



# Protection of Personal Information Policy Version 1.1

October 2023

**Trive South Africa (Pty) Ltd**  
**Protection of Personal Information Policy**  
**Version 1.1**  
**October 2023**

**Version Control and Date of Issue**

<b>Version Reference</b>	<b>Author</b>	<b>Reviewer/Approver</b>	<b>Date of Approval</b>	<b>Next Review Date</b>
V1.0	Mbalenhle Mthembu	Travis Robson	2022.08.29	2023.08.29
V1.1	Daniel van der Merwe	Travis Robson	2023.10.09	2024.10.09

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# PROTECTION OF PERSONAL INFORMATION POLICY

## 1. Introduction

- 1.1. The Protection of Personal Information Act, 4 of 2013 (hereinafter referred to as “**POPIA**”) seeks to promote and regulate the processing of Personal Information of data subjects, thereby giving effect to Section 14 of the Constitution of the Republic of South Africa, being the constitutional right to privacy.
- 1.2. The right to protection of Personal Information is not only applicable to natural persons but also extends to legal entities, including companies, communities and/or other legally recognized organizations.
- 1.3. This Policy sets out the approach taken by Trive South Africa (Pty) Ltd (hereinafter referred to as “**Trive SA**”) in giving effect to the provisions set out in POPIA and in processing the Personal Information of our data subjects.

## 2. Definitions

- 2.1. The words and terms defined in this document are set out in the table below.
- 2.2. Where a word or term is not defined herein, and that word or term is defined in South African legislation, particularly in POPIA or related legislation, that definition shall be deemed to apply.

Word/Term	Definition
Constitution	The Constitution of the Republic of South Africa, 1996.
Data Subject	The person to whom the Personal Information relates.
Information Officer	The appointed person who is responsible for safeguarding the Personal Information of the Data Subject on behalf of Trive SA.
Information Regulator	The body responsible for regulating POPIA which has the power to act on behalf and in the interests of Data Subjects.
Operator	The person or entity that processes Personal Information for a Responsible Party in terms of a contract or mandate, without coming under the direct authority of that party.
PAIA	Promotion of Access to Information Act, 2 of 2000.
Personal Information	Information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person.
POPIA	The Protection of Personal Information Act, 4 of 2013.
Processing	Any operation or activity or any set of operations, whether or not by automatic means, concerning Personal Information.
Responsible Party	A public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means

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	for processing Personal Information. Trive SA I the Responsible Party for purposes of this Policy.
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### 3. Obligations

- 3.1. Trive SA's obligations under POPIA are, *inter alia*:
  - 3.1.1. To only collect Personal Information that we require for a specific purpose;
  - 3.1.2. To ensure that the collected Personal Information is relevant and up to date;
  - 3.1.3. To apply reasonable security measures to protect the Personal Information;
  - 3.1.4. To only keep the collected Personal Information for as long as we require it; and
  - 3.1.5. To adequately delete or dispose of the Personal Information once it is no longer required.

### 4. Minimum Requirements for Determining Compliance with POPIA

- 4.1. Trive SA shall continuously monitor all systems in order to understand the Personal Information that is being collected and held, as well as where such Personal Information is being held, in order to identify any potential gaps.
- 4.2. The Information Officer has ensured that a Compliance Framework has been developed and implemented, and that such Framework is continuously monitored, maintained and updated when necessary.
- 4.3. A comprehensive assessment has been conducted of all internal systems to ensure that adequate measures and standards are in place to ensure compliance with the conditions for the lawful processing of Personal Information, and to establish which profiles need to be added and identify what access permissions need to be modified, granted or removed.
- 4.4. Trive SA has adequate policies and procedures in place relating to and regulating the dissemination of any Personal Information into and out of Trive SA.
- 4.5. Trive SA has developed a PAIA and POPIA Manual, which we monitor, maintain and have made available as prescribed by both PAIA and POPIA.
- 4.6. Internal measures have been developed, and adequate systems have been put into place, to allow for the processing of requests for information or access thereto by Data

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Subjects, and internal awareness sessions and training is provided to all relevant employees regarding the provisions and requirements of POPIA.

- 4.7. The Information Officer shall, upon request, furnish copies of the PAIA and POPIA Manual to a Data Subject upon having received the relevant completed request forms, and upon having received payment of the prescribed fees as determined by the Regulator.

