



PRIVACY POLICY

of

**OOS VRYSTAAT KAAP BEDRYF BEPERK
("the Private Body")**




Compiled by	Ruann Gerber / Clive Neuwerth
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Signature	

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1. Introduction

The Private Body is a private company which provides a wide range of agricultural services throughout the Republic of South Africa, and is required to comply with the Protection of Personal Information Act 4 of 2013 (herein referred to as “POPI”).

POPI requires the Private Body to inform their Data Subjects as to the way their personal information is collected, processed, disclosed, and destroyed.

This POPI Privacy Policy describes the way OVK intends to meet its legal obligations and requirements in respect of the lawful processing of personal information as set in POPI.

POPI further requires OVK make the Data Subject (in this case “You”) aware of how your personal information will be processed lawfully. By taking note of this Policy and by providing your Personal Information You are acknowledging that You have been made aware of the specific purpose/s for processing your Personal Information. You further agree with the contents contained herein and hereby authorise the Private Body to process your personal information for the specific purpose/s and in the manner as set out herein below. This Policy is subject to change, whenever legislative changes impact on the contents hereof.

2. The Scope of the Policy

This Policy applies to Data Subjects whose personal information is being processed, retained or stored by OVK in accordance with the requirements set out in POPI

3. Definitions

3.1. **“Consent”** means any voluntary, specific, and informed expression of will in terms of which permission is given for the processing of personal information.

3.2. **“Data Subject”** means an individual or legal entity to whom the personal information relates. This includes but is not limited to existing and future employees, independent contractors, clients, service providers, sub-contractors, and any other stakeholders also referred to as “You/Your” herein.



- 3.3. **“Information Officer”** means the person who is responsible to encourage POPI compliance, within OVK by practically implementing the conditions for the lawful processing of personal information and creating the necessary awareness. The information Officer is also responsible to handle requests made by a Data Subject in relation to access to records or the correction, destroying or deletion of his/her/its personal information.
- 3.4. **“Personal information”** means information relating to an identifiable, individual, or legal entity as defined by the POPI Act.
- 3.5. **“Private Body”** means Oos Vrystaat Kaap Bedryf Beperk **“OVK”** with registration number 1999/004069/06 and registered business address 19 Dan Pienaar Street Ladybrand, 9745;
- 3.6. **“Processing”** means any operation or activity or any set of operations, whether by manual or automatic means, that relates to the collection, receipt, recording, organization, collation, storage, updating or modification, retrieval, alteration, consultation, use, dissemination, transmission, distribution or making available in any other form or merging, linking as well as restriction, degradation erasure or destruction of personal information.
- 3.7. **“POPI”** means the Protection of Personal Information Act 4 of 2021.
- 3.8. **“OVK-Group”** Includes Oos Vrystaat Kaap Operations Limited and its affiliates, Blue Crane Fibre, Oos Kaap Boerdery en Graanhandelaars, Van Lill Woolbuyers, OVK Eiendomme, Matla Energy, OVK Rekenaardienste, Oos Vrystaat Kunsmis OVK finansiële Dienste, Countrywide Fertilizer, Olivia Energy Solutions, and Sinethemba Mafama.



4. POPI Conditions

OVK is committed to Processing personal information lawfully and to comply with the following conditions as set in POPI:

4.1.1. **Accountability and Openness:** OVK commits to comply with the requirements as set out in the POPI legislation and it further agrees to be transparent in its approach to adhering to the requirements of POPI. This includes but is not limited to keeping adequate documentation of all processing operations and making Data Subjects (like You) aware of all the details regarding the processing of your personal information.

4.1.2. **Processing limitations:** OVK commits to only processing personal information for the specific purpose for which it was obtained in the first place. No personal information will be further processed, if it is for a purpose that is different from the original purpose of collection, unless You as the Data Subject provided further consent, or such further processing is required to give effect to the original purpose.

4.1.3. **Specific Purpose:** OVK is required to keep accurate records and undertakes to not keep personal information for a period longer than specified or required. In cases where the specific purpose for the retaining of the personal information has expired or where the retention period has lapsed, OVK shall dispose of the personal information at the end of the retention period accordingly and in such a manner so that such information is not re-identifiable.

4.1.4. **Information quality:** OVK shall ensure that accurate, clear, and relevant records shall always be kept of the Data subjects and undertakes to implement a procedure where a Data Subject may request for their records to be corrected, updated, deleted, or destroyed upon submitting an appropriate request form as set out in the Private Body's PAIA & POPI manual.

4.1.5. **Security safeguards:** The Private Body will use its best endeavours to provide the necessary security measures to ensure that personal information is kept safe and to minimise the risks of data breaches for example data loss, destruction, and unauthorised access.



4.1.6. **Data subject participation:** The Data Subjects can request access to his/ her personal information records and may also request that their personal information records be corrected or deleted as set out in the POPI Act, but subject to such other ruling legislation which would prohibit such deletion.

