

PERSONAL INFORMATION PROCESSING POLICY ("Policy")

1. Introduction and background

This Policy covers compliance by Blue North Sustainability Proprietary Limited and Blue North Consulting Proprietary Limited (hereinafter collectively referred to as "**Blue North**") with the Protection of Personal Information Act, 4 of 2013 ("**POPIA**") as well as the application thereof. Blue North promotes the right to privacy and the POPIA includes the right to protection against unlawful processing of Personal Information, giving effect to the right to privacy as enshrined in section 14 of the Constitution of the Republic of South Africa.

Blue North is committed to protecting Data Subjects' privacy and recognises the importance of compliance with statutory requirements in the Processing of Personal Information.

2. Definitions

"Data Subject" means the person to whom Personal Information relates, and for purposes of this policy includes, but is not limited to, Blue North's governance and/or appointed officer-bearers, clients, prospective clients, employment candidates, employees, suppliers, partner organisations, subsidiaries, visitors, contractors, service providers, agents, members of the public.

"Personal Information" means Information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person (whether The University employees, directors, customers, suppliers, contractors, shareholders, or contractors' or suppliers' staff), 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;
- i. and includes "**special personal information**" referred to in section 26 of the POPIA such as religion, race or ethnic origin, criminal record, trade union membership, health, medical records, or biometric information of a Data Subject.

"Platforms" means all Blue North's websites, mobile sites, social media platforms or any other technology or mechanism the Data Subject may use to interact with Blue North;

“Processing” means any operation or activity or any set of operations, whether by automatic means, concerning Personal Information, including:

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

“Products” means both Blue North’s Software and its Resources.

“Responsible Party” means Blue North as a private body, who alone or in conjunction with others, determines the purpose of and means for processing Personal Information.

“Resources” means downloadable documentation, tools and/or resources that Blue North makes available to Data Subjects as supporting resources to Blue North’s Software.

“Software” means Blue North’s software, including its online web applications, tools, software based services, mobile applications or any other technology that the Data Subject selected and that Blue North may license to the Data Subject.

3. Purpose

This Policy promotes the protection of Personal Information and aims to regulate, in harmony with regulatory standards, the processing of Personal Information by Blue North, as well as the promotion of the right to privacy in accordance with the requirements of the POPIA.

This Policy sets out how Blue North handles the Personal Information it collects and receives from Data Subjects.

4. Processing of Personal Information

Blue North Processes Personal Information of Data Subjects in accordance with the eight conditions for the lawful processing of Personal Information as contained in the POPIA and these principles guide Blue North on how Personal Information must be processed. Data Subject consent to process Personal Information is provided voluntarily as provided for in the Information Privacy Agreement that can be accessed **here**.

When a Data Subject grants their consent in terms of the Information Privacy Agreement or uses any of the Platforms or Products, the Data Subject will be bound by all the terms and conditions of the Information Privacy Agreement and by the terms of this Policy.

The POPIA sets out eight conditions for the lawful processing of Personal Information. These conditions are applied by Blue North as follows:

a. Condition 1: Accountability

Whenever Blue North processes Personal Information, it will, as the Responsible Person, ensure that the eight conditions for the lawful processing of Personal Information as set out in the POPIA, and all the measures that give effect to such conditions, are complied

with at the time of the determination of the purpose and means of the Processing and during the Processing itself.

b. Condition 2: Limitations on the Processing of Personal Information

Blue North endeavours to process Personal information lawfully and in a reasonable manner that does not infringe the privacy of the Data Subject. Blue North will only process Personal Information where:

- (i) Blue North has obtained the consent of the Data Subject;
- (ii) it is necessary for the establishment, exercise or defence of a right or obligation in law;
- (iii) it serves a public interest, and the processing is necessary for the purpose concerned; or
- (iv) it is necessary for the conclusion or performance of a contract to which the Data Subject is party or for pursuing the legitimate interests of Blue North as a Responsible Party.

