
 <b>SK chemtrade</b> <small>Part of Barentz.</small>	<b>Protection of Personal Information Policy</b>		
<b>Doc No:</b>	SKHR016	<b>Revised By</b>	C. FERRAO
<b>Revision</b>	00	<b>Approved By</b>	M.FERRAO
<b>Revision Date</b>	1.07.2021	<b>Approval Signature:</b>	

## **SK CHEMTRADE SERVICES (PTY) LTD**

**Address:** Unit B 2, Cnr. Newton & Essex Road  
Meadowdale, Germiston

**Registration No:** 1993/000429/07

**VAT No.** 464 013 7859

**Tel No.:** 011 974 1124

**Email Address:** [reception@skchemtrade.co.za](mailto:reception@skchemtrade.co.za)

**Website:** [www.skchemtrade.co.za](http://www.skchemtrade.co.za)

&

## **SK CHEMTRADE SERVICES CT (PTY) LTD**

**Address:** 8 Platinum Crescent, Montague Gardens, Cape Town

**Registration No.:** 2010/004553/07



**VAT No.** 4170256186

**Tel No.:** 021 551 0681

**Email Address:** [reception@skchemtrade.co.za](mailto:reception@skchemtrade.co.za)

**Website:** [www.skchemtrade.co.za](http://www.skchemtrade.co.za)



(hereon referred to as the SK Chemtrade Group)

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## THE SK CHEMTRADE GROUP'S POPIA POLICY



**This document should be read in conjunction with:**

- The Companies Act 71, OF 2008
- The Protection of Personal Information Act 4 of 2013
- Promotion of Access to Information Act, 2000

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## DEFINITIONS

Some of the key terms that we use in this policy are defined below:



**“Company”** means the SK Chemtrade Group as defined, and any reference to “we”, “us” or “our” means the SK Chemtrade Group.

**“Data subject”** has the meaning ascribed thereto under POPIA and, for purposes of this Policy, means the SK Chemtrade Group's clients or suppliers who may be natural or juristic persons or any other person(s) in respect of whom the SK Chemtrade Group Processes Personal Information, including but not limited to employees.

**“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 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;
- information relating to the education or the medical, financial, criminal or employment history of the person;
- any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier, or other particular assignment to the person;
- the biometric information of the person;
- the personal opinions, views or preferences of the person; 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;
- the views or opinions of another individual about the person; and  
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 from time to time;

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**“Processing”** means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including:

- the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
- dissemination by means of transmission, distribution or making available in any other form; or
- merging, linking, as well as restriction, degradation, erasure, or destruction of information.

**"Responsible Party"** means a public or private body or any other person which alone or in conjunction with others, determines the purpose of and means for Processing Personal Information;

**“SK CHEMTRADE GROUP”** includes SK CHEMTRADE SERVICES (PTY) LTD, under company registration no. 1993/000429/07 with its registered physical address at Unit B 2, Cnr. Newton & Essex Road, Meadowdale, Germiston, Johannesburg & its related and affiliated company SK CHEMTRADE SERVICES CT (PTY) LTD, under company registration no. 2010/004553/07 with its registered physical address at 8 Platinum Crescent, Montague Gardens, Cape Town.

**"Third Party"** means any independent contractor, agent, consultant, sub-contractor or other representative of the SK Chemtrade Group, and either entity comprising of same.

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## 1. PURPOSE OF THIS POLICY

Protecting a Data Subject's privacy is especially important to us.

The SK CHEMTRADE GROUP is committed to complying with the Protection of Personal Information Act 4 of 2013 in relation to the processing of a Data Subjects' personal information.

The purpose of this policy is to regulate the use and protection of Personal Information that either company comprising of the SK CHEMTRADE GROUP processes and describes how and why we collect, store, use, share, destroy or otherwise process a Data Subject's personal information.

It also explains a Data Subject's rights in relation to their personal information and how to contact us if they have a question or complaint.



Please note that we may update this policy from time to time. The latest version of this policy is available on request.

## 2. APPLICATION

This Policy has been prepared in respect of and applies jointly to both companies comprising of the **SK CHEMTRADE GROUP**.

The SK CHEMTRADE GROUP, comprises of two related but independent companies, both of which as Responsible Part(ies) and/or Operator(s), shall strive to observe, and comply with their obligations under POPIA as well as accepted information protection principles, practices and guidelines when they Processes Personal Information from or in respect of a Data Subject.

