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TOP TURF, A DIVISION OF BIDVEST SERVICES PROPRIETARY LIMITED

PRIVACY POLICY

JULY 2021



Proud Members Of:



Bidvest Services (Pty) Ltd t/a Bidvest Top Turf, Reg. No. 2000/011155/07
Board Directors: A. Fainman, D. Lesley, B.A. Gosai
G.C. McMahon, D. Moore, H.D. Strydom



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1 INTRODUCTION

1.1 Top Turf, a Division of Bidvest Services Proprietary Limited ("**Top Turf/we/our/us**") understands that your privacy and the security of your personal information is extremely important. As such, we endeavour to conduct our business in a manner that is highly ethical and in compliance with all applicable laws.

1.2 We adhere to The Bidvest Group Limited's ("**Bidvest**") values of accountability, honesty, integrity and respect and aim to make them find true application in our approach to data privacy and protection.

2 PURPOSE

2.1 The purpose of this Privacy Policy ("**Policy**") is to –

2.1.1 explain how we collect, process, store, share, safeguard and dispose of your personal information;

2.1.2 set out the rights which you have in relation to the personal information we hold about you and how you can exercise those rights;

2.1.3 promote ethical standards including, but not limited to, respecting individual privacy, guarding against data security threats and maintaining a reasonable level of compliance with the Protection of Personal Information Act 4 of 2013 ("**POPIA**"); and

2.1.4 minimise inherent risks of non-compliance, including but not limited to data privacy infringements, reputational damage, criminal charges and fines, civil claims and regulatory sanctions such as administrative penalties.



3 APPLICATION

- 3.1 This Policy applies to all natural and juristic persons who process personal information on behalf of Top Turf or as a result of engaging in a commercial relationship with Top Turf. This includes the directors and employees of Top Turf, which employees can be permanent, fixed-term and/or temporary, as well as any service providers and other third parties such as agents, sponsors and other representatives whom may, from time to time, conduct business with, for or on behalf of Top Turf as the case may be.
- 3.2 It is the responsibility of each person to whom this Policy applies to familiarise themselves with and understand this Policy. Each person must adhere to this Policy to ensure a lawful, transparent and consistent approach to the processing of personal information of both natural and juristic persons.
- 3.3 Compliance with this Policy and other related data protection policies and procedures of Top Turf is mandatory. Any breach of this Policy and related policies and procedures by an employee may result in disciplinary action being taken against said employee. Third Party breaches may give rise to contractual or civil claims which rights we reserve without prejudice.

4 EXECUTIVE SUMMARY

- 4.1 If you don't want to read all the detail, here are the things we think you'd really want to know –
- 4.1.1 We share your personal information with third parties where it is necessary to provide our products and services to you.
- 4.1.2 We use a number of third parties to process your personal information on our behalf linked to the purpose(s) for which we collected your personal information.
- 4.1.3 You have a number of rights over your personal information and the different ways in which you can exercise those rights is set out in this notice under paragraph 12.



- 4.1.4 We do send direct marketing, if we're allowed to. We do this to encourage you to buy our products and services by sending you offers and ideas that we feel will be of benefit to you. If you want us to stop you can request us to stop and opt-out of receiving our marketing communication.
- 4.1.5 We also use your information to display more relevant online advertising and marketing relating to our products and services on our website, on other websites and online media channels.
- 4.1.6 Our website is not intended for children and we do not knowingly collect children's data.

5 WHO ARE WE?

Top Turf provides contracting, maintenance and irrigation landscaping services to the commercial, mining, hospitality, industrial, residential estate, sports and golf course markets.

6 WHAT SORTS OF PERSONAL INFORMATION DO WE HOLD?

In order to offer you our services and products, as well as engage in a business relationship with you if you are supplier or service provider, we will collect, hold and use the following personal information –



Non-Private Customers i.e. a company representative	
Name and surname	Work address
Designation	Contact details
Private Customers	
Name and surname	Physical address
Bank details (incl. credit card details)	Contact details
Identity number	CCTV Footage (also applies to any other person who may be recorded by our CCTV cameras on our premises)
Suppliers/Customers	
Name/company details	Address
VAT number	Contact details
Registration number	B-BBEE certificate
Quotes and invoices	Financial information
Employees	
Name and surname	Identity number
Contact details	Residential address
Banking details	Tax details
Next of kin	Educational/qualification history
Curriculum Vitae	Health status (e.g. disability)

7 OUR LEGAL BASIS FOR PROCESSING YOUR PERSONAL INFORMATION

Whenever we process your personal information we have to have something called a “legal basis” for what we do. The different legal bases we rely on are –

- 7.1 **Consent** – You have told us you are happy for us to process your personal information for a specific purpose(s), although consent will not always be required.
- 7.2 **Legitimate interests** – The processing is necessary for us to conduct our business, but not where our interests are overridden by your interests or rights.



