

## FRUITWORKS PRIVACY NOTICE & WEBSITE USE POLICY

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### 1. FRUITWORKS

Fruitworks processes personal information of individuals and juristic persons in order to carry out its operations as exporter.

This privacy notice applies to anyone who interacts with us via any media, including electronic media, such as email, our website, apps or telephonically (“electronic media”).

This privacy notice forms part of our agreement with you, and aims to help you understand our personal information collection practices, the legal grounds that justify our use of your personal information, our disclosure practices and your use of our website.

### 2. PERSONAL INFORMATION COLLECTED

We collect and process different types of personal information in the course of operating our business:

- 2.1. Basic information: name, surname, registration number, identity/passport number, nationality, or gender;
- 2.2. Contact or location information: landline or cell phone number, email address, postal or physical address/es;
- 2.3. Financial information: payment related information, income tax or VAT / GST / PAN number/s or bank account details;
- 2.4. Identification and other background verification information such as: copies of passport, identity document, utility bills, founding documents, business licences, permits, certificates, farm numbers and PUC/PHC numbers;
- 2.5. Information provided by you in the course of the conduct of our business operations, which may, where relevant, include special personal information;
- 2.6. Recruitment related information such as: curriculum vitae, education and employment history and other information relevant to potential recruitment.

### 3. HOW PERSONAL INFORMATION IS OBTAINED

We collect or receive your personal information as follows:

- 3.1. where you provide it to us directly, for example by corresponding with us by electronic media or via other direct interactions with us, for example, the completion of our customer or supplier form;
- 3.2. third party sources, for example, where we receive information about you from trade references, from our customers or suppliers (where it is necessary for us to carry out our responsibilities under an agreement), or from recruitment agencies for recruitment purposes.

### 4. HOW PERSONAL INFORMATION IS USED

We will only use your personal information where we are permitted to do so by law. Primarily, personal information is used to carry out our business operations as exporter (i.e. to enter into or perform our agreement with you). We may also use personal information in the following ways:

- 4.1. to comply with our legal obligations and our legal or regulatory reporting obligations;
- 4.2. for audit or record keeping purposes;
- 4.3. to facilitate the use of our website and to respond to requests for information or enquiries from visitors to our website;
- 4.4. for employment and recruitment purposes.

Certain personal information we must collect in terms of applicable law (i.e. the provision is mandatory), in other instances, we must collect it to carry out our obligations arising from any agreement with you (i.e. the provision is voluntary). If you fail to provide the required information when requested, we may not be able to perform the agreement we have or are trying to enter into with you.

## 5. SHARING OF YOUR PERSONAL INFORMATION

We may have to share or transfer of your personal information to third parties for the purpose of conducting our business. We aim to only share personal information in limited and controlled circumstances and, as far as possible, to have agreements in place with such third parties, to ensure that your personal information is safeguarded.

Personal information may be shared with:

- 5.1. our professional advisers (e.g., legal, accounting, HR, tax or other advisers), bankers and auditors;
- 5.2. our insurers and insurance brokers;
- 5.3. third party service providers (e.g. warehouses, packhouses, cold storage facilities, freight forwarders, shipping lines, line bookers, road transport services and IT services);
- 5.4. government and regulatory bodies (e.g. DAFF, PPECB, SARS and SARB);
- 5.5. industry bodies;
- 5.6. parastatals (e.g. Transnet);
- 5.7. licensors (e.g. reporting under licencing agreements);
- 5.8. our subsidiaries.

## 6. TRANSFER OF PERSONAL INFORMATION

In the course of operating our business as exporter, we may need to transfer of your personal information to locations outside of South Africa in order to perform our obligations arising under an agreement with you. This will only be done for specific and limited reasons and we aim to implement appropriate measures to ensure that your personal information is protected in accordance with applicable data protection laws.

## 7. RETENTION OF PERSONAL INFORMATION

We will retain your personal information only for as long as is necessary to fulfil the purpose for which it was collected and/or in accordance with provisions of applicable legislation.

## 8. PROTECTION OF YOUR PERSONAL INFORMATION & ELECTRONIC COMMUNICATIONS

We recognise that information security is an integral element of data privacy. While no data transmission (over any form of electronic media) can be guaranteed to be secure from intrusion, we implement a range of commercially reasonable physical, technical and procedural measures to help protect personal information from unauthorised access, use, disclosure, alteration or destruction.