### 5. Collection of Personal Information

- 5.1. The below must be considered when collecting Personal Information from Data Subjects:
  - 5.1.1. Whether there are legitimate grounds for collecting and using the Personal Information being collected.
  - 5.1.2. Whether there is a lawful purpose for which the Personal Information is being collected.
  - 5.1.3. Whether there are any limitations on the processing or further processing of the Personal Information.
  - 5.1.4. The extent of the Personal Information that is required to prevent the collection of excessive Personal Information.
  - 5.1.5. The retention periods and requirements applicable to Personal Information and the destruction processes and procedures that need to be followed once the Personal Information is no longer required.
  - 5.1.6. The right of Data Subjects to request such Personal Information and query the use thereof.
  - 5.1.7. The security measures required to prevent the unauthorised or unlawful processing of Personal Information or access to Personal Information, including, but not limited to, accidental breach, loss, destruction, or damage to Personal Information.

### 6. Conditions for the Lawful Processing of Personal Information

- 6.1. POPIA provides for 8 (eight) conditions for the lawful processing of Personal Information by or for a Responsible Party, namely:

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- 6.1.1. Accountability;
  - 6.1.2. Processing Limitation;
  - 6.1.3. Purpose Specification;
  - 6.1.4. Further Processing Limitation;
  - 6.1.5. Information Quality;
  - 6.1.6. Openness;
  - 6.1.7. Security Safeguards; and
  - 6.1.8. Data Subject Participation.
- 6.2. Trive SA has implemented the required policies, processes and procedures to give effect to the above conditions.
- 6.3. More information relating to these conditions, as well as information as to how Trive SA is complying therewith, can be found in the PAIA and POPIA Manual.

## 7. Safeguarding of Personal Information

- 7.1. POPIA makes it obligatory for Trive SA to put the security of our Data Subject's data first. Therefore, it is of utmost importance that we protect and manage the Personal Information that we process to the best of our ability. This pertains to the Personal Information of our clients, as well as our employees.
- 7.2. Trive SA will take all reasonable measures, using appropriate technical and organization systems, as well as administrative processes and safeguards, to ensure the integrity and confidentiality of Personal Information under its control, and prevent the theft, loss, damage, unauthorized destruction, unlawful access or processing thereof, and identify any potential internal and external risks relating thereto.
- 7.3. Trive SA undertakes to only contract with Operators who apply the required POPIA security measures and will take all reasonable measures to ensure that such Operators immediately report any breaches, or reasonable suspicion of breaches, to Trive SA.
- 7.4. As per the provisions of POPIA, Trive SA shall immediately report any identified Data Subject's Personal Information that has been found to be stolen, lost or corrupted to the Information Regulator, as well as to the affected Data Subject.

### **8. Retention of Records**

- 8.1. POPIA provides that records of Personal Information must not be kept by the Responsible Party any longer than is necessary for achieving the purpose for which the information was collected. In light of the above, Personal Information shall only be retained by Trive SA for as long as is necessary to perform the required function or purpose, after which the information shall be destroyed, deleted or de-identified as soon as reasonably possible.
- 8.2. Trive SA shall retain Personal Information for a period of 5 (five) years after the termination of the business relationship with a particular Data Subject.

### **9. Rights of Data Subjects Regarding Direct Marketing by Means of Unsolicited Electronic Communications, Directories and Automated Decision Making**

- 9.1. POPIA requires Trive SA, as the Responsible Party, to obtain consent from the Data Subject before any Personal Information can be processed for the purposes of direct marketing.
- 9.2. Trive SA shall provide the Data Subject with a consent form to sign at onboarding stage.
- 9.3. Trive SA's Onboarding Client Associates shall ensure that the consent form is duly signed by the Data Subject and that he/she clearly specifies the method of communication to which they consent. This consent form shall be saved and securely filed in the Data Subject's client file.
- 9.4. Trive SA shall only send direct marketing materials to Data Subjects who have opted in for such marketing materials. Trive SA shall not send any direct marketing materials to any Data Subjects that have opted out for such marketing materials.

### **10. Consequences of Non-Compliance**

- 10.1. Trive SA has appointed its Chief Operations Officer as the custodian of Personal Information.
- 10.2. POPIA provides for penalties of up to R 1 million and/or 12 months imprisonment for non-compliance with the Act, and penalties up to R 10 million and/or 10 years' imprisonment for more serious offences.



### 11.Contact Information

11.1. The following people are to be contacted for any POPIA related queries:

11.1.1. Head of Compliance: [daniel.vdmerwe@trive.com](mailto:daniel.vdmerwe@trive.com);

11.1.2. Information Officer: [travis.robson@trive.com](mailto:travis.robson@trive.com); and

11.1.3. Deputy Information Officer: [marius.grobler@trive.com](mailto:marius.grobler@trive.com).

### 12.Review

12.1. This Policy will be reviewed by Executive Management every 12 (twelve) months, as required.

Approved by the Board of Directors on the 09<sup>th</sup> day of October 2023.