

Policy title:	POPI Policy	Revision date:	13.06.2024
Version compiled by:	R van Heerden	Version approved by:	B Blom Kotze
Applicable to:	All	Pages:	5
Purpose:	To comply with the Protection of Personal Information Act (POPIA) – Act 4 of 2013 in respect of the information it holds about any Person / Entity / Body / Individual / Company		

Protection of Personal Information Act (POPIA)

EXTERNAL PRIVACY POLICY

1. DEFINITIONS

1.1 For the purpose of this policy:

1.1.1 “Applicable Laws” means all laws and regulations that Producer Ally is required to comply with;

1.1.2 “data subjects” means the person to whom personal information relates and for the purposes of Producer Ally, this will include – employees, suppliers, customers and external service suppliers;

1.1.3 “Personal information” means information relating to an identifiable, living, natural person, and where applicable, an identifiable, existing juristic person, including, but not limited to, the name, race, gender, marital status, address and identifying number of a person, symbol, email address, physical address, telephone number, location information, online identifier or any other particular assignment to the person.

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

1.3 It is important that you read this policy carefully before submitting any personal information to Producer Ally.

1.4 By submitting any personal information to Producer Ally 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 Producer Ally 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, Producer Ally may not be able to provide its products and services to you.

2. INTRODUCTION

Producer Ally (Pty) Ltd trading as Producer Ally conduct business as a Freight Forwarder. Producer Ally is an industry expert, ready to assist any client in the Exporting and Importing of Goods. Producer Ally acknowledges that in its daily business operations, the majority of its communications are conducted electronically via the internet and that personal information is collected and processed electronically in compliance with the Electronic Communications and Transaction Act 25 of 2002.

3. OBJECTIVE

The objective of the policy is to ensure adherence to the provisions within POPIA together with its Regulations aimed at protecting all Producer Ally's data subjects from harm by protecting their personal information, to stop identity fraud and generally to protect privacy.

4. HOW TO CONTACT US:

If you have any comments or questions about this policy, please contact the Information Officer at pop@producera.co.za

5. AMENDMENT OF THIS POLICY

- 5.1 We may amend this policy from time to time for any of the following reasons:
 - 5.1.1 to provide for the introduction of new systems, methods or operation, services, products, property offerings or facilities;
 - 5.1.2 to comply with changes to any legal or regulatory requirement;
 - 5.1.3 to ensure that our policy is clearer and more favourable to you;
 - 5.1.4 to rectify any mistake that, may be discovered from time to time; and/or
 - 5.1.5 for any other reason that Producer Ally, in its sole discretion, may deem reasonable or necessary.
- 5.2 Producer Ally 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.

6. PRIVACY AND INDEMNITY

- 6.1 Producer Ally 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 (for example, by ensuring that all passwords and access codes are kept secure).
- 6.2 We have implemented reasonable technical and operational measures to keep your personal information secure.
- 6.3 You hereby indemnify and hold Producer Ally harmless from and against any loss, damages or injury that you may incur as a result of incorrect or incomplete personal information to Producer Ally.

7. PERSONAL INFORMATION WHICH WE MAY COLLECT ABOUT YOU

7.1 You, as the data subject, consent to the collection of the following personal information about you:

7.1.1 personal information that may include your 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;

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

7.1.3 details of transactions you carry out with us;

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

7.1.5 sensitive or special categories of personal information, including biometric information, such as images, fingerprints and voiceprints.

7.2 Where you provide us with the personal information of third parties you should take steps to inform the third party that you need to disclose their details to us, identifying us. In addition, you should not share their personal information with us, unless they have consented to you sharing such information with us and to us processing such information in accordance with this policy.

8. HOW WE COLLECT PERSONAL INFORMATION

8.1 We do not collect personal data via our website.

8.2 Most of the personal information we process is provided to us directly by you for one of the following reasons:

- Service Delivery
- Trade References
- Credit Checks
- Processing of Export Documentation
- Labour Law Compliance
- Tax Compliance
- Employee Salaries
- Audit Requirements
- SARS Compliance
- Storing of Data

8.3 We also receive personal information indirectly, from the following sources in the following scenarios:

- Third party acting on your behalf

8.4 We may share this information with:

- Auditors, Banks,
- Legal Representatives, Portnet, NMBM, SARS, Shipping Lines, CGIC, PAX, Logistex,
- Customs, PPECB, Transporters, BEE Verification Agent, Nutun Payroll, ESS

9. WHEN WILL WE PROCESS YOUR PERSONAL INFORMATION

9.1 In terms of the Protection of Personal Information Act (POPIA), the justification grounds which we base our processing on consist out of the following:

- 9.1.1 The data subject or a competent person where the data subject is a child **consents** to the processing. Kindly note that you have the right to withdraw your consent;
- 9.1.2 The processing is **necessary** to carry out actions for the conclusion or performance of a contract to which the data subject is a party;
- 9.1.3 The processing complies with an **obligation** imposed by law on the business;
- 9.1.4 The processing protects a **legitimate** interest of the data subject;
- 9.1.5 The processing is necessary for the proper performance of a **public law** duty by the business; or
- 9.1.6 The processing is necessary for pursuing the legitimate **interests** of the business or of a third party to whom the information is supplied.

10. RETENTION OF YOUR PERSONAL INFORMATION

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 Law. However, as a general rule, we will retain your personal 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).

11. YOUR DATA PROTECTION RIGHTS

- 11.1 You are entitled to access your personal data by sending written request to Producer Ally. We may charge you a fee for this service.
- 11.2 You may also request Producer Ally to correct or supplement any of your personal data which Producer Ally will undertake as soon as practicable.

- 11.3 You may request the destruction of your personal data. Producer Ally will consider your request in light of any other laws or regulations prohibiting Producer Ally from destroying your personal data.

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

Please contact us at **PRODUCER ALLY (PTY) LTD** if you wish to make a request.

Contact details:

Name: ***Benita Blom Kotze***
Address: ***144 Villiers Road, Walmer, Port Elizabeth, 6070***
Phone Number: ***041 581 4040***
E-mail: ***pop@producera.co.za***

How to complain:

If you have any concerns about our use of your personal information, you can make a complaint to us at **PRODUCER ALLY**.

You can also complain to the Information Regulator if you are unhappy with how we have used your Information.

Their contact details are as follows:

The Information Regulator (South Africa)

JD House
27 Stiemens Street, Braamfontein, Johannesburg, 2001
P.O Box 31533
Braamfontein, Johannesburg, 2017

How to lodge a complaint with the Information Regulator:

Download the prescribed complaint form using the link
<https://info regulator.org.za/complaints/>

Email your completed form to
POPIAComplaints@info regulator.org.za