
THE PROTECTION OF PERSONAL INFORMATION ACT COMPLIANCE AND PRIVACY NOTICE

1. INTRODUCTION

The right to privacy is an integral human right recognised and protected in the South African Constitution and the Protection of Personal Information Act 4 of 2013 (“POPIA”).

POPIA aims to promote the protection of privacy by providing guiding principles that are intended to be applied to the processing of personal information in a context-sensitive manner.

Through the provision of quality services, the organisation is necessarily involved in collecting, using, and disclosure of certain aspects of the personal information of clients, employees, service providers, and other stakeholders.

This compliance and privacy notice aim to demonstrate our commitment to safeguarding your personal information and to notify you how and why we collect information from you, the way we use your information and how we share or disclose your information, as required in terms of the Protection of Personal Information Act (“POPI Act”).

This Notice provides you with the following information:

- An overview of MBB Services International;
- Our commitment to compliance;
- A Summary of the compliance measures implemented;
- A notification on the collection of personal information and how we use the information;
- Your rights as a data subject;
- How to contact us about this notice.

This compliance and privacy notice should be read in conjunction and supplements other privacy policies which may apply in respect of MBB Services International group.

2. OVERVIEW OF MBB Services International

MBB Services International (Pty) Ltd is the holding company within the MSI Group Structure and together with the following entities in the group, as mentioned below, share infrastructure and data platform technology to deliver services in the fields of agriculture, civil, industrial, mechanical, structural, quantity surveying, and environmental engineering amongst others:

- Feroqs Consult (Pty) Ltd;
- MBB Consulting Services (South) (Pty) Ltd;
- MBB Consulting Services (PMB) (Pty) Ltd;
- MBB Consulting Services (Nelspruit) (Pty)Ltd;
- MBB Consulting Services (Eastern Cape) (Pty) Ltd;
- Agricultural Community Environmental and Rural Development Consultants (Pty) Ltd;
- Comprenite (Pty) Ltd.

For more information about us or the Group Structure please refer to the website (www.mbb.co.za).

In this notice, when we refer to “MBB Services International”, “MBB” or the group we refer to one or more of the aforementioned companies as responsible parties. MBB Services International has developed this compliance and privacy notice for our clients, services providers, employees, applicants for employment and any other data subject to understand our commitment to compliance with the POPI provisions and how and why the group collects, uses, discloses and safeguards their personal information.

3. COMMITMENT TO COMPLIANCE WITH POPI

Given the importance of privacy, MBB Services International is committed to effectively managing personal information in accordance with POPIA’s provisions. To meet the requirements of POPI, MBB Services International has drafted a POPI Risk Management and compliance programme or framework which includes measures:

- Development and implementation of Information processing plan and procedures, including the safeguards of personal information required under POPI
- Development and implementation of a compliance monitoring plan
- Appointment of Information Officers
- Delegation of duties to staff and training on their duties
- Development of disclosures and client POPI engagement processes
- Documentation of relationships with third parties on the sharing of personal information and/or service agreements for the outsourcing of certain POPI obligations

4. PRIVACY STATEMENT

MBB Services International respects your right to privacy and is committed to safeguarding your personal information when processing your personal information in terms of the Protection of Personal Information Act (POPIA).

This privacy statement applies to natural and juristic persons whose personal information is processed by MBB Services International, including potential clients, existing clients, services providers, employees and applicants for employment. In instances where MBB Services International processes personal

information as an operator for a responsible party in terms of a contract or mandate, we encourage you to read and understand that particular responsible party's privacy notice.

Our privacy statement outlines our policy surrounding the protection and processing of your personal information and our commitment to comply with the conditions set out in the Protection of Personal Information Act (POPIA) when collecting, recording, storing, disseminating, and destroying personal information, and responding to government requests for our data subjects:

- I. In our capacity as the responsible party, we shall inform you that we shall be processing personal information, the purpose or reasons for the collection of personal information and we shall endeavor to obtain information directly from you upon your consent or if we can demonstrate a justifiable reason for collecting personal information;
- II. We shall process information for a specific, lawful reason and only adequate, relevant information which is limited to the purposes for which they are processed and which relates to the functions or the activity for which it is intended;
- III. We shall delete or otherwise de-identify your personal information after the minimum storage periods required under our risk and statutory record keeping periods have expired.
- IV. We shall take reasonable steps to ensure personal information obtained from our data subjects or third parties is complete, accurate, not misleading and updated where necessary.
- V. We take measures to ensure data is kept safe and prevent loss of, damage to, or unauthorized destruction of personal information, and unlawful access to or processing of personal information.
- VI. We undertake to review and update our security measures in accordance with future legislation and technological advances.
- VII. MBB Services International is obligated to inform the Information Regulator and the affected data subject if there is a breach of personal information. We shall aim to assist in minimising any losses that may result from such a breach in security.
- VIII. We shall not contact/solicit you unless you have given us your consent to do so;
- IX. We shall implement the necessary measures that will give effect to your rights as a data subject as provided in terms of POPIA.

