so that it does not identify a specific person;

5.2.2. permanently de-identified information that does not relate or cannot be traced back to you specifically; and

5.2.3. non-personal statistical information collected and compiled by us.

6. PROVIDING US WITH INFORMATION ABOUT OTHERS

6.1. If you provide us with personal information about someone else, you are responsible for ensuring that you comply with any obligation and consent obligations under applicable data protection laws in relation to such disclosure. In so far as required by applicable data protection laws, you must ensure that you have provided the required notices and have obtained the individual's explicit consent or otherwise have a legal basis to provide us with the information and that you explain to them how we collect, use, disclose and retain their personal information or direct them to read our Privacy Policy.

7. INFORMATION OF CHILDREN

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

8. SUPPLIERS AND VENDORS

8.1. In the course of our business agreement we may collect personal information about you as a data subject to ensure that the business agreement and matters relating to the agreement can be fulfilled.

8.2. We may also do due diligence on you to ensure that you meet the requirements set out in our procurement procedures.

8.3. If you provide any personal information of other persons to us, such as employees or your directors, you warrant that you are authorised to share their personal information with us for purposes set out in this Policy.

9 HOW WE COLLECT INFORMATION

9.1. You may provide personal information to us either directly or indirectly by completing an application form for our products and services or requesting further information about our products and services, whether in writing (email, fax, post), through our website, social media, over the telephone or any other means.

9.2. We may also collect your personal information for lawful purposes from your appointed agent, any regulator, or other third party that may hold such information.

10. USE OF INFORMATION COLLECTED

10.1. We may use, transfer and disclose your personal information for the purposes of:

10.1.1. providing you with the services, products or offerings you have requested, and notifying you about important changes to these services, products or offerings;

10.1.2. managing your account or relationship and complying with your instructions or requests;

10.1.3. detecting and preventing fraud and money laundering and/or in the interest of security and crime prevention;

10.1.4. assessing and dealing with complaints and requests;

10.1.5. operational, marketing, auditing, legal and record keeping requirements;

10.1.6. verifying your identity or the identity of your beneficial owner;

10.1.7. complying with Applicable Laws, including lawful requests for information received from local or foreign law enforcement, government and tax collection agencies;

10.1.8. recording and/or monitoring your telephone calls and electronic communications to/with Cretemix Mixed Concrete in order to accurately carry out your instructions and requests, to use as evidence and in the interests of crime prevention;

10.1.9. conducting market research and providing you with information about Cretemix Mixed Concrete's products or services from time to time via email, telephone or other means;

10.1.10. where you have unsubscribed from certain direct marketing communications, ensuring that we do not send such direct marketing to you again;

10.1.11. disclosing your personal information to third parties for reasons set out in this Policy or where it is not unlawful to do so;

10.1.12. monitoring, keeping record of and having access to all forms of correspondence or communications received by or sent from Cretemix Mixed Concrete or any of its employees, agents or contractors, including monitoring, recording and using as evidence all telephone communications between you and Cretemix Mixed Concrete;

10.1.13. improving or evaluating the effectiveness of Cretemix Mixed Concrete's business or products, services or offerings;

10.1.14. prevention and control of any disease;

10.1.15. determining whether you meet the criteria for inclusion in certain direct marketing campaigns of Cretemix Mixed Concrete products and/or services, where applicable;

10.1.16. conducting an affordability assessment in the event that you applied for credit;

10.1.17. pre-vetting Clients or Suppliers before we deal with them;

10.1.18. sharing your unique identifiers (such as your telephone number or identity number) with third parties, including other entities in the Cretemix Mixed Concrete Group to do data matching for purposes of enriching (improving) our or their personal information, direct marketing, marketing analysis pre-vetting of Clients and Suppliers and other matters that may be in our legitimate or the legitimate interests of third parties; and

10.1.19. tracing you and collecting from you any outstanding debt due in terms of a credit or sales agreement entered into with Cretemix Mixed Concrete.

10.2. We may from time to time (and at any time) contact you about services, products and offerings available from Cretemix Mixed Concrete or specific subsidiaries which we believe may be of interest to you, by email, phone, text or other electronic means, unless you have unsubscribed from receiving such communications. You can unsubscribe from receiving such communications.