5. Personal Information Collected

OVK collects and processes your personal information in relation to its goods and service offering. The type of personal information will depend on the need for which it is collected and will be processed for that specific purpose only, unless such information is to be used for a different purpose within the OVK Group to give effect to the requested delivery of such goods and/or services. OVK will never use the information outside of such scope and only such information as is required to give effect to you as the Data Subjects' request for goods or services. OVK shall inform You as to the personal information required to give effect to such services or goods, and should you elect not to provide such information or request such information already in OVK's possession be destroyed (where such information is not required in terms of any other act or regulatory requirement) OVK will not be able to provide you with such goods and or services. Examples of the personal information we collect include, but is not limited to:

- Name
- Contact details
- Physical and Postal address
- Identity number
- Tax related information
- Confidential correspondence
- Financial information

OVK also collects and processes personal information of the Data Subjects for marketing purposes to ensure that its goods and services remain relevant. Should you however wish to stop receiving any marketing material from OVK, you will have the option to opt out at any given time from such communications.

The Private Body aims to have agreements in place with all its suppliers, third party service providers and processors to ensure compliance with POPI.

6. The Usage of the Personal Information

Your personal information will only be used for the specific purpose/s for which it was collected and as agreed to by You.

This may include, but not be limited to:

- Providing goods and services and to carry out transactions as requested.
- Conducting credit reference searches or verification (applicable where application for credit is submitted).
- Confirming, verifying, and updating Data Subject details.
- Conducting market research
- For audit and record keeping purposes



- Legal proceedings (if any)
- To comply with legal and regulatory requirements
- Marketing and related communications
- Client database updates

7. Disclosure of Personal Information

OVK may share Your personal information with any subsidiary, affiliate, and third-party service provider. OVK has agreements in place with these third-party service providers to ensure compliance with POPI and the protection of your confidential and personal information. OVK will never provide your information to a third party who does not adhere to the POPI regulations, or where similar data privacy policies are not in place.

OVK may also disclose your personal information where it has a duty or a right to disclose in terms of applicable legislation, the law, or where it may be deemed necessary to protect the OVK's rights.

8. Security Safeguards

POPI requires that personal information must be adequately protected to prevent the personal information from being lost, destroyed, or illegally accessed by an unauthorised person.

OVK will continuously review its security controls and processes to ensure that personal information is secure.

The following procedures are in place to protect the personal information collected:

- OVK has appointed an Information Officer who is responsible for the compliance with the conditions of the lawful processing of personal information and other provisions of POPI;
- Each new employee will be required to sign an Employment Contract containing relevant Consent clauses for the use and storage of employee information, or any other action so required, in terms of POPI;
- Every employee currently employed by OVK will be required to sign an addendum to their Employment Contracts containing relevant consent clauses for the use and storage of employee information, or any other action so required, in terms of POPI;
- OVK stores archived hard copy personal information in locked filing cabinets, walk in safes and access-controlled offices to which access is limited to authorised personnel alone;
- OVK's suppliers and other third-party service providers, will be required to sign a Service Level Agreement (Data Protection Agreement "DPA") confirming their commitment to the protection of personal information. This will be monitored and reviewed on a regular basis;
- All electronic files or personal information is securely stored and backed up to prevent unauthorized access by third parties and other data breach threats. A dedicated IT team



is available to assist with any possible security breaches or attempted security breaches to enable the continuous protection of your personal information.

9. Access and Correction of Personal Information

You have the right to request access to your personal information held by OVK. You also have the right to ask that OVK update, correct or delete your personal information on reasonable grounds, always subject to other laws and regulations regarding record keeping. In the event that you've objected to the processing of your personal information OVK may no longer process the said personal information. OVK will take all reasonable steps to confirm your identity before providing details of your personal information or making changes to your personal information.

The details of the Private Body's Information Officer are as follows:

Name: Dirk Du Plessis
Telephone: 051 923 4512
Email: dirkdp@ovk.co.za
Physical address: 19 Dan Pienaar Street, Ladybrand, 9745
Postal address: PO Box 96, Ladybrand, 974

10. Amendments to this Policy

This Policy will be reviewed and amended, when required or at least once a year.

11. PAIA & POPI Manual Availability

You can obtain access to OVK's PAIA & POPI manual at its physical offices, via its website or by requesting a copy from the Information Officer.

12. Records that cannot be Found

If the Private Body searches for a record and it is believed that the record either does not exist or cannot be found, the Data Subject requesting such information will be notified by way of written confirmation to that effect. This will include the steps that were taken to attempt to locate the record.

13. The Prescribed Fees

The prescribed fees are available on the Department of Justice and Constitutional Development's website at www.doj.gov.za and in OVK's PAIA manual which is on the OVK website or available on request.