5. NOTIFICATION OF PERSONAL INFORMATION COLLECTED AND PROCESSING ACTIVITIES

The following information is required to be disclosed to all data subjects before collecting personal information from them. This notification applies to natural and juristic persons (which includes) potential clients, existing clients, services providers, and applicants for employment whose personal information is processed by the group in its capacity as a responsible party.

5.1 Information being collected

The type of personal information and special personal information we collect depends on the purpose and reason for which it is processed and relates to the functions or the activity for which it is intended.

Personal information is information that identifies a person, examples of personal information we collect are; your name, ID number, date of birth; contact details; information surrounding your personal circumstances such as your race, gender, nationality, marital status, medical, financial, criminal and employment history. Juristic persons may be identified by their registered or trade name, registration numbers and business addresses. MBB Services International may also collect information such as tax numbers, VAT numbers, PAYE numbers and bank account details. Special personal information refers to religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life or biometric information of a data subject, and criminal behaviour. MBB Services International only collects special personal information and personal information of a child if it is necessary for the performance of the client engagement or required by law.

MBB Services International shall only process personal information in a lawful manner and based on

- Having consent from the data subject;
- or for legitimate and justifiable reasons as provided for in the POPI Act.

The Data subject provides the information voluntarily and understands that certain information is mandatory for the purpose of administration or management of the Responsible party-Data subject relationship.

5.2 Methods of collection

MBB Services International collects personal information in several ways which include but are not limited to:

- Online submission through our website;
- Correspondence via e-mail;
- Completion of paper-based information sheets;
- Electronic-based information sheets;
- Submission of paper-based information;
- Phone calls, consultation which content is entered into records;
- Social media platforms.

MBB Services International collects information directly from you where you provide us with your details or if personal information is available in public records. In addition to the aforementioned, we may obtain information from third parties or other external resources for purposes of fulfilling our engagement with our data subject and subject to your consent.

The personal information provided by you may be processed across the group to ensure efficient interaction with MBB Services International. Such information is processed, stored and retained through the group's shared data technology platform.

5.3 Purpose of collection and use of personal information

MBB Services International shall collect personal information for a specific, explicitly defined and lawful purpose that relates to the function or the activity of our organisation for which it was intended. If MBB Services International wants to process the personal information further or for additional purposes, it must be compatible or in line with the purpose for which it was collected.

The information collected by MBB Services International may be used, transferred, stored, disseminated, shared, or processed for the following purposes:

Potential clients and existing clients:

- To provide services or goods to our clients and to carry out our responsibilities in terms of the engagement with the client;
- To communicate and manage our relationship with you;
- Issuing fees for invoices payable
- To respond to enquiries and complaints from clients;
- Provide updates and newsletters;
- To analyse complaints and suggestions from clients for services delivery;

Service providers:

- Obtain quotes and services proposal for the delivery of services;
- For processing payments of invoices;
- Liaising with the service provider on the services to be rendered in terms of the services level agreement;
- Conducting general due diligence.

Applicants for employment:

- To determine whether the application is suitable for the position applied
- Contacting previous employers to obtain references concerning the job seekers employment history and performance
- Credit and criminal checks (subject to consent);

Employees:

- To maintain the employer and employee relationship;
- Comply with obligations imposed on the employer in terms of the South African conditions of employment legislation framework;
- Administration of employee benefits;
- Administration and submission of statutory submission and payments such as tax, UIF etc;
- Payment of salaries;
- Resolving labour disputes.

General:

- To identify the data subject;
- General administration;
- Record-keeping requires as per legislative requirements.
- To comply with legal and regulatory obligations.
- To detect and prevent fraud, crime and money laundering and other forms of malpractice;
- To protect and enforce MBB Services International rights and remedies in terms of legislation and governing law.

5.4 Particular law authorising or requiring collection and other processing activities.

MBB Services International may process information to comply with legislative requirements which include:

- Compliance with regulatory and legislative requirements such as FICA, BCEA etc;
- Compliance with reporting requirements;
- Record keeping requirements;
- Prevention of money laundering, terrorist financing, fraud, corruption, tax evasions and other crimes;

5.5. Cookies

A cookie is a string of information that a website stores on a visitor's computer, and that the visitor's browser provides to the website each time the visitor returns. MBB Services International has implemented a privacy policy available on its website.