Consent is granted by the Data Subject, for the purposes of this Condition 2, once the Information Privacy Agreement has been concluded in accordance with paragraph 4 above.

Withdrawal of consent:

The Data Subject may withdraw their consent to Blue North processing their Personal Information at any time provided that the lawfulness of the processing of Personal Information before such withdrawal, or the processing of Personal Information, will not be affected.

Objection to Processing of Personal Information:

The Data Subject may also object, at any time, to the processing of their Personal Information, by complying with the relevant process, and subject to there being reasonable grounds relating to their particular situation. In the event that the Data Subject objects to the Processing of Personal Information, Blue North is obliged to cease Processing the Personal Information in question.

Collection of Personal Information **directly** from the Data Subject:

While using Blue North's Platforms or Products, Blue North may ask the Data Subject to provide it with Personal Information that the Data Subject provides to Blue North directly, whether through Blue North's Platforms or Products or via phone, text messages, social media, fax or any other medium. This includes, but is not limited to, Personal Information provided as follows:

- (i) by filling in forms on Blue North's Platforms or Products (when the Data Subject signs up for an account or subscribes or registers to use services on Blue North's Platforms or Products;

- (ii) when the Data Subject enters a competition, promotion or completes a survey;
- (iii) by posting comments or content on Blue North's Platforms or Products; or
- (iv) when the Data Subject purchases one of Blue North's Products.

Collection of Personal Information *indirectly* from the Data Subject:

If the Data Subject consents thereto in terms of the Information Privacy Agreement, Blue North may indirectly collect such information through various means. This may include, *inter alia*, the use of cookies, web beacons and other tracking technologies. The Data Subject can, however, manage or disable cookies in the Data Subject's browser settings. Depending on the manner in which the Data Subject accesses and uses Blue North's Platforms or Products, Blue North may receive or collect:

- (i) Personal Information inferred about the Data Subject based on the Data Subject's interaction with Blue North's Platforms or Products;
- (ii) Device information that may contain Personal Information (including, the type of device used by the Data Subject, the manner in which Blue North's Platforms or Products are accessed, the Data Subject's browser type, browser version, or operating system, diagnostic data and the Data Subject's Internet Protocol ("IP") address);
- (iii) Location information (the Data Subject's device's GPS signal and information about nearby Wi-Fi networks and cell towers). Blue North will obtain this information when the Data Subject uses location-enabled services. However, the Data Subject can disable location services whenever the Platforms or Products are used, through the Data Subject's device settings;
- (iv) Personal Information pertaining to the Data Subject, including but not limited to, carbon emission or carbon footprint related data (primary data for the purpose of calculating product carbon footprint), data that will allow Blue North to determine patterns, trends and/or risks in an industry.

Collection of Personal Information from other *third party* sources:

Blue North may receive additional Personal Information about the Data Subject, if they have consented thereto in terms of the Information Privacy Agreement or if such Personal Information is publicly or commercially available and combine that with other information Blue North has collected or received about the Data Subject in other ways.

c. Condition 3: The purpose for collecting Personal Information

The Personal Information collected or received by Blue North will be used for the following general purposes when consented to by the Data Subject in terms of the Information Privacy Agreement:

- (i) to provide the Data Subject with information, products or services requested by the Data Subject from Blue North;
- (ii) to improve and maintain Blue North's Platforms or Products;

- (iii) to be effective and relevant in the services that Blue North provides to the Data Subject;
- (iv) to provide the Data Subject with support;
- (v) to communicate with the Data Subject;
- (vi) to allow the Data Subject to participate in interactive features of Blue North's Platforms or Products whenever the Data Subject elects to do so;
- (vii) to monitor the usage of Blue North's Platforms or Products;
- (viii) to provide effective advertising (provide the Data Subject with news, special offers and general information about other goods, services and events which Blue North offers, that are similar to those that the Data Subject has already purchased or enquired about); and
- (ix) to create anonymized databases and reports, including but not limited to, industry benchmarking and other aggregated reports, trend/pattern reports, risk profile reports, all of which Blue North may provide or sell to its customers or other third parties,

(hereinafter collectively referred to as the "**Permitted Purpose**").