If you use our electronic systems (this includes our website, a portal, Fruitworks email address or any other electronic system) or engage with us via electronic media, you agree that we may respond to you via electronic media, may access and process your personal information, including the contents of your communications and act upon your electronic communications. Electronic media, especially emails, could be subject to data corruption, delay, interception, malicious software/viruses and unauthorised amendment. It is your responsibility to ensure that the onward transmission, opening or use of electronic media and any attachments will not adversely affect your systems or data and Fruitworks assumes no responsibility or liability in this regard.

## 9. THIRD PARTY PERSONAL INFORMATION SUPPLIED TO US

We aim to collect personal information directly from the person to whom such information relates. When you provide us with personal information relating to third parties (e.g. that of a representative, employment/character reference, trade reference, consignee, receiver or clearing agent), it must be on the basis that you have obtained their voluntary, specific and informed consent prior to such provision and it is your responsibility to provide us with information confirming such consent, should we request it.

## 10. YOUR RIGHTS IN RELATION TO YOUR PERSONAL INFORMATION

If you have any questions about our use of your personal information, you should first contact us via the details provided below. Under certain circumstances and in accordance with the Protection of Personal Information Act, No. 4 of 2013 and, where applicable, other international data protection laws, you have the right to:

- 10.1. have your personal information lawfully processed;
- 10.2. be notified that personal information about you is being collected;
- 10.3. be notified that your personal information has been accessed or acquired by an unauthorised person;
- 10.4. establish whether a responsible party holds personal information of you and to request access to this personal information;
- 10.5. request, where necessary, the correction, destruction or deletion of your personal information;
- 10.6. object to the processing of your personal information;
- 10.7. not have your personal information processed for purposes of direct marketing by means of unsolicited electronic communications;
- 10.8. not be subject, under certain circumstances, to a decision which is based solely on the basis of the automated processing of your personal information intended to provide a profile of you;
- 10.9. submit a complaint to the Information Regulator (*complaints.IR@justice.gov.za*) regarding alleged interference with the protection of the personal information of any data subject or to submit a complaint to the Information Regulator in respect of a determination of an adjudicator; and
- 10.10. institute civil proceedings regarding an alleged interference with the protection of your personal information.

We are also required to take reasonable steps to ensure that your personal information remains accurate. In order to assist us with this, please let us know of any changes to the personal information that you have provided to us.

While it is our policy to respect the rights of data subjects, please be aware that your exercise of these rights are subject to certain exemptions to safeguard the public interest, our interests and some of these rights may be limited where we are required or permitted by law to continue processing your personal information.

## 11. CONTACT US

Should you wish to: request access to your personal information held by Fruitworks, object to the processing thereof, or request the correction, destruction, or deletion of your personal information, please use the process outlined in our Information Manual, read with POPIA and the *Promotion of Access to Information Act*, No. 2 of 2000. Our Information Manual is available from our Information Officer. Please contact us by sending an email to: [info@fruitworks.co.za](mailto:info@fruitworks.co.za) or Fruitworks (Pty) Ltd, Att.: Information Officer, 124 Main Road Paarl, 7646.

## 12. WEBSITE USE

Please note that all information provided on our website is for general information purposes only. All liability of Fruitworks is excluded in respect of any loss or damage which may arise in connection with your use of our website or reliance upon any materials and information appearing on our website. Our website may also contain links to and from websites, mobile applications and/or services of third parties. If you click on these links or enable these connections this may allow third parties to collect or share information about you. Please note, we have not evaluated nor control these third parties and are not responsible for the privacy practices of such other parties when you leave our website. We recommend you read the privacy statements of every website you visit which collects personal information.

Our website may use cookies and other technologies. These technologies help us better understand user behaviour and facilitates and measures the effectiveness of advertisements and web searches. We treat information collected by cookies and other technologies as non-personal information. However, as Internet Protocol (IP) addresses or similar identifiers are generally considered personal information, we also treat IP as personal information.

## 13. UPDATES TO PRIVACY NOTICE

Our privacy notice may change from time to time in the future. Please review this privacy notice when you visit our website ([www.fruitworks.co.za](http://www.fruitworks.co.za)) to stay informed of any changes. **Version: 01/2021 / Dated: 07 December 2021.**