- 7.3 **Performance of a contract** – We must process your personal information in order to be able to provide you with one of our products or services.
- 7.4 **Legal obligation** – We are required to process your personal information by law for example for tax purposes, labour legislation compliance or any other law which may be applicable in the context.

8 HOW DO WE USE YOUR PERSONAL INFORMATION?

We may use your information in the following ways –

- 8.1 **To provide our products and services** - we need to use your personal information to make our products and services available to you. After that, we need to provide them to you and process your payment.
- 8.2 **To improve your experience with us** - we try to understand our customers so we can provide you with a great interactive experience, personalised offers, and online advertising.
- 8.3 **Ensuring legal/regulatory compliance** – in certain instances we will need to process your personal information to ensure compliance with legislation such as tax and labour legislation.
- 8.4 **Analytics** - we use your personal information for statistical analysis and to help us understand more about our customers. That includes understanding the products and services you buy. This helps us to serve you better and to find ways to improve our products and services.
- 8.5 **Contacting you** - we use your personal information to contact you. This may be in relation to a product or service update, an issue you have raised with us, to conduct market research or to ask for your feedback.
- 8.6 **Marketing and advertising** - we use your personal information to provide relevant marketing communications relating to our products and services, and those of our suppliers. As part of this, online advertising may be displayed on our website and other websites across related companies within Bidvest.



9 PERSONAL INFORMATION SHARING

We may share information about you with –

- 9.1 our sister companies within Bidvest;
- 9.2 partners or agents involved in delivering the products and services you've ordered or used;
- 9.3 partners or agents that conduct customer satisfaction surveys and any other surveys related to the products or services provided to you;
- 9.4 companies who are engaged to perform services for or on behalf of Top Turf;
- 9.5 debt collection agencies or other debt recovery organisations;
- 9.6 law enforcement agencies, emergency services; regulatory organisations, courts or other public entities if we are required by law to do so;
- 9.7 with any entity or forum wherein we may protect ourselves against fraud or exercise any of our legal rights; and
- 9.8 if we are reorganised or sold to another organisation, we may transfer any personal information we hold about you to that organisation.

10 SPECIAL PERSONAL INFORMATION

- 10.1 Special personal information relates to personal information concerning –
 - 10.1.1 your religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health, sexual orientation or biometric information; or
 - 10.1.2 any criminal investigation or ongoing legal proceedings against you.



10.2 Top Turf will only process Special Personal information if we have –

10.2.1 your consent;

10.2.2 a lawful basis;

10.2.3 public interest grounds; or

10.2.4 publicly available information.

11 KEEPING YOU INFORMED ABOUT OUR PRODUCTS AND SERVICES

11.1 We would like to tell you about the great offers, ideas, products and services we offer from time to time that we think you might be interested in. Where we have consent or it is in our legitimate interests to do so, we may do this by email, text message, WhatsApp, phone, online advertising or any other electronic means available to us.

11.2 We won't send you marketing messages if you tell us not to, but if you are a customer we will send you occasional communications (you can always opt out of these via the email communication itself). If you wish to amend your marketing preferences, you can do so by clicking the unsubscribe link in any email notification, replying "Stop" to any SMS, or by contacting us through our website <https://topturf.co.za/>.

11.3 Please note that it can take a little while for all marketing to stop once you either withdraw your consent or tell us you'd like to opt out of marketing. This is because some marketing may have been identified as relevant to your interests and may already be in transit, meaning it cannot be immediately stopped.

12 YOUR RIGHTS

12.1 You have a number of rights under data protection legislation which, in certain circumstances, you may be able to exercise in relation to the personal information we process about you.



- 12.2 These include –
- 12.2.1 the right to access a copy of the personal information we hold about you;
 - 12.2.2 the right to correction of inaccurate personal information we hold about you;
 - 12.2.3 the right to restrict our use of your personal information;
 - 12.2.4 the right to be forgotten;
 - 12.2.5 the right of data portability; and
 - 12.2.6 the right to object to our use of your personal information.
- 12.3 Where we rely on consent as the legal basis on which we process your personal information, you may also withdraw that consent at any time. Should you withdraw your consent, then we will no longer be allowed to continue processing such personal information from the date of such withdrawal.
- 12.4 If you are seeking to exercise any of these rights, please contact us through our website at <https://topturf.co.za/>. Please note that we will need to verify your identity before we can fulfil any of your rights under data protection law. This helps us to protect the personal information belonging to our customer against fraudulent requests. You may also refer to our PAIA and POPIA Manual for details which manual can be accessed on our website.

13 **AUTOMATED DECISION MAKING AND PROFILING**

We do not use any purely automated processing processes to bring about a decision – including profiling – on the establishment, implementation to termination of an employment relationship.