Retention of Personal Information

Blue North will retain your personal information only for as long as is necessary for the purposes set out in this policy or to comply with our legal obligations, resolve disputes, and enforce our legal agreements and policies.

d. Condition 4: Further Processing of Personal Information

Blue North will not conduct any further Processing of Personal Information for any purpose than the Permitted Purpose and other than what is provided for in this policy or in terms of the Information Privacy Agreement concluded with the Data Subject.

e. Condition 5: Information Quality

Blue North takes reasonable steps to ensure that the Personal Information collected is complete, accurate, not misleading and updated where necessary and Blue North has regard to the Permitted Purpose for which Personal Information is collected.

f. Condition 6: Openness

Blue North will take reasonable steps to ensure that the Data Subjects are aware of, amongst others, the Personal Information it collects and the purpose for which the Personal Information is processed as set out in this policy and the Information Privacy Agreement. In this regard, Blue North complies with sections 17 and 18 of the POPIA.

g. Condition 7: Security Safeguards

The security of your Personal Information is important to Blue North. While we strive to use commercially acceptable means to protect Personal Information, Blue North cannot guarantee its absolute security. However, Blue North does employ a number of safeguards intended to mitigate the risk of unauthorized access or disclosure of the Personal Information. Blue North will use its best endeavours to protect the Data Subject's Personal Information and will take reasonable steps to use the latest technology to assist with this. Blue North will at all times comply with its obligation under the POPIA.

h. Condition 8: Data Subject Participation

- (i) The Data Subject has the right to request Blue North not to contact the Data Subject for marketing purposes. The Data Subject may exercise this right at any time by using any of the various "opt-out" options that Blue North will always provide when communicating with the Data Subject.
- (ii) The Data Subject has the right to confirm whether Blue North holds Personal Information in respect of the Data Subject (free of charge) and the right to request a copy of such Personal Information (at a reasonable fee, if applicable). To exercise these rights the Data Subject is referred to Blue North's PAIA (promotion of access to information) manual which can be found **here**.
- (iii) It is important that any Personal Information we hold in respect of the Data Subject is up to date. The Data Subject has the right to request Blue North to any time correct or remove the Data Subject's Personal Information.
- (iv) The Data Subject also has the right to update the Data Subject's Personal Information directly within the Data Subject's account settings section. If the Data Subject is unable to change the Data Subject's Personal Information, the Data Subject is welcome to contact Blue North to make the required changes.
- (v) The Data Subject has the right to request Blue North to erase the Data Subject's Personal Information when it is no longer necessary for the Permitted Purpose, or when, among other things, the Data Subject's Personal Information has been unlawfully processed.

5. Transfer of Personal Information

- (i) Blue North is based in and operates from South Africa. The Data Subject's Personal Information may be transferred to and stored and maintained on Blue North's servers located outside of the Data Subject's country, however, Blue North will ensure that the countries where such servers are situated are subject to laws that uphold the principles of lawful processing of information substantially similar to the laws in South Africa that protect the processing of Personal Information.
- (ii) Furthermore, Blue North might transfer the Data Subject's Personal Information to places outside of South Africa where Blue North's suppliers might process it.

If that happens, Blue North will, again, ensure that the countries where such processing is conducted are subject to laws that uphold the principles of lawful processing of information substantially similar to the laws in South Africa that protect the processing of Personal Information.

6. Contact details

- a. Blue North can be contacted at info@bluenorth.co.za regarding any queries in respect of this policy.
- b. Complaints can be lodged with the Information Regulator of South Africa using the contact details listed below:
 - (i) Tel: 012 406 4818
 - (ii) Email: complainants.ir@justice.gov.za.