This Policy applies to Personal Information collected by the SK CHEMTRADE GROUP in connection with the services which both entities comprising of the SK CHEMTRADE GROUP offers and provide. This includes information collected offline through our provision of service as distributors of quality product and ingredients to clients operating in a variety of sectors, including manufacturers of food, beverages, pharmaceuticals, dietary supplements, household detergents and personal care products and online through our website. This Privacy Policy does not apply to the information practices of Third Party companies (including, without limitation, their websites, platforms and/or any applications) which we do not own or control; or individuals that SK CHEMTRADE GROUP does not manage or employ. These Third Party sites may have their own privacy policies and terms and conditions and we encourage you to read them before using those Third Party sites.

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### 3. THE PERSONAL INFORMATION WE MAY COLLECT



We may collect and process the following personal information about a Data Subject:

- (a) company or individual's name(s) and contact information, including company registration numbers, telephone numbers, email address, physical address, postal address, and other location information.
- (b) date of birth, age, gender, race, nationality, title and language preferences;
- (c) identity number, passport number and photograph;
- (d) vehicle registration numbers, vehicle licence and driving licence;
- (e) biometric information,
- (f) verified banking details;
- (g) employment details;
- (h) Correspondence of a private or confidential nature;
- (i) Such other personal information as is reasonably required by us to engage with a Data Subject and/or provide our services to same.

### 4. HOW A DATA SUBJECT'S PERSONAL INFORMATION IS COLLECTED

We may collect or obtain personal information about a Data Subject in the following ways:

- (a) directly from a Data Subject;
- (b) during the course of our interactions with a Data Subject;
- (c) when a Data Subject visits one of our Offices;
- (d) when a Data Subjects visits and/or interacts with our website or any other social media platforms or IT services;
- (e) from publicly available sources; and
- (f) from a third party who is authorized to share that information;

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- (g) via a mobile or other software app developed for the Company;
- (h) from transferring attorneys

## 5. HOW AND WHY, WE PROCESS A DATA SUBJECT'S PERSONAL INFORMATION

The personal information we may collect and why and how we use it depends on our relationship with a Data Subject but will always be collected for a specific, explicitly defined and lawful purpose related to a function or activity of the responsible party, and for carrying out our service offerings.

Further, and in accordance with POPIA, the SK CHEMTRADE GROUP will process Personal Information on a Data Subject where :

- (a) the Data Subject (or a competent person where the data subject is a child) consents to the processing;
- (b) processing is necessary to carry out actions for the conclusion or performance of a contract to which the Data Subject is party;
- (c) processing complies with an obligation imposed by law on the responsible party;
- (d) processing protects a legitimate interest of the Data Subject;
- (e) processing is necessary for the proper performance of a public law duty by a public body; or
- (f) processing is necessary for pursuing the legitimate interests of the responsible party or of a third party to whom the information is supplied.



We may collect other personal information from time to time where a Data subject provides it to us, as necessary for our business requirements, or in order to comply with applicable laws.

## 6. WHO WE SHARE A DATA SUBJECT'S PERSONAL INFORMATION WITH

Depending on the circumstances, we may disclose a Data Subject's personal information to the following categories of persons:

- (a) Auditors, legal and other professional advisers, and consultants of the Company or other third parties who help us deliver our services.
- (b) Information Technology and other service providers who help us run the



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Company or otherwise manage or store the personal information;

- (c) Government and law enforcement authorities;
- (d) Financial institutions;
- (e) Other third parties where disclosure is required by law or otherwise required for us to perform our obligations and provide our services; and
- (f) To any other person with a Data Subject's consent to the disclosure.

We take reasonable steps to protect the confidentiality and security of a Data Subject's personal information when it is disclosed to a third party and seek to ensure the third-party deals with a Data Subject's information in accordance with our instructions, applicable privacy laws, and only for the purpose for which it is disclosed.

## 7. DATA SECURITY

We may hold a Data Subject's personal information in electronic or in hard copy form. We may keep this information at our own premises.

We are committed to keeping a Data Subject's personal information safe.

We use a range of physical, electronic, and procedural safeguards to do this.



We update these safeguards from time to time to address new and emerging security threats.

We also train our employees on privacy matters as appropriate and seek to limit access to personal information to those employees who need to know that information.

We implement appropriate security measures to protect a Data Subject's personal information that is in our possession against accidental or unlawful destruction, loss, alteration, unauthorised disclosure, unauthorised access, in accordance with applicable law.

Where there are reasonable grounds to believe that a Data Subject's personal information that is in our possession has been accessed or acquired by any unauthorized person, we will notify the relevant regulator and the Data Subject, unless a public body responsible for detection, prevention or investigation of offences or the relevant regulator informs us that notifying a Data Subject will impede a criminal investigation.

Furthermore, the SK CHEMTRADE GROUP maintains and regularly verifies that their security measures are effective and regularly updates same in response to new risks.

