

IDH PRIVACY STATEMENT: SOUTH AFRICA

1. INTRODUCTION

- 1.1. This is the IDH Privacy Statement for Personal Information of suppliers and business partners of in South Africa, collected in and/or from South Africa. This Privacy Statement provides information on the processing of personal information by IDH and its global representative offices and subsidiaries, which may include any affiliate legal entities in South Africa (“IDH, “we” or “us”). (The term ‘IDH subsidiaries’ refers to IDH entities incorporated outside of the Netherlands). IDH reserves the right to unilaterally change this privacy statement from time to time.
- 1.2. For purposes of this statement, Personal Information shall bear the meaning ascribed to it in the Act, as defined below, which is referenced at the end of this Privacy Statement. The protection of your privacy and Personal Information (refer to the definition of “Personal Information” at the end of this policy statement), together with upholding your constitutional right to privacy, is of vital importance to IDH.
- 1.3. IDH is the Responsible Party in the collection and processing of your Personal Information, but may utilise the services of third-party service providers for the collection of your Personal Information, whereby your Personal Information will be shared with them.
- 1.4. In line with the 8 Conditions for Lawful Procession of Personal Information as set out in the Protection of Personal Information Act no 4 of 2013 (“the Act”), we:
 - 1.4.1. Accept joint responsibility and accountability with you to responsibly manage and protect your Personal Information when providing our services to you;
 - 1.4.2. Undertake to collect and process only such Personal Information which is necessary given the purpose for which it is processed and to assist you with your required services, conclude the necessarily related agreements and consider the legitimate legal interests of everyone concerned, as required by the Act. We will at all times respect your right to withdraw your consent for the processing of your Personal Information;
 - 1.4.3. Undertake to only use your Personal Information for the purpose for which the information is essential to enable us to assist you or provide services to you;
 - 1.4.4. Undertake not to share or further process your Personal Information with anyone or for any reason if not required for assisting you with your services or as required in terms of legislation or regulations;
 - 1.4.5. Undertake to take reasonably practicable steps to ensure that information is complete, accurate, not misleading and, where necessary, is updated;
 - 1.4.6. Undertake to be open and transparent on the nature, extent and reasons for processing Personal Information;
 - 1.4.7. Undertake to safeguard and protect your Personal Information in our possession;

- 1.4.8. Undertake to freely confirm what Personal Information we hold of you, to update and rectify the Personal Information upon request and to keep it for no longer than required.
- 1.5. By providing us with your Personal Information, you agree to this Privacy Statement and authorise us to process such information as set out herein and you authorise IDH and associated entities or third parties (where applicable) for the purposes set out herein.
- 1.6. We will not use your Personal Information for any other purpose than that set out in this Privacy Statement and we will take the necessary steps to secure the integrity and confidentiality of Personal Information in our possession and under our control by taking appropriate and reasonable measures to prevent loss of, damage to or unauthorised destruction of your Personal Information and to prevent the unlawful access to, or processing of Personal Information.

2. REASONS FOR PROCESSING PERSONAL INFORMATION

- 2.1. We, or the entities who provide or assist with the services you required (if any) or have been contracted for the processing of Personal Information on our behalf, need to collect, use and keep your Personal Information as prescribed by relevant legislation and regulations and for reasons such as:
 - 2.1.1. To gather contact information of your submitted representatives;
 - 2.1.2. To respond to your queries;
 - 2.1.3. To develop and improve products and/or services;
 - 2.1.4. To assess and accept a supplier, consultant or business partner;
 - 2.1.5. To protect the safety and security of, and ensure integrity for, our employees, customers, suppliers and business partners;
 - 2.1.6. To confirm and verify your identity or to verify that you are an authorised user for security purposes;
 - 2.1.7. To comply with all legislative or regulatory requirements;
 - 2.1.8. For the detection and prevention of fraud, crime, money laundering or other malpractice;
 - 2.1.9. To conduct market or customer satisfaction research or for statistical analysis;
 - 2.1.10. To generate, distribute, and/or publish aggregated, anonymised and personally-unidentifiable data reports compiled based on the Personal Information you have submitted
 - 2.1.11. To fulfil our contractual obligations to you, for example to ensure that invoices are issued correctly, to communicate with you and to carry out instructions and requests, and for ensuring you are able to access our premises when required;
 - 2.1.12. For business process execution and internal management;
 - 2.1.13. For organisational analysis, development and management;
 - 2.1.14. For any other reasonably required operational purposes;

2.1.15. In connection with possible requirements by the Information Regulator or other Government agencies allowed by law, legal proceedings, or court rulings.

3. BUSINESS ACTIVITIES FOR WHICH PERSONAL INFORMATION IS PROCESSED

- 3.1. The selection of business to partake in business development schemes;
- 3.2. The facilitation of funding and other related activities;
- 3.3. Administering, managing and developing businesses and services;
- 3.4. Security, quality and risk management activities;
- 3.5. Gathering of personal information for purposes of generating, publishing and distributing aggregated and anonymised data reports; and/or
- 3.6. Complying with any requirement of law, regulation or a relevant professional body.