5.5 Disclosure of personal information

During our various processing activities, MBB Services International may disclose personal information with:

- Our employees who are required to render the services to our clients;
- Employees to liaise with applicants for employment and services providers;
- Entities within the MBB Services International Group;
- Services providers involved in the rendering of services to the clients;
- Service providers that provide software or programming services that enable MBB Services International to perform our services efficiently;
- Services providers it is engaged with such as compliance officers, administration, labour consultants, attorneys etc.;
- Government institutions (such as SARS, CIPC, UIF etc)

MBB Services International may share personal information if it has a duty or a right to disclose the same in terms of law or certain industry codes; or if it is necessary to protect MBB Services International's or your legal rights and interests.

Access to data subjects' personal information from within the group is limited to essential staff or specialist contractors required to access our systems for client service or maintenance purposes, bound by the requirements of the legislation and required to maintain safety and security measures.

5.6 Cross border transfer

MBB Services International will not transfer personal information to a third party in a foreign country without ensuring that it complies with POPI provisions or subscribes to similar personal information protection laws. Personal information shall not be shared with countries that do not subscribe to personal information protection laws unless MBB Services International has entered into an agreement in terms of which the third party subscribes to the obligations for lawful processing of personal information.

6. MARKETING AND PROMOTIONS

MBB Services International shall not process personal information of a data subject for the purposes of direct marketing by any form of electronic communication unless MBB Services International has obtained consent from the data subject or if the data subject is a client of MBB Services International.

YOUR RIGHTS AND RESPONSIBILITIES

To ensure that MBB Services International at all times has the correct information of the person to whom the personal information relates, we require our data subjects to supply us with information that is complete, accurate and not misleading, and inform MBB Services International when their personal information changes.

A person to whom the personal information relates has a right to object to the use of personal information or complain about instances where any of their rights under POPIA has been infringed upon. In certain instances, failure to provide us with personal information may result in the inability to deliver said services to you, alternatively, you shall receive limited services or we shall not be able to enter into a business or employment relationship with you, as the case may be.

In addition to the aforementioned right, you have the right to request access to personal information and, where necessary, that the personal information held by MBB Services International must be corrected, destroyed or deleted.

7. DATA SUBJECT ENGAGEMENT PROCEDURES

Access to information requests can be made by email, addressed to the Information Officer. The Information Officer will provide the data subject with the prescribed form. Once the completed form has been received, the Information Officer will verify the data subject's identity before handing over any personal information. All requests will be processed and considered against the organisation's PAIA Policy, recordkeeping policies and any other requirements in terms of the law.

MBB Services International takes all complaints very seriously and will address all POPI related complaints in accordance with the following procedure:

- POPI complaints must be submitted to the organisation in writing. Where so required, the Information Officer will provide the data subject with a "POPI Complaint Form".
- The Information Officer will provide the complainant with a written acknowledgement of receipt of the complaint.
- The Information Officer will carefully consider the complaint and amicably address the complainant's concerns. In considering the complaint, the Information Officer will endeavour to resolve the complaint in a fair manner and under the principles outlined in POPIA.
- Where the data subject is not satisfied with the Information Officer's suggested remedies, the data subject has the right to complain to the Information Regulator.

The Information regulator's contact details are as follows:

Complaint's email: complaints.IR@justice.gov.za

General enquiries email: infoereg@justice.gov.za

JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001

P.O Box 31533, Braamfontein, Johannesburg, 2017

Should you have any questions relating to this notice or wish to submit a request or complaint you can contact the relevant company Information Officer as listed below:

Name of entity within the group	Name of Officer	Email
MBB Services International (Pty) Ltd	Dieter Rudolph Schnetler	drs@mbb.co.za
MBB Consulting Services (PMB) (Pty) Ltd;	Mark Zartmann	mz@mbb.co.za
MBB Consulting Services (Nelspruit) (Pty)Ltd;	Barend Jan Marx	barend@mbb.co.za
MBB Consulting Services (Eastern Cape) (Pty) Ltd;	Praveshkoomar Karmadev Nosib	pkn@mbb.co.za
Agricultural Community Environmental and Rural Development Consultants (Pty) Ltd;	Rolf-Dieter Heinsohn	dieter.heinsohn@acerafrica.co.za
Feroqs Consult (Pty) Ltd;	Christian Jurgens Hanekom	iurgens@feroqs.co.za
Comprenite (Pty) Ltd.	Georg Frederik Jacobus van Rensburg	org@mbb.co.za
MBB Consulting Services (South) (Pty) Ltd;	Dieter Rudolph Schnetler	drs@mbb.co.za

8. POLICY CHANGES

This notice was last revised on 20 August 2021. Any material changes hereto will be published on our website or distributed to clients in writing. Your continued use of our services following the update means that you accept MBB Services International's updated notice.