14 HOW LONG WILL WE KEEP YOUR PERSONAL INFORMATION FOR?

We will keep your personal information for the purposes set out in this privacy policy and in accordance with the law and relevant regulations. We will never retain your personal information for longer than is necessary.

15 OPERATORS AND JOINT RESPONSIBLE PARTIES

15.1 When third parties are used to process personal information on behalf of Top Turf or *vice versa*, we will enter into agreements with them that will provide for the protection of your personal information in line with the law.

15.2 In particular, we will ensure that the agreements we enter into address the following –

15.2.1 the **lawful purpose** for which data are being collected;

15.2.2 the **limit of processing** and prohibiting of further processing;

15.2.3 the **extent of information** that is required to prevent any excessive information collection;

15.2.4 the **information retention periods** and requirements applicable together with destruction processes and procedures;

15.2.5 the **right of individuals to request** such information and query the use thereof; and

15.2.6 the **security measures** required to prevent the unauthorised or unlawful processing of personal information or access to personal information, including accidental loss or destruction or damage to personal information.

15.3 In respect of other third parties whom may not necessarily constitute operators in terms of POPIA, we will include general POPIA clauses in our agreements so that those relationships are properly regulated in terms of personal information processing.



16 SECURITY

We take protecting your personal information seriously and are continuously developing our security systems and processes. Some of the controls we have in place are –

- 16.1 we limit physical access to our buildings and user access to our systems to only those that we believe are entitled to be there;
- 16.2 we use technology controls for our information systems, such as firewalls, user verification and offsite replication systems; and
- 16.3 minimum password security requirements are implemented and periodic password changes are mandatory for server access.

17 CONTACT US

If you would like to exercise one of your rights as set out in the "Your Rights" section above, or you have a question or a complaint about this policy, or the way your personal information is processed, please contact us by submitting the form contained on our website at <https://topturf.co.za/>.

18 INFORMATION REGULATOR (SOUTH AFRICA)

The Information Regulator (South Africa) is an independent body established in terms of section 39 of POPIA. The Information Regulator is empowered to monitor and enforce compliance by public and private bodies with the provisions of the POPIA Act. They may be accessed at –

- 18.1 JD House
27 Stiemens Street
Braamfontein
Johannesburg, 2001
- 18.2 **Contact:** inforeg@justice.gov.za or
Complaints: complaints.IR@justice.gov.za



19 **POLICY REVISION**

This privacy policy is subject to review and amendment without prior notice. However, Bidvest undertakes to ensure that any amendments hereto are communicated on our publicly available platforms such as our website, for the benefit of the general public, our customers, and any other persons whom may be affected by this policy.

20 **VERSION CONTROL**

Last updated **July 2021**.



ANNEXURE A – INTERPRETATION

1 INTERPRETATION

For the purposes of this Policy, the following definitions apply –

- 1.1 "**Consent**" means an informed, unconditional, specific and voluntary expression of will in terms of which permission is given for the Processing of Personal Information;
- 1.2 "**Data Subject**" means the natural or juristic person to whom Personal information relates;
- 1.3 "**Employee**" means any such person as defined in the Labour Relations Act 66 of 1995, under the employ of Top Turf, and any other such person who may conduct work for or on behalf of Top Turf on a once off or ongoing basis, as the case may be;
- 1.4 "**Information Officer**" means the person/s designated by Top Turf to direct compliance with POPIA within Top Turf;
- 1.5 "**Information Regulator**" means the body established in terms of section 39 of POPIA;
- 1.6 "**Legal Obligation**" – means we are required by law to process your Personal Information;
- 1.7 "**Legitimate Interests**" – means where processing is necessary for us to conduct our business, but not where our interests are overridden by your interests or rights;
- 1.8 "**Operator**" means any person who processes Personal information for or on behalf of Top Turf in terms of a contract or mandate concluded between Top Turf and such person;
- 1.9 "**Performance of a Contract**" – means we must process your Personal Information in order to be able to provide you with one of our products or services;



- 1.10 "**Personal Information**" means information relating to an identifiable, living, natural person, and where applicable, an identifiable, existing juristic person, and includes the meaning given to it in the POPIA. "Data" bears the corresponding meaning.
- 1.11 "**POPIA**" means the Protection of Personal information Act 4 of 2013 as amended, and all regulations promulgated thereunder;
- 1.12 "**Process/Processing**" means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, and includes the meaning given to it in the POPIA.
- 1.13 "**Responsible Party**" means any 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.
- 1.14 "**The Bidvest Group Limited**" means the Bidvest and all its subsidiaries. To view a comprehensive list of Bidvest's subsidiaries, click on the following link:
<https://www.bidvest-reports.co.za/integrated-reports/2020/annexure-a-interest-in-subsidiaries-and-associates.php>