4. SHARING OR TRANSFER OF PERSONAL INFORMATION

- 4.1. Our employees will have access to your Personal Information to administer and manage our services and relevant business processes. In general, we do not share your Personal Information with third parties (other than service providers acting on our behalf) unless we have a lawful basis for doing so.

4.1.1. CROSS BORDER

We may need to share Personal Information outside of South Africa (in terms of POPI) or the European Economic Area (in terms of GDPR) for purposes as set out in this Privacy Policy Statement. This will be done in strict adherence to all requirements of the Act and other relevant legislation.

4.1.2. THIRD PARTY PROVIDERS/OPERATORS

- 4.1.2.1. We may need to share your Personal Information and/or utilise software or online platforms to enter and process your information for business management purposes. This will only be done in strict adherence to the requirements of the Act. We also have agreements in place to ensure that they comply with the privacy requirements as required by the Act.

- 4.1.2.2. We may also disclose your information:

- (a) Where we have a duty or a right to disclose in terms of legislation, regulations or industry codes;
- (b) Where we believe it is necessary to protect our rights;
- (c) When explicitly requested by you;
- (d) With professional advisers, for example, law or accountancy firms, as necessary to establish, exercise or defend our legal rights and obtain advice in connection with the running of our business. Personal Information may be shared with these advisers as necessary in connection with the services they have been engaged to provide;

- (e) To law enforcement, regulatory and other government agencies and to professional bodies, as required by and/or in accordance with applicable law or regulation. IDH may also review and use your personal information to determine whether disclosure is required or permitted; and/or
- (f) To donors of any relevant project or programme IDH is involved in that pertains to you.

4.1.2.3. When a third party processes your Personal Information solely following IDH instructions, it acts as an Operator as defined in the Act. We enter into an agreement with such an Operator for the processing of Personal Information. In this agreement, we include obligations to ensure that your Personal Information is processed by the Operator solely to provide services to us.

4.1.3. **WITHIN IDH**

As a global organisation, data we collect, which may include Personal Information, may be transferred internationally throughout IDH's global organisation. Your Personal Information may be exchanged within IDH globally and with companies working under the names Stichting Life and Building Safety Initiative (LABS), Yayasan Inisiatif Dagang Hijau, IDH India Sustainable Trade Initiative Foundation, Initiative Development Hub LLP, IDH Investment Management B.V. and IDH Solutions B.V. We exchange your Personal Information for administrative purposes and so that we can have a complete overview of your contacts and contracts with IDH.

IDH employees are authorised to access Personal Information only to the extent necessary to serve the applicable purpose and to perform their jobs.

5. **INFORMATION SECURITY**

- 5.1 We are legally obliged to provide adequate protection for the Personal Information we hold and to stop unauthorised access and use thereof. We will, on an ongoing basis, continue to review our security controls and related processes to ensure that your Personal Information remains secure.
- 5.2 IDH has taken adequate safeguards to ensure the confidentiality and security of your Personal Information. IDH has implemented appropriate technical, physical and organisational measures to protect personal data against accidental or unlawful destruction or accidental loss, damage, alteration, unauthorised disclosure or access as well as all other forms of unlawful processing (including, but not limited to, unnecessary collection) or further processing. Examples include IT security policies, staff training and secure servers.
- 5.3 When we contract with third parties, we impose appropriate security, privacy and confidentiality obligations on them to ensure that personal information that we remain responsible for, is kept secure.

6. RETENTION OF PERSONAL INFORMATION

We shall only retain and store Personal Information for the period for which the data is required to serve its primary purpose or a legitimate interest or for the period required to comply with an applicable legal requirement, whichever is longer.

7. YOUR RIGHTS: ACCESS TO INFORMATION

7.1 You have the right to request a copy of the Personal Information we hold about you. To do this, simply contact us via the numbers/addresses provided below or on our website and specify what information you require. We might need proof of authorisation or a copy of your ID document to confirm your identity before providing details of your personal information.

7.2 Please note that any such access request may be subject to a payment of a legally permissible fee.

8. CHANGES TO YOUR INFORMATION

You have the right to ask us to update, correct or delete your Personal Information. We will require proof of identity and/or authority before making changes to Personal Information we may hold of you. We would appreciate it if you would keep your Personal Information accurate and up to date as far as possible.

9. HOW TO CONTACT US

9.1 If you have any queries about this Privacy Statement, you need further information about our privacy practices, wish to withdraw consent, exercise preferences or access or correct your personal information, please contact us at the contact details in article 9.3 or as listed on our website.

9.2 Any additional information or concerns can be found and raised with the Information Regulator, but please feel free to contact us first to discuss any questions or concerns you may have.

9.3 **Website:** idhsustainabletrade.com; **Tel:** +31 (0)30 230 5660; **Email:** office@idhtrade.org

9.4 Personal Information is defined by the Protection of Personal Information Act (the Act) as:

“information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to —

a. *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;*

b. *information relating to the education or the medical, financial, criminal or employment history of the person;*

- c. *any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;*
- d. *the biometric information of the person;*
- e. *the personal opinions, views or preferences of the person;*
- f. *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;*
- g. *the views or opinions of another individual about the person; and (h) 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”.*