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## 8. RETENTION OF PERSONAL INFORMATION

The SK CHEMTRADE GROUP will not retain personal information for a period longer than is necessary to achieve the purpose for which it was collected or processed and is required to delete, destroy (in such a way that it cannot be reconstructed) or de-identify the information as soon as is reasonably practicable once the purpose has been achieved. This prohibition will not apply in the following circumstances –

- where the retention of the record is required or authorised by law;
- where either Company comprising of the SK CHEMTRADE GROUP requires the record to fulfil its lawful functions or activities;
- retention of the record is required by a contract between the parties thereto;
- the data subject (or competent person, where the data subject is a child) has consented to such longer retention;
- or the record is retained for historical, research or statistical purposes provided safeguards are put in place to prevent use for any other purpose.

Accordingly, the SK CHEMTRADE GROUP will, subject to the exceptions noted herein, retain Personal Information for as long as necessary to fulfil the purposes for which that Personal Information was collected and/or as permitted or required by applicable law.



Where the SK CHEMTRADE GROUP retains Personal Information for longer periods for statistical, historical or research purposes, it will ensure that appropriate safeguards have been put in place to ensure that all recorded Personal Information will continue to be Processed in accordance with this Policy and the applicable laws.

Once the purpose for which the Personal Information was initially collected and processed no longer applies or becomes obsolete, the SK CHEMTRADE GROUP will ensure that the Personal Information is deleted, destroyed or de-identified sufficiently so that a person cannot re-identify such Personal Information.

In instances where we de-identify a Data subject's Personal Information, the SK CHEMTRADE GROUP may use such de-identified information indefinitely without further notice to the Data Subject.

## 9. INTERNATIONAL TRANSFER OF PERSONAL INFORMATION

In some cases, the third parties to whom we may disclose your personal information may be located outside a Data Subject's country of residence (for example, in a cloud service, system or server), and may be subject to different privacy regimes.

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When we disclose personal information across borders, we will take appropriate safeguards to protect a Data Subject's personal information to ensure that the recipient will handle the information in a manner consistent with this policy and the level of protection provided for in POPIA.

The SK CHEMTRADE GROUP will obtain the necessary consent to transfer the Personal Information of a Data Subject to any foreign jurisdiction or may transfer the Personal Information where it is permitted to do so, in accordance with the provisions applicable to trans-border flows of Personal Information under Applicable Data Protection Law

## 10. A DATA SUBJECT'S RIGHTS

A Data Subject has the right to:

- (a) ask what personal information we hold about them;
- (b) request access to the personal information that we hold about them;
- (c) ask us to update, correct or delete any out-of-date or incorrect personal information we hold about them;
- (d) unsubscribe from any direct marketing communications we may send them;



or

- (e) object to the processing of their personal information.

If a Data Subject wishes to exercise any of these rights or has any queries regarding the personal information that we hold about them, a Data subject can contact us at the details provided below.

To protect the integrity and security of the information we hold, we may ask that a Data Subject follow a defined access procedure, in terms of our PAIA manual accessible at both of our offices and online on our website at [www.skchemtrade.co.za](http://www.skchemtrade.co.za), which may include steps to verify a Data Subject's identity.

If a Data subject wants us to delete all personal information, we have about same, we may need to terminate any agreements we have with the Data Subject. We can refuse to delete a Data Subject's information if we are required by law to retain it or if we need it to protect our rights.

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## 11. HOW TO CONTACT US

If a Data subject has a question, concern, or complaint regarding the way in which we handle a Data subject's personal information, or if they believe that we have failed to comply with this policy or breached any applicable laws in relation to the management of that information, a Data subject can make a complaint.

Any question, concern or complaint should be made in writing to both Company's designated Information Officer: [mark@skchemtrade.co.za](mailto:mark@skchemtrade.co.za)

If a Data Subject wishes to make a request to access their personal information in terms of Section 23 of POPIA, please follow the procedure described in our PAIA manual accessible at our offices and online on our website at [www.skchemtrade.co.za](http://www.skchemtrade.co.za).

## 12. CHANGES TO THIS PRIVACY POLICY

The SK CHEMTRADE GROUP reserves the right to make amendments to this Policy from time to time and will use reasonable efforts to notify Data Subjects of such amendments.

The current version of this Policy will govern the respective rights and obligations between a Data Subject and the Company each time that you access and use our website.

## 13. SIGN OFF

The signatories hereof, confirm their acceptance of the contents and recommend the adoption of this policy.

**Mark Ferrao**  
**PRINT NAME**



**SIGNATURE**  
**MANAGING DIRECTOR – SK CHEMTRADE SERVICES (PTY) LTD**

**Mark Ferrao**  
**PRINT NAME**



**SIGNATURE**  
**MANAGING DIRECTOR – SK CHEMTRADE SERVICES CT (PTY) LTD**