11. WHEN WILL WE DISCLOSE YOUR PERSONAL INFORMATION?

11.1. We may provide access to or share some of your personal information, when necessary and for the reasons that it was provided or collected, to:

11.1.1. our associates, other divisions or companies within the group of companies to which we belong, so as to provide joint content and services like registration for transactions and customer support, to help detect and prevent potentially illegal acts and violations of our policies;

11.1.2. our service providers and agents (including their sub-contractors) or third parties which process information on our behalf (e.g. internet service and platform providers, payment processing providers and those organisations we engage to help us send communications and products to you) so that they may help us to provide you with the applications, products, services and information you have requested or which we believe is of interest to you;

11.1.3. partners, including system implementers, resellers, value-added resellers, independent software vendors and developers that may help us to provide you with the applications, products, services and information you have requested or which we believe is of interest to you;

11.1.4. third parties used to facilitate payment transactions, for example clearing houses, clearing systems, financial institutions and transaction beneficiaries;

11.1.5. third parties where you have a relationship with that third party and you have consented to us sending information (for example social media sites or other third party application providers);

11.1.6. credit reference and fraud prevention agencies;

11.1.7. Government bodies, regulators and any other third party necessary to meet Cretemix Mixed Concrete's legal and regulatory obligations;

11.1.8. law enforcement agencies so that they may detect or prevent crime or prosecute offenders;

11.1.9. any third party in the context of actual or threatened legal proceedings, provided we can do so lawfully (for example in response to a court order);

11.1.10. any third party in order to meet our legal and regulatory obligations, including statutory or regulatory reporting or the detection or prevention of unlawful acts;

11.1.11. our own and Cretemix Mixed Concrete professional advisors and auditors for the purpose of seeking professional advice or to meet our audit responsibilities;

11.1.12. another organisation if we sell or buy (or negotiate to sell or buy) any business or assets;

11.1.13. another organisation to whom we may transfer our agreement with you; and

11.1.14. Government departments where reporting is mandatory under applicable law.

11.2. We may share non-personally identifiable information about the use of our website, applications, products or services publicly or with third parties but this will not include information that can be used to identify you.

12. ACCURATE AND UP TO DATE

12.1. We will try to keep the personal information we collect as accurate, complete and up to date as is necessary for the purposes defined in this Policy. From time to time we may request you to update your personal information.

13. RETENTION OF YOUR INFORMATION

13.1. We may retain your personal information indefinitely, unless you object, in which case we will only retain it if we are permitted or required to do so in terms of Applicable Laws. However, as a general rule, we will retain your information in accordance with retention periods set out in Applicable Laws, unless we need to retain it for longer for a lawful purpose. (For example, for the purposes of complaints handling, legal processes and proceedings.)

14. SECURING YOUR PERSONAL INFORMATION

14.1. We take the security of personal data very seriously and always do our best to comply with applicable data protection laws. We secure the integrity and confidentiality of your personal information that is in our possession and under our control by taking the appropriate reasonable technical and organisational measures to prevent loss, damage, unauthorised destruction, unlawful access, or unlawful processing of your personal information. We authorise access to personal information only for those employees who require it to fulfil their job responsibilities. In doing so we have due regard to generally accepted industry information security practices and procedures.

15. YOUR RIGHTS

15.1. You have the following rights in respect of your personal information that we process:

15.1.1. you may enquire from us whether we hold your personal information, (we will only provide you with this information when you provide us with adequate proof of your identity);

15.1.2. where necessary, request the correction or deletion of your personal information;

15.1.3. object to, restrict or limit the processing of your personal information;

15.1.4. object to using your personal information for purposes of direct marketing.

15.2. You can exercise any of your rights listed above by sending an email to **infopopia@cretemix.co.za**.

Where we have reasonable doubt as to the identity of the person making an enquiry we may request additional information to confirm the identity of the person, such as an identity document, including a driver's licence or passport.

15.3. Please note that the above rights are not absolute, and we may be entitled to refuse requests where exceptions apply. Should we determine that you are not entitled to exercise a specific right, we will provide you with the reasons why.

15.4. Should we have reasonable grounds to believe that your personal information has been accessed or acquired by any unauthorised person, we will, as soon as is reasonably possible and lawfully required, notify the applicable regulator, as well as yourself, unless we are unable to establish the identity of the personal information that has been unlawfully accessed.

16. LIMITATION

16.1. We are not responsible for, give no warranties, nor make any representations in respect of the Privacy Policies or practices of linked or any third-party websites.

17. TRANS-BORDER FLOW OF INFORMATION

17.1. You consent to the processing of your personal information by way of the trans-border flow of information. This will occur where personal information has to be sent to service providers outside of the Republic of South Africa for storage or further processing processes on your behalf.

18. COMPLAINTS

18.1. Should you believe that Cretemix Mixed Concrete has utilised your personal information contrary to Applicable Laws, you undertake to first attempt to resolve any concerns with Cretemix Mixed Concrete:

Name of Private Body: **Cretemix Mixed Concrete (Pty) Ltd**

Email address of Information Officer: **infopopia@cretemix.co.za**

Postal address: **PO Box 1375, Pinetown, 3600**

Street address: **4 Foundry Lane, New Germany, 3610**

Phone number: **